

Deadline	20th May 2010		
Application Number:	S/2010/0451		
Site Address:	PLOT OPPOSITE 7 SCHOOL HILL SCHOOL HILL/FOLLY LANE ALDERBURY SALISBURY SP5 3DR		
Proposal:	PROPOSED DEMOLITION OF EXISTING NURSERY BUILDING AND CONSTRUCTION OF NEW THREE BEDROOM DWELLING, GARAGE AND ASSOCIATED GROUND WORKS INCLUDING CONSTRUCTION OF A NEW ACCESS OFF FOLLY LANE		
Applicant/ Agent:	PEGASUS PLANNING GROUP		
Parish:	ALDERBURY - ALDER/WHITEPARISH		
Grid Reference:	418367	126957.8	
Type of Application:	FULL		
Conservation Area:	ALDERBURY	LB Grade:	
Case Officer:	MRS J WALLACE	Contact Number:	01722 434687

Reason for application being considered by committee

Councillor Britton has requested that this item be determined by Committee due to:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to a legal agreement in relation to policy R2 and conditions

Neighbourhood Responses

4 letters received objecting to the proposal

Parish Council Response

Object to the application for the reasons set out on page 2 of the report

2. Main Issues

The main issues to consider are :

- 9.1 Principle and policy considerations
- 9.2 Design and impact on Conservation Area
- 9.3 Impact on amenities
- 9.4 Impact on trees

- 9.5 Highways safety
- 9.6 Protected species
- 9.7 Provision of recreational facilities - Policy R2

3. Site Description

The site is currently vacant. It was formerly occupied by the Alderbury School Nursery. On site is a flat roofed, Portacabin style building and to the north, an area which was excavated as a swimming pool to serve the nursery. The nursery relocated adjacent to the Alderbury Primary School off Firs Road in 2008. The applicant states that prior to its use as a nursery school, the site was used as a garden and provided an overflow classroom for the former Alderbury Primary School, which is now located off Firs Road

The site which is in the Conservation Area and adjacent to a Listed Building (Yew Tree Cottage) is well screened by vegetation on its west and southern boundaries and is currently accessed from School Hill.

4. Planning History

None

5. The Proposal

The proposal is to demolish the former nursery building and erect a three bedroomed dwelling with a detached garage. The amended proposal involves a separate single garage and turning area accessed off a new access on Folly Lane.

6. Planning Policy

The following policies are considered relevant to this proposal

G1 and G2	General criteria for development
CN5	Adjacent to a Listed Building
C2, C6	Special Landscape Area
C12	Protected species
D2	Design criteria
CN8, CN9, CN10, CN11, CN12	Conservation Area
H23	Housing Policy boundaries
PPS3	Housing
PPS4	Planning for Sustainable Economic Growth
PPS5	Planning for the Historic Environment
PPS9	Biodiversity and Geological Conservation

7. Consultations

Alderbury Parish Council

Objected to original proposal and after careful consideration of the amended plans, still object for the following reasons:

- Mass and height of the house too great for area
- Out of character for the area.
- Significant impact on the surrounding conservation area.
- Inconsistent with the development plan for the Conservation Area, does not comply with policies CN3 and CN8.
- Access is a danger, onto a blind bend.

Highways

Originally had concerns regarding the access on to Folly Lane but no objection to amended access subject to conditions regarding gates, visibility, gradient of access, turning space

Conservation

No objection, recommend conditions regarding detailed design of ridge, clay tiles for rear roof, rain water goods and any gate for the drive.

Wessex Water

Proposal is to discharge to a septic tank but circular 3/99 presumes new development should connect to the main sewer. (Applicant has confirmed will connect to main sewer) There is a water main and a foul sewer in the vicinity

Fire and Rescue

Comments regarding need for adequate access to sufficient water supplies for fire fighting and provision of domestic sprinklers

8. Publicity

The application was advertised by site notice/press notice /neighbour notification with an expiry date of 6 May and then the amended plans were re-advertised with an expiry date of 20 October 2010.

Two letters of objection were originally received.

