

Application Number:	S/2011/0518		
Deadline:	13/07/11		
Site Address:	Summerfield House Berwick St. James Salisbury SP3 4TQ		
Proposal:	Demolition of existing derelict poultry sheds and silos, temporary retention of two outbuildings, and redevelopment of the site by the erection of a replacement dwelling, stable block, commercial office building, storage building, retrospective access and menage, and landscaping works.		
Applicant/ Agent:	Washbourne Greenwood Development Planning		
Parish:	Winterbourne Stoke		
Grid Reference:	407389.25 140456.324		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

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

Cllr West has called-in the application since it proposes amendments to an extant scheme that was recently considered by the Southern Area Committee.

#### 1. Purpose of report

To consider the above application and the recommendation of the Case Officer that planning permission be GRANTED subject to conditions.

#### 2. Report summary

The main issues in the consideration of this application are as follows:

1. The principle of development;
2. Character and appearance of the area;
3. Highways considerations;
4. Ecology;
5. Drainage and affect upon water quality;
6. Land contamination;
7. Archaeology;
8. Amenities of adjoining and nearby property.

#### 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 the remains of a second poultry shed, now only approximately one fifth the size of the adjacent one, and 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. Relevant Planning History

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	08.6.77
78/880	Erection of building for poultry farming	AC	08.11.78
88/214	Erection of barn	AC	07.04.88
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 Appeal allowed	19.04.07 28.02.10
07/2046	Demolition of existing agricultural buildings, existing dwelling and outbuildings. Construction of replacement dwelling and replacement agricultural buildings.	AC	28/03/08
10/1713	Renew planning permission 06/2122	AC	01/03/11

## 5. Proposal

Consent is sought to revise the layout of an extant scheme to redevelop the site with a replacement dwelling, stables, menage, office building, storage building, new access and landscaping. Notably the revisions relate to the following

- New access to be moved to land to the north (retrospective);
- Existing residential access to be retained to solely serve the replacement dwelling;
- Slight relocation to position of proposed replacement dwelling;
- Relocation and slight reduction in size to stable building;
- Relocation and slight reduction in size to propose ménage (retrospective);
- Proposed commercial office relocated further to the west;
- Proposed store building relocated slightly to the east;
- Temporary retention of two outbuildings previously proposed to be demolished whilst proposed stables are constructed;
- New central access way and internal driveways to be omitted.

## 6. Planning Policy

Local Plan: policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C

Central government planning policy: PPS1, PPS4, PPS5, PPS7, PPS25, PPG13

Other material guidance: Ministerial Statement *Planning for Growth*, Habitats Regulations 2010

## 7. Consultations

Winterbourne Stoke PC     **Support** subject to conditions that:

- a. No development be permitted until the derelict poultry sheds and silos have been removed and disposed of in accordance with current legislation; and
- b. The access road be reinstated in the position approved by the Planning Inspector; this would enable access to both the commercial office buildings and the replacement dwelling.

Berwick St. James PC     The location of the access should be as in the plan agreed by the Inspector in February 2008 (APP/T3915/A/07/2058432) and not as in the current application through the agricultural field. All existing buildings on the site (two buildings and the poultry sheds) should be demolished before the house and office building commences.

Highways Officer     **No objection** subject to conditions requiring the provision and maintenance of visibility splays, and the creation of a consolidated surface to the new access.

Highways Agency     **No objection**

Landscape Officer	I do not object to the principle of altering the internal layout of the buildings on site but there are other differences between the proposed scheme and that approved at appeal. From a landscape perspective the submitted scheme falls short of that approved at appeal. If you are minded to grant this application I would expect there to be a resubmitted landscape scheme for approval which at least reflects the scheme approved at appeal i.e native woodland planting to west, south and south east boundaries as a minimum.
Archaeologist	<b>No objection</b> subject to condition requiring an archaeological watching Brief.
Ecologist	<b>No objection</b> subject to conditions and plans being submitted to illustrate how the ecological recommendations will be incorporated into the design of the proposed buildings.
Natural England	Agrees with Council's conclusion that there would be no likely significant effects upon the River Avon SAC, subject to the recommended conditions.
Environment Agency	<b>No objection</b> subject to conditions.

