

<b>Deadline</b>	<b>08-Feb-2011</b>		
<b>Application Number:</b>	<b>S/2010/1713</b>		
<b>Site Address:</b>	<b>Summerfield House Berwick St. James Salisbury SP3 4TQ</b>		
<b>Proposal:</b>	<b>To demolish and clear the existing derelict poultry sheds, silos, dwelling and various outbuildings and the construction of a replacement dwelling, stables, menage, office building, storage building, new access and landscaping</b>		
<b>Applicant/ Agent:</b>	<b>Washbourne Greenwood Development Planning</b>		
<b>Parish:</b>	<b>Winterbourne Stoke</b>		
<b>Grid Reference:</b>	<b>407430 140420</b>		
<b>Type of Application:</b>	<b>S73</b>		
<b>Conservation Area:</b>		<b>LB Grade:</b>	
<b>Case Officer:</b>	<b>Charlie Bruce-White</b>	<b>Contact Number:</b>	<b>01722 434682</b>

**Reason for the application being considered by Committee:**

The Southern Area Planning Committee have previously resolved that all applications at the former Wisma Poultry Farm/ Stonehenge Campsite be determined by the Committee.

**1. Purpose of Report**

To consider the above application and the recommendation of the case officer to APPROVE the time limit for implementation of the extant permission subject to conditions, for the reasons set out below.

***Neighbourhood Responses***

1 letter of support

3 letters confirming their previous support for the development, but making several observations

1 letter of objection

***Parish Council Response***

Support

**2. Main Issues**

- Whether there have been any material changes to planning policy or the physical nature of the site and its surroundings which could affect the development's planning merits

**3. Site Description**

The application site comprises a currently unused poultry farm that is located on the eastern side of the B3083, about 700 metres to the north of the village of Berwick St James and approximately 350 metres to the south of the junction of the B3083 with the A303. The site is also located a short distance (about 150 metres) to the south west of the settlement boundary of Winterbourne Stoke. The B3083, from which the site is accessed, links into the A303 west of Winterbourne Stoke and into the A36 at Stapleford.

The site extends to an area of about 2.16 hectares and was formerly used as a poultry farm and is occupied by a timber framed poultry shed that is constructed from blockwork and timber boarding and measures about 80m x 15m. In addition, there is also a steel framed hay barn measuring about 12m x 18m that is located close to the site frontage and is enclosed by metal cladding to the road (west) elevation.

The site is also occupied by a detached, single storey bungalow that is located towards the south eastern corner of the site. The existing dwelling has a pitched roof form and is finished in render under a concrete tiled roof. As such, the site is clearly divided into two separate uses, the agricultural use that occupies about three quarters of the site area and the residential area that occupies the remainder of the site. There are also several small outbuildings scattered around the eastern end of the overall site.

The remainder of the site forms an open and grassed area that is largely devoid of vegetation and effectively forms an agricultural field. The site is generally level, although the area of land between the existing poultry shed and the frontage boundary forms a small terrace at a slightly higher level to the rest of the site and there is a gentle slope down towards the east. The boundaries of the site are predominantly demarcated by post and rail fencing, although there is a conifer screen along part of the length of the northern boundary and a line of hawthorn trees along about half the length of the frontage boundary to the site.

The site is located outside of any settlement boundaries within the open countryside of the Special Landscape Area.

#### 4. Planning History

App. No.	Proposal	Decision	Date
73/203	O/L application for the erection of 2 poultry houses, 15,000 square feet in total area	AC	26.11.73
77/89	Extension to poultry houses	R	8.6.77
78/880	Erection of building for poultry farming	AC	8.11.78
88/214	Erection of barn	AC	7.4.88
96/1202	Provision of mobile home for agricultural worker	R	27.11.96
00/2036	Erection of agricultural building (Replacement).	AC	08.01.01
00/2037	Erection of agricultural building (Replacement).	AC	08.01.01
05/2522	Redevelop buildings and land for equestrian & business purposes.	WD	24.01.06

06/2122	Demolish existing derelict poultry sheds and silos, steel framed barn and associated outbuildings. redevelop site by erection of replacement dwelling, stable block, lambing shed and stores, office building, storage building, construction of a menage and associated access & landscape works.	REF	19.04.07 28.02.10 Appeal allowed
07/2046	Demolition of existing agricultural buildings, existing dwelling and outbuildings. Construction of replacement dwelling and replacement agricultural buildings.	AC	28/03/08

## 5. The Proposal

Consent is sought to renew an extant permission (S/2006/2122) to demolish and clear existing derelict poultry sheds, silos, dwelling and various outbuildings and the construction of a replacement dwelling, stables, menage, office building, storage building, new access and landscaping.

## 6. Planning Policy

The following development plan policies are considered relevant to this proposal:

- Local Plan policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C
- PPS1, PPS4, PPS7, PPG13

## 7. Consultations

WS Parish Council	Support subject to strict adherence to original planning conditions.
Council Archaeologist	No objection subject to condition requiring archaeological watching brief.
Highways Officer	No objection.
Highways Agency	No objection.