Summary of key points raised:

- Will set a precedent for new development in a Conservation Area
- Architects report and drawings contains omissions and inaccuracies
- Concerns regarding access, Folly Lane is narrow with blind bends
- Scale of proposed building is excessive
- Detrimental impact on Yew Tree Cottage
- Loss of privacy

Two further letters of objection to the amended plans were received.

Summary of key points raised:

- Previous objections to this development remain
- Concerns regarding access. Folly Lane is narrow with blind bends
- Drawings are inaccurate
- Hedge around Yew Tree Cottage will not be removed
- New housing is needed, but there probably should not be any development on this site, if really must build here, why not, tied as 'affordable' for a local family and designed to be low, no-car and green.
- The adjacent listed building needs space around it.
- Never been a property on this site, will set a precedent for new development in a Conservation Area
- Scale of proposed building is excessive
- Detrimental impact on Yew Tree Cottage
- Design of house will create loss of privacy and overlooking of property
- Access and turning area will create noise and pollution

9. Planning Considerations

9.1 Principle and policy considerations

The site lies outside the Alderbury Housing Policy Boundary, though within the Alderbury Conservation Area. Technically the site is in the open countryside, though it forms part of a small group of development on the junction of School Hill and Folly Lane in the vicinity of the church.

PPS5 sets out criteria for consideration of Conservation Areas and heritage assets and this issue is considered below.

Policy H23 states that undeveloped land (see PPS3 above) outside a Housing Policy Boundary and not identified for development in the local plan will be considered to be countryside where the erection of new dwellings will only be permitted where provided for by policies H26 (affordable housing) or H27 (housing for rural workers). Neither of these policies applies in this case, and therefore the erection of a dwelling on this site, would be contrary to policy H23 as the proposal is neither for affordable housing nor for an agricultural worker. However, in this case, as the site is within the Conservation Area there are other policies whose aims and objectives must be balanced against these considerations.

Policy C2 states that development in the countryside will be strictly limited and will not be permitted unless it would benefit the local economy or maintain and enhance the environment.

Guidance as expressed in PPS1 and Local Plan policy G1 (ii) seek to promote the vitality and viability of sustainable communities and in policy terms, Alderbury is a sustainable settlement, able to accommodate additional development and this site, is not in an isolated position, being immediately adjacent to other dwellings close to the edge of the village and the development could therefore be considered to be in accordance with policy G1.

Policy PS3 could also be considered to apply in this case, though a nursery school would probably not be considered to be central to the economic and social life of the village. However, notwithstanding this, the Local Plan policy seeks only to prevent the loss of facilities, whereas in this case, the facilities have been transferred to a better and more sustainable site adjacent to the

primary school where, (unlike this site) there is good vehicular access. Despite this, the applicants accept that the site is capable of being re-used under use class D1 – non-residential institutions. However, evidence has been provided to show that the local community needs and facilities are well accommodated and none of the objectors to the proposal, including the Parish Council, have suggested that there is a demand for additional facilities which could be accommodated on this site.

9.2 Design and impact on Conservation Area

The site occupies a prominent position and is situated within a sensitive location in the Alderbury Conservation Area. Of particular importance to the assessment of this application is the significance of the impact of the proposed demolition of the former nursery school building and its replacement by a new dwelling on the character and appearance of the Conservation Area and the adjacent Listed Building. As such, the proposal must be considered against the relevant national and local conservation and design policies.

With regards to the local planning policy context, Policy CN8 seeks to ensure that development proposals preserve or enhance the existing character of the area and in this respect that the form, scale and design of new development and the materials used in it respect the character of the area. Policy CN9 stipulates that demolition of buildings/structures will only be permitted where they are beyond repair, make no positive contribution to the conservation area and/or a suitable replacement development has been approved, while Policy CN11 seeks to ensure that views from and into the Conservation Areas are safeguarded and policy CN5 seeks to ensure that development adjacent to the curtilage of a Listed Building does not harm the character or setting of the building. It is against this policy framework that the application must be assessed.

(a) Principle of demolition of existing building

Applications for demolition in a Conservation Area must meet the strict criteria set out in the listed building act and local policy, as well as follow the national guidance. The criteria of policy CN9 of the Salisbury District Local Plan (Adopted 2003) require the existing structure to be:

- (i) wholly beyond repair; or
- (ii) of a character inappropriate to the Conservation Area; or that
- (iii) there are overriding highway, or other safety reasons; or
- (iv) where planning permission has been granted for the development of the site.

