

Deadline	30th April 2010		
Application Number:	S/2010/0311		
Site Address:	LAND TO REAR OF VINE COTTAGE FORE STREET WYLYE WARMINSTER BA12 0RQ		
Proposal:	DEMOLITION OF CURTILAGE BUILDING		
Applicant/ Agent:	PEGASUS PLANNING GROUP		
Parish:	WYLYETILL/WYLYEVALLE		
Grid Reference:	400860.1 137532.1		
Type of Application:	CAC		
Conservation Area:	WYLYE	LB Grade:	
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

Reason for the application being considered by Committee

Councillor West has requested that the application be heard at committee if it were recommended for approval, on the grounds of visual impact on the surrounding area/Conservation Area, relationship to adjoining properties and environmental/highway impact.

1. Purpose of Report

To consider the above application and to recommend that Conservation Area Consent be APPROVED WITH CONDITIONS

Neighbourhood Responses

7 Letters of support were received

5 Letters raising concerns were received

Parish Council Response

Object

2. Main Issues

The main issues to consider is the impact on the character and appearance of the Conservation Area from demolition of the existing annex building.

3. Site Description

The site consists of Vine Cottage and its associated outbuildings and garden, in Fore Street Wylde. Vine Cottage is a two-storey dwelling of painted brick and tile positioned close to the road, with an annex outbuilding (stone/brick and tile) immediately on the road frontage, on the opposite site of the entrance driveway.

To the rear of the existing dwelling is garden land, and beyond is the Westbury to Salisbury railway line. To the west of the site is Wylde Terrace, a row of four terraced ex-Local Authority dwellings, while to the east is East Farm House and Miller's Close, a ground of converted/new dwellings designed to appear as agricultural buildings fronting Dinton Road.

Opposite the site dwellings include the Grade II-listed Walnut Cottage. The application site and its surroundings fall within Wylde's Conservation Area.

4. Planning History

No relevant planning history. A concurrent application for planning permission has been submitted (reference S/2010/0310).

5. The Proposal

The application proposes the demolition of an existing annex building to Vine Cottage, as part of a proposal for the erection of three dwellings (subject to the concurrent planning application). The new dwellings would be formed from the replacement of the existing 'annex' building to the front with a similar-sized dwelling (house 1), and the erection of two dwellings to the rear of the site, in Vine Cottage's existing garden curtilage and a strip of land beyond (houses 2 and 3).

House 1 essentially involves the re-construction of the existing annex outbuilding. The replacement building would have a similar height and width, but to the rear the existing car port is replaced by bedrooms.

A second storey is incorporated within the building by lowering the floor level, having a sunken courtyard, and by lighting the first floor by rooflights. The materials would be light cream render and a reclaimed Welsh slate roof. The building would be re-sited slightly, so that the north west corner is set further back. This 'pivoting' of the building is necessary to ensure vehicle sightlines for cars leaving the entrance to the development as a whole.

6. Planning Policy

The following policies are considered relevant to this proposal:

Adopted Salisbury District Local Plan (saved policies)

CN8 – Development within Conservation Areas

CN9 – Demolition of Buildings within Conservation Areas

National Guidance

PPS5 – Planning for the Historic Environment

Other Relevant Guidance

Wylve Conservation Area Appraisal

7. Consultations

Parish Council

Wylve Parish Council has considered the planning application and objects on two grounds:

1. We suggest the angle of the rebuild of the Annexe be reconsidered to give greater road view for the safety of exiting traffic.
2. We feel the development is taking place in the garden of a house recognised in the Village Conservation Assessment as one of considerable architectural interest. The loss of the garden in this way detracts from the rural nature of the other buildings constituting the Fore St streetscape, again as described in the Village Conservation Assessment and we believe would constitute undesirable "backland development" .

Conservation

No objection in principle to the demolition and rebuilding of the outbuilding. Confirm that the proposed replacement building, as amended to give it a much simpler appearance, is acceptable in terms of its impact on the Conservation Area.