## 8. Publicity

5 letters of representation were received, including:

3 letters confirming their previous support for the development, but making the following observations:

- The application does not address the fact that certain details from the original plan can no longer be implemented, e.g. the ménage which has been constructed in the wrong place and the current entrance is incorrectly sited;
- Regrettable that the improvements associated with the original development have not been carried out more quickly, particularly the demolition of the remaining poultry shed, and it is imperative that the full extent of improvements are secured;

- The applicants past history of planning breaches raises doubts about whether the development will be lawfully implemented;
- Camping activities on adjacent site are still opposed.

1 letter supporting the application, since an alternative development of the site might be less appropriate, e.g. extension of camping activities.

1 letter objecting to the application, on the grounds that:

- The site is not appropriate for a commercial use;
- Circumstances that led the Planning Inspector to allow the development have changed, e.g. there is no likelihood that the land would revert to chicken farming due to a legal covenant; the applicant has failed to demolish the remaining chicken shed;
- The applicant has alternative intentions for the site, relating to camping, and a decision should not be made until the outcome of various ongoing appeals relating to this use are known.

## **9. Planning Considerations**

The principle of development has already been agreed, and therefore the only consideration should relate to whether there have been any material changes to planning policy or the physical nature of the site and its surroundings which could affect the development's planning merits.

Since the original grant of approval the same Local Plan policies are still applicable, although national planning policy has been updated with the economic aspects of PPS7 being superseded by PPS4. However, in this case, it is not considered that PPS4 introduces any significant change in policy stance in terms of employment related development in the countryside.

The most significant change on the ground since the original grant of approval relates to the demolition of one of the two large poultry sheds, and the removal of the tall silo from the remaining shed. It is noted that one of the factors in favour of allowing the original development at appeal was the fact that the proposal would be removing an eyesore and source of nuisance to those living in the area. The subsequent removal of one of the sheds and silos has therefore watered down this negative element to a certain extent.

However, the remaining barn is still considered to be unsightly and the land use of the site has not changed. Whilst it is understood that there may be a legal covenant preventing the resumption of a poultry use at the site, this is not a factor which can be given weight in this planning decision. Consequently, it is still considered that the proposal would result in benefits in visual and land use planning terms over the existing situation.

It is noted that there have also been various other changes on the ground, such as the formation of a menage and development associated with camping facilities within an adjacent field, although these aspects are unauthorised and have no lawful standing. Consequently they do not comprise a consideration within this application, and are rather subject to separate enforcement related action.

## **10. Conclusion**

There have been no significant material alterations to planning policy since the original approval, nor any significant material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension to the time limit for implementation. Consequently it is still considered that the proposal is acceptable in principle and would be appropriate in visual, amenity, environmental and highway terms.

## **RECOMMENDATION**

### **That the application be APPROVED for the following reasons:**

There have been no significant material alterations to planning policy since the original approval, nor any significant material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension to the time limit for implementation. Consequently it is still considered that the proposal is acceptable in principle and would be appropriate in visual, amenity, environmental and highway terms. The development would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to saved Local Plan policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C and PPS1, PPS4, PPS7, PPG13.

### **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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2) This decision relates to documents/plans submitted with the application, listed below:

- Plan Ref....0516-02...
- Plan Ref....0516-03A...
- Plan Ref....0516-04B...
- Plan Ref....0516-05...
- Plan Ref....0516-06C...
- Plan Ref....0516-07...
- Plan Ref....0516-08...
- Plan Ref....0516-99...
- Plan Ref....211.01 Rev A...
- Plan Ref....211.03...
- Plan Ref....coloured site plan layout...
- Plan Ref....illustration of the eastern elevations and aerial photograph...

Reason: For the avoidance of doubt.

- 3) No development shall take place until details and samples of all external facing and roofing materials (including the colour of any timber stain) to be used in the construction of the replacement dwelling, stable block/store building, office building and storage building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The 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: C6

- 4) No development shall take place, including site clearance, until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include indications of all existing trees, hedgerows and other site features and details of any to be retained together with measures for their protection in the course of development and proposed finished levels or contours. The details of the hard landscaping of the site shall include details of the surfacing materials and colours of all hard surfaces and where so required by the Local Planning Authority, samples of such materials and finishes.

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

Policy: C6

- 5) Soft landscape works shall include planting plans and full written specifications and schedules of plants, including species, plant sizes, numbers/densities and positions. If within a period of 5 years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub or plant of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives its written consent to any variation.

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

Policy: C6

- 6) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

Policy: C6

- 7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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: C6

- 8) No vegetation works including all tree, shrub and hedgerow works/clearance shall take place between the months of March to August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of nesting birds.