(i) wholly beyond repair

The current building is a modern style temporary prefabricated building with a limited life which is in a poor condition

(ii) of a character inappropriate to the Conservation Area

The Conservation Officer considers that the existing modern temporary building has a deleterious impact upon the Conservation Area. Given the condition of the existing building and the lack of value of its contribution to the character and appearance of the conservation area, it is considered that the building is inappropriate in the Conservation Area.

(iii) there are overriding highway, or other safety reasons;

A vehicular access off Folly Lane is to be created to improve the vehicular access to the building

(iv) where planning permission has been granted for the development of the site.

There is no history of planning permissions for this site.

The application site lies in a rural location near to the settlement of Alderbury but forms an isolated part of the Alderbury Conservation Area. The key elements of the Conservation Area are the quality and variety of the traditional buildings, their use of consistent palette of local building

materials and the open spaces with the views into and out of the Conservation Area. The character of this southern part of Alderbury within the Conservation Area is derived from the very informal pattern of development, and the relationships between the spaces around the dwellings, the green vegetative street boundaries and the substantial vegetation around the dwellings which gives a green appearance to the area. The dwellings adjacent are detached traditional-style dwellings and the listed Yew Tree Cottage adjacent is a typical of the older red brick dwellings of Alderbury. Currently, the site is very well treed and the existing nursery school building, whilst on a prominent part of the site, is well screened from the open countryside. However, the removal of the existing building and its replacement by a well designed dwelling would enhance the visual impact of the site, which is on a prominent corner within the Conservation Area.

The new dwelling is proposed to be sited alongside Yew Tree Cottage with a new access from Folly Lane. The scheme shows the proposed house, sited in a traditional manner facing the highway and whilst the introduction of a dwelling will further domesticate the character of the site, the dwelling has been sited so as to complete a grouping of dwellings on the corner of Folly Lane and School Hill and further enhance the visual appearance of the Conservation Area. The layout of the site has been designed to retain most of the existing trees and hedges so as to enhance the impact of the development on the street scene in this locality and in view of the proposed location of the dwelling within the site, there will be little apparent loss of spaciousness. Therefore, if the proposal for redevelopment were acceptable in terms of its enhancement of the Conservation Area, its relationship to the adjacent dwellings as well as the character of the area then the proposal to erect a dwelling on this site outside the Housing Policy Boundary would not in itself be an automatic reason for refusal.

In relation to the impact of a dwelling on the character of the area, the Conservation Officer considers stated that the removal of the existing building and its replacement in the manner proposed would enhance the character and appearance of the area

9.3. Impact on amenities

The proposed dwelling on this plot is designed in a traditional cottage style with a detached garage. The dwelling will have a ridge height of approximately 8.2m, but will be set below the road level but will appear less dominant than this implies, as from the road it will appear to have a ridge height of approximately 6.5m. The dwelling opposite is set on a small bank above the road and will therefore continue to dominate this corner.

The adjacent dwelling, Yew Tree Cottage- approximately 6m to ridge, is also set below the road level. Planning permission has been granted for a two storey rear extension and a single storey conservatory to the side of the property. The two storey rear extension has two first floor windows on the side elevation, one serving a bedroom and the other a landing area. This is currently under construction and is approximately 11m from the boundary. The proposed side elevation of the new dwelling adjacent to Yew Tree Cottage is also designed with two first floor windows. In this case, both serving bedrooms. Both these rooms have alternative sources of light. The proposed new dwelling will be between 12m and 15m from the mutual boundary. Whilst Yew Tree Cottage will be aware of a dwelling on its side boundary, the new dwelling will be located at a sufficient distance for it not to appear to be overbearing to this rear extension. The conservatory on the side elevation of Yew Tree Cottage will be approximately 6m from the boundary and has an oak shingled roof and whilst there will be some overlooking of this area from the first floor of the new building, this is not considered to be so detrimental as to warrant refusal on these grounds. In conclusion it is not considered that there will be such a close relationship between the proposed house and Yew Tree Cottage that the height of the new dwelling and the closeness to the boundary of the plot of the single storey garage would result in such an overbearing structure, dominating and enclosing the outlook that it would have an unacceptable impact on the living conditions of the occupiers.