## 8. Publicity

The application was advertised by site/press notice and neighbour consultation.

6 letters of representation were received.

Summary of key relevant points raised:

- Whilst aspects of the proposal are supported in principle, there are concerns with regards to:
  - the timing of demolition of buildings,
  - the adherence to conditions,
  - the necessity of the revised access within the adjacent field,
  - the increase of car parking for the proposed office from 8 to 10 spaces,
  - inaccuracies contained within the submitted application.
- The revised application is not necessary given the extant consent;
- The site should remain as a farm and offices would not be in keeping with the rural area.

## 9. Planning Considerations

### 9.1 *The principle of development*

The principle of the site's redevelopment for the proposed purposes has already been agreed, and considerations should therefore relate to the key differences between the proposed and extant schemes, and their implications in relation to issues noted below.

### 9.2 *Character and appearance of the area*

The applicant's submitted Landscape Appraisal concludes that the overall impact of the scheme will remain positive due to the removal of intrusive reflective and prominent

agricultural buildings and their replacement with less intrusive development which is more in keeping with the rural setting. Whilst the Council's Landscape Officer does not disagree with this contention, her opinion is that the scheme has a lesser positive impact than the extant one. This is predominantly due to the reduction in planting to the site boundaries and the provision of a new access to serve the office building which is deemed as unnecessary. However, the Landscape Officer does suggest that it would still be feasible to provide almost as much planting as per the extant scheme, and that this should be insisted upon through a condition should planning permission be granted. This would bring the beneficial landscape impact of the revised development much closer to the extant scheme. With regards to the proposed new access, previous Council decisions have determined that it harms the character of the area, although its visual impact could be mitigated to some extent through appropriate landscaping, particularly towards the roadside field boundary which would screen the access track from view.

It is relevant that the access is subject to current appeals and that a decision from the Planning Inspectorate is likely to be forthcoming shortly before this current application is considered at Committee. Consequently, Officers consider it prudent that the final recommendation on this matter is made having regard to these appeal decisions, and therefore Members will be updated accordingly at the time of the Committee meeting.

The Parish Councils and several third parties have raised concerns that some of the existing buildings could be retained for an unduly long period whilst the development of the site is undertaken. In order to ensure that the existing buildings are demolished within a reasonable time period, and the visual benefits of the redevelopment are achieved, it is considered that a condition should be imposed to agree an appropriate timetable for demolition.

### **9.3 Highway considerations**

The Council's Highways Officer raises no objection to the proposal in highway safety terms, subject to the provision and maintenance of visibility splays measuring 2.4m x 70m, and the creation of a consolidated surface to the new access. These can be secured through planning conditions.

### **9.4 Ecology**

The submitted protected species survey demonstrates that the poultry sheds may have been used as a feeding perch for brown long-eared bats and that the hay loft is used by breeding birds (jackdaws and possibly kestrel). A record from the Wiltshire and Swindon Biological Records Centre shows that barn owls were recorded roosting at the farm in 2006 but this was not mentioned in the latest survey report. An emergence survey did not find bats emerging from the farmhouse or any other buildings and overall it seems that the risk of a significant roost being present on the site is low and it is unlikely that a breach of the Habitats Regulations 2010 would occur. The protected species report identified a number of mitigation measures to be incorporated into the design.

The Council's Ecologist recommends that plans be submitted to illustrate how the ecological recommendations will be incorporated into the design of the proposed buildings. It is considered that this can be agreed through a planning condition. A further condition is also recommended with regards to the timing of demolition of buildings in order to avoid affecting nesting birds. An assessment of the likely significant affects of the development upon the River Avon SAC has also been undertaken by the Council's Ecologist. Subject to additional conditions as recommended by the Environment Agency, the Council's Ecologist concludes that there would be no likely significant affects. Natural England have been consulted and concur with this judgement.

### **9.5 Drainage and affect upon water quality**

The Environment Agency are satisfied that the development would be acceptable in drainage and water quality terms subject to the imposition of conditions requiring the further agreement of a surface water drainage scheme, details of foul drainage, and water efficiency measures.

### **9.6 Land contamination**

It is considered appropriate to impose the same conditions as per the extant consent in relation to measure to minimise the risk of land contamination.