Policy: C12

9) The development hereby approved shall be carried out in accordance with the recommendations detailed in the submitted protected species survey prepared by Country Contracts and dated September 2006 unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

10) No development shall take place including the clearance/felling of trees, hedgerow and scrub until a scheme for the provision of an alternative roosting site for Barn and Little Owls in the form of a barn owl loft together with the provision of bat boxes and bird nesting boxes to include details of their design and a timetable for their provision has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

11) No development shall take place until a further bat and bird survey of all the existing buildings and vegetation on the site, to include an internal survey of all roof spaces, shall be carried out between April to September and a report of the findings of these surveys shall be submitted to the Local Planning Authority. If the survey identifies the presence of bats or birds within any of the buildings or vegetation on the site, a detailed scheme of mitigation measures to ensure the protection of the protected species and its habitat shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details prior to the first occupation of any of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

12) No development shall take place until a method statement detailing the potential risks from pollution, such as the storage of oils, fuels and chemicals to include mitigation measures during and after construct to the river system has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise the risk of pollution of the water environment.

Policy: G2, C18

13) No development shall take place until a scheme of water efficiency measures to reduce the water consumption of the replacement dwelling, stable block/store building, office building and storage building, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.

Reason: In the interests of the conservation of water and energy resources.

Policy: G1

- 14) No development shall take place until a scheme for the discharge of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first commencement of the use of the buildings hereby approved and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal is provided with a satisfactory means of drainage.

Policy: G2, G5

- 15) Development shall not begin until a desk study report of the historic uses of the site and sites surrounding area and the likelihood of contaminant extent and type has been submitted to the Local Planning Authority. If the report indicates the possibility of soil contamination, development shall not begin until a site investigation report documenting the ground conditions of the site, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

- 16) If risk assessment identifies unacceptable risk a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants or gases when the site is developed shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved, unless agreed by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

- 17) If during development contamination not previously identified is found to be present at the site, no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works, has been submitted to and approved in writing by the Local Planning Authority. The remediation works as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved. On completion of the works a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of the use hereby permitted.

Reason: In the interests of public health and safety.

Policy: G2

- 18) No development shall take place within the appeal site area until the appellants, or their agents or successors in title has been secured the implementation of a programme or archaeological work in accordance with a written scheme of investigation which has been submitted by the appellants and approved in writing by the Local Planning Authority. The



development shall be carried the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Policy: CN22

19) No development shall take place until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall include targets and objectives for the minimisation and recycling of any waste or materials generated during the demolition and construction phases. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring sustainable development

Policy: G1

20) Prior to the vehicular access, hereby approved, first being brought into use, the area between the nearside carriageway edge and lines drawn between a point 4.5m back from the carriageway edge along the centre line of the access and the extremities of the site frontage shall be cleared of obstruction to visibility at a height of 300mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highways safety.

Policy: G2

21) Prior to first occupation and commencement of use of the buildings hereby approved the vehicular access shall be constructed with a recessed entrance of a minimum width of 4.5m and 5m back from the carriageway edge and with its sides splayed outward at an angle of 45 degrees towards the carriageway edge. The area of land between the recessed entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. Any entrance gates shall be hung so as to open away from the highway only and shall be set back a minimum distance of 10m from the nearside edge of the carriageway.

Reason: In the interests of highways safety.

Policy: G2

22) Prior to first occupation and commencement of use of the buildings hereby approved, the new vehicular access to the site shall be fully constructed and available for use and the existing accesses to the site shall be permanently stopped up and abandoned within 7 days upon construction or opening up of the new vehicular access in accordance with details that shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety.

Policy: G2

23) No development shall take place until a scheme to prevent the discharge of surface water from the area of vehicular access onto the public highway has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first occupation and commencement of use of the buildings hereby

approved and thereafter retained.

Reason: In the interests of highways safety.

Policy: G2

- 24) The extent of the area of land related to the employment use, hereby approved, shall be limited to that area of land as illustrated within the blue line on submitted plan (drawing 211.01 Rev A()) and the residential curtilage associated with the replacement dwelling hereby approved, shall be limited to that area of land contained within the red line as illustrated on this plan

Reason: In the interests of highways safety and the amenity of the area.

Policy: G2

- 25) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the office building hereby approved shall enure solely for the benefit of Fox Grant Ltd and shall be used as office accommodation and ancillary storage and for no other use including any other purpose in Class B1 of the Town and Country Planning (Use Classes) (Amendment) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 26) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the storage building hereby approved shall be used solely as an ancillary storage facility to the office use and menage hereby approved, and for no other use without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 27) The roof space of the building, hereby approved shall be used solely for the purpose of dry office archive storage, as indicated on the submitted plan (drawing number 0516-048) and for no other purpose without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 28) There shall be no external storage of any goods, plant or material associated with the employment use hereby approved.

Reason: In the interests of the appearance of the site and the amenities of the area.

Policy: C6

29) No development shall take place until details of any external lighting, including lighting to the car parking area associated with the employment use hereby approved., shall be submitted to and approved in writing by the Local Planning Authority. The 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: C6

30) The menage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling at Wisma Farm and shall not be used on a commercial basis or for any other business or commercial use whatsoever.

Reason: In the interests of highway safety and/or to protect the living conditions of nearby residents.

Policy: G2