9.4 Impact on Trees

The site is located within a Conservation Area, and the surrounding trees are an important aspect of the area's character and could not be removed without consent. However, the loss of the hedgerow adjacent to the road would be visually detrimental and therefore it is considered appropriate to add a condition requiring them to be retained and protected where necessary.

9.5 Highway Safety

Considerable concern has been expressed regarding the safety of the proposed access on to Folly Lane. However, whilst the Local Highway Authority had concerns regarding the original proposal, they have not raised any objections to the revisions. Therefore whilst there are concerns regarding the creation of a highway hazard, a refusal on these grounds is unlikely to be supported on appeal.

9.6 Protected Species

A qualified person has demonstrated that within the building there is no evidence of bats or any potential roosting places. The report recommends precautions to protect active bird nests likely to be present in the area and because of the potential of the site to support reptiles, recommends that a survey be carried out during the spring/summer. Conditioned to comply with the recommendations of this report, it is considered that the proposal would be in accordance with Local Plan policy C12, PPS9 and the Habitats Regulations.

9.7 Provision of Recreational Facilities - Policy R2

A contribution for recreational facilities would be required for the new dwelling pursuant to the above policy. This could be secured through a unilateral agreement and the applicant has agreed in principle to make this contribution.

10. Conclusion

The proposal will allow the enhancement of the Conservation Area and whilst outside the Housing Policy Boundary is not in an isolated position or remote from the settlement and as the proposed dwelling is considered to be of an appropriate scale and design for the site it is considered acceptable

Recommendation

Following completion of a unilateral agreement in relation to policy R2. It is recommended that planning permission is GRANTED for the following reasons:

The proposal will allow the enhancement of the Conservation Area and whilst outside the Housing Policy Boundary is not in an isolated position or remote from the settlement and as the proposed dwelling is considered to be of an appropriate scale and design for the site it is considered acceptable

And subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This decision relates to documents/plans listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

1090-P-01 Rev C received on 10 September 2010

1090-P-03 Rev B received on 23 September 2010

1090-P-04 Rev A received on 23 September 2010

1090-P-06 received on 23 September 2010

1090-P-07 received on 10 September 2010

Protected Species Assessment prepared by Chalkhill environmental consultants received on 18 March 2010

REASON For the avoidance of doubt

3. Notwithstanding the details shown on the submitted plans and forms, no development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- D2 Design criteria and CN8 Conservation Area

4 Notwithstanding the approved drawings, no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of flush framed casement windows, including vertical and horizontal cross-sections through openings to show the positions of joinery within openings,

(ii) Details of all new rainwater goods

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY D2 Design criteria, CN5, Listed Building and CN8 Conservation Area

5 No development shall commence on site until details of the treatment of the boundaries of the site to include any screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screening hedges, walls and/or fences shall be planted/erected in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

POLICY G2 General criteria for development

6 During construction works, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site other than between the hours of 0800 to 1800 on Mondays and Fridays, 0900 to 1300 on Saturdays and at no time on Sundays, Bank and Public Holidays.

REASON To minimise the disturbance which noise during construction of the proposed development otherwise have on the amenities of nearby residential dwellings

POLICY G2 General criteria for development

7 Notwithstanding the provisions of Class[es] A To F of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-

enacting that Order with or without modification), there shall be no extensions to the dwellings nor the erection of any structures or enclosures within the curtilages and no additions or alterations to the roofs of the dwellings, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

REASON To enable the Local Planning Authority to retain control over the development in the interest of neighbouring amenities and the character of the area.

POLICY G2 General criteria for development

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/rooflights [other than those expressly authorised by this permission] shall be constructed.

REASON To ensure adequate standards of privacy for the neighbouring dwelling(s) through the avoidance of overlooking from windows or rooflights.

POLICY G2 General criteria for development

9 No development shall commence on site until details of the works for the disposal of sewerage shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans

10 Any gates to close the access shall be set back a minimum 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

POLICY G2 General criteria for development

11 Prior to the first occupation of the dwelling hereby approved, visibility shall be provided at the site access with nothing over 1m in height above the adjoining carriageway level being planted, erected or maintained in front of the blue line shown on drawing no 1090-P-01 Rev C in accordance with the details which shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained and maintained as such at all times thereafter.