### **9.7 Archaeology**

The Councils Archaeologist raises no objection subject to a condition requiring an archaeological watching brief during construction works.

### **9.8 Amenities of adjoining and nearby property**

It is not considered that the proposed revisions to the extant scheme introduce any additional material impacts upon neighbours, and the redevelopment of the site would still offer benefits over the former poultry farm use.

## **10. Recommendation**

**Subject to the outcome of current planning appeals not finding significant harm in the creation of the northerly access, that:**

**Planning Permission be GRANTED for the following reason:**

The principle of the general redevelopment of the site as proposed has already been agreed and, subject to conditions, it is not considered that the revisions now proposed would result in any significant additional impacts which would make the development unacceptable in planning terms. The development would therefore accord with the aims and objectives of the development plan and other material Government guidance, having particular regard to saved policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C and PPS1, PPS4, PPS5, PPS7, PPS25, 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....Gbsj/p/05...  
Plan Ref....Gws/wd/02A...  
Plan Ref....Gws/wd/03A...  
Plan Ref....Proposed stable block details...

Plan Ref....Proposed secure store details...

Plan Ref....Proposed office details...

Reason: For the avoidance of doubt.

- 3) Notwithstanding the information originally submitted with the application, no development shall take place until details of the timing of demolition works for all existing buildings on the site have been submitted to and agreed in writing by the local planning authority. The building shall be demolished in accordance with the agreed details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the visual benefits of removing existing buildings, which are essential to the development's overall acceptability, are secured within a reasonable timeframe.

Policy: C6

- 4) 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

- 5) 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

- 6) 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

- 7) 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

- 8) 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

- 9) No development shall take place until further details of the ecological mitigation measures have been submitted to and agreed in writing by the local planning authority. Details shall include drawings to demonstrate that the mitigation measures detailed within sections 6.1, 6.2 and 6.5 of the submitted Survey for Protected Wildlife Species (Country Contracts, May 2010) can and will be incorporated into the development design, and a timetable for implementation. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of protected species

Policy C12

- 10) No work shall be undertaken to demolish any building during the period 1<sup>st</sup> March to 31<sup>st</sup> August, unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect nesting birds

Policy: C12

- 11) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (ref: Brimble Lea & Partners / Development Partnerships Ltd - August 2006).

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Policy: PPS25

- 12) Development shall not begin until the detailed design of the revised surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the



development is completed. The scheme shall include details of the proposed soakaways and clarification of any overland flow routes in an exceedance event.

Reason: To prevent the risk of surface water flooding.

Policy: PPS25

- 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) 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

- 16) 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

- 17) 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

18) 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

19) No development shall commence within the area indicated (proposed development site) until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

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

Policy: CN22

20) 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

21) The development hereby permitted shall not be first brought into use until the first five metres of the northern site access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

Policy: G2

22) No part of the development shall be commenced until the visibility splays indicated on the revised Block Plan numbered Gbsj/p/05 have been provided, with nothing over 1.0m in height above the adjacent carriageway level being planted, erected or maintained in front of (highway side) of the 2.4m x 70m visibility splays indicated thereon.

Reason: In the interests of highway safety.

Policy: G2

23) 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 AP/001/RevA received on 23.06.11) 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

24) 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

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 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

26) 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

27) 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, 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: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

28) The menage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling at Summerfield House 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

#### INFORMATIVES:

##### Conditions 5 & 6 – Soft landscaping

It is expected that the scheme of landscaping should more closely reflect the scheme indicated within the extant approval (S/2010/1713), i.e. denser, native woodland planting to west, south and south east boundaries.

##### Condition 13 – Water efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures, not manufacturer's specifications. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>

<http://www.savewatersavemoney.co.uk/>

##### Conservation of Habitats and Species Regulations 2010

There is a risk that bats may occasionally roost in buildings due for demolition under this permission. Under the Conservation of Habitats and Species Regulations 2010, it is an offence to harm or disturb bats. Planning permission does not provide a defence against prosecution under this legislation. If bats are found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 718478) before proceeding further.

##### Environment Agency letter

The applicant's attention is drawn to the information contained within the Environment Agency's letter of 05/05/11.