REASON: In the interests of highway safety.

POLICY G2 General criteria for development

12 Prior to the occupation of the dwelling hereby permitted, the gradient of the site access should not exceed 1 in 15 for the first 4.5 m of its length, measured back from the edge of the carriageway and the splayed access area shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with the details which shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained and maintained as such at all times thereafter.

REASON: In the interests of highway safety.

POLICY G2 General criteria for development

13 Prior to the first use of the new vehicular access on to Folly Lane, hereby approved, the School Hill access shall be permanently stopped up in accordance with the details which shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety.

POLICY G2 General criteria for development

14 Before the Folly Lane vehicular access hereby approved is first brought into use, the turning space shown on the submitted plan shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with the details which shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and the turning space shall be kept free of obstruction at all times.

REASON: In the interests of highway safety.

POLICY G2 General criteria for development

15 Prior to the commencement of development (which includes the clearing of the site and the demolition of the existing building) hereby approved, the recommendations in part 6 of the Protected Species Assessment prepared by Chalkhill environmental consultants received on 18 March 2010 shall be implemented.

Reason In the interests of protected species

POLICY CN12 (protected species) and the Wildlife and Countryside Act 1981 (as amended)

INFORMATIVE

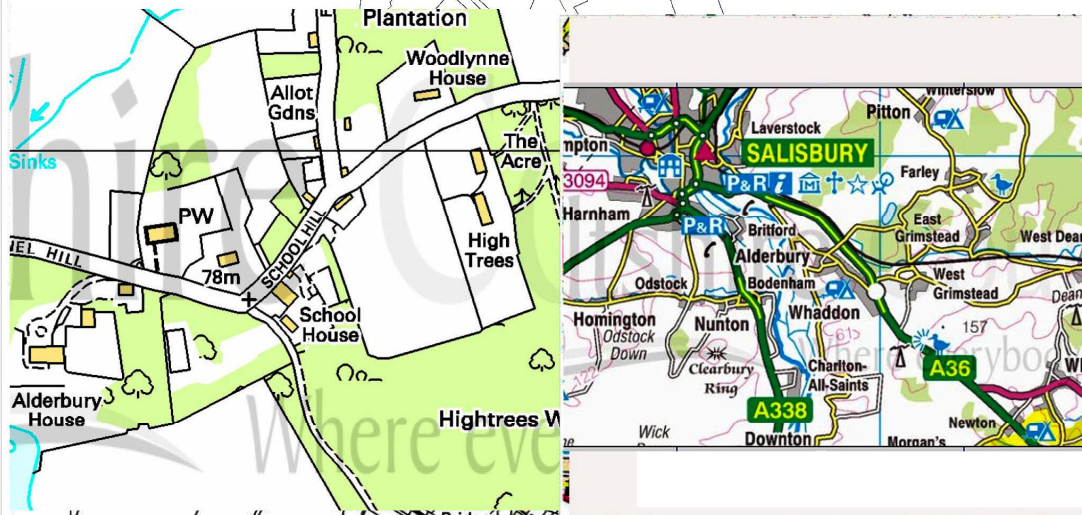
The applicant is advised that in accordance with circular 3/99 the new development should connect to the adjacent main sewer.

Appendices:	None
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Background documents used in the preparation of this report:	1090-P-01 Rev C received on 10 September 2010 1090-P-03 Rev B received on 23 September 2010 1090-P-04 Rev A received on 23 September 2010 1090-P-06 received on 23 September 2010 1090-P-07 received on 10 September 2010 Protected Species Assessment prepared by Chalkhill environmental consultants received on 18 March 2010 Supporting letter from agent dated 18 March 2010 Design and Access statement received on 18 March 2010 Supporting letter from agent dated 7 June 2010, with accompanying letter addressed to Estate Office received from Alderbury Village hall Committee
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Plot Opposite 7 School Hill, Alderbury. SP5 3DR

S/2010/0451 & 2



Wiltshire Council
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