Considers that a condition is necessary to ensure that the building is replaced. Loss of the building without replacement would result in a gap in the Conservation Area, reducing the sense of enclosure currently provided, to the detriment of the area's character and appearance.

Arboriculturalist

No objection

8. Publicity

The application was advertised by site notice, press notice and neighbour notification with an expiry date of 8th April 2010.

7 letters of support have been received (to the planning application, but repeated here for completeness), making the following comments:

- It would bring new people into the village helping local facilities;
- The garden will easily accommodate two additional dwellings
- The dwellings will be in keeping with the village;
- There have been no traffic jams or congestion recently;
- The development will not be seen from Fore Street;
- Adequate parking means that it should make little difference to on-road parking;

5 letters have been submitted (again to the planning application, but repeated here for completeness) raising the following concerns:

- The Local Plan makes a clear presumption against tandem or inappropriate development;
- Scale of the development is out-of-proportion to the neighbourhood and the barn-like structures are simply too big;
- The inappropriate suburban influences detract from the Conservation Area;
- Trying to disguise this by the agricultural form of the buildings is entirely contrived;
- The proposal results in a significant loss of amenity to nearby properties;
- There is already a parking problem in Fore Street with the road frequently obstructed by parked vehicles. The significant increase in vehicle movements would only make this worse, including for emergency vehicles;
- The adequacy of the visibility splays are questionable in light of the number of parked vehicles in the vicinity;
- Impact of additional hard-surfacing on flooding;
- The concerns expressed by planning officers (pre-application) about the size and scale of the buildings are justified;
- Impact on AONB and Conservation Area;
- The applicant's agents have a commercial relationship with Wiltshire Council resulting in a conflict of interest;
- Need for consultation regarding re-routing of electricity and telephone cables;
- Need for consultation of local road users;
- Impact from flooding bearing in mind springs and aquifers;
- Exacerbation of sewage problems

9. Planning Considerations

The impact on the character and appearance of the Conservation Area

The impact on the character and appearance of the area, particularly on Wylde's Conservation Area, is an important consideration.

The Conservation Area Appraisal identifies the outbuilding as having a positive contributory effect, and clearly loss of the building without a replacement would have a detrimental effect on the Conservation Area, reducing the extent of enclosure that is currently provided by the annex building.

The proposed development, however, seeks to re-build the annex building so that it is almost identical to the existing building when viewed from the front, with the exception

that the front windows are lower and that the building would be repositioned, so that the north west corner is set back. The re-siting is proposed to achieve the sight lines necessary to ensure adequate visibility for the additional vehicles entering and leaving the site.

If it were considered that the re-siting (necessary only to enable development of the rest of the site) resulted in a loss of a sense of enclosure, then the proposal would be considered contrary to Local Plan policy CN9.

However, it is considered that the replacement of the annex would not significantly diminish the extent of enclosure provided by buildings on the site. Indeed the application includes the provision of a new stone boundary wall (and grass verge) between the site access and Vine Cottage. This would replace an existing hedge and would therefore give a greater sense of enclosure.

Provided that the replacement of the annex building can be secured, so that there is no 'gap' left in the street scene, it is considered that the proposals would not harm the character and appearance of Wylde's Conservation Area and could comply with Local Plan policy CN9.

10. Conclusion

The proposed demolition, provided that it is replaced by house 1 as proposed in planning application S/2010/0310, would maintain the character and appearance of the Conservation Area. It would therefore comply with policies CN8 and CN9 (development and demolition of buildings within Conservation Areas) of the Adopted Salisbury District Local Plan and the advice in PPS5 (Planning for the Historic Environment) and the Wylde Conservation Area Appraisal.

Recommendation

It is recommended that Conservation Area Consent is GRANTED for the following reasons:

The proposed demolition, provided that it is replaced by house 1 as proposed in planning application S/2010/0310, would maintain the character and appearance of the Conservation Area. It would therefore comply with policies CN8 and CN9 (development and demolition of buildings within Conservation Areas) of the Adopted Salisbury District Local Plan and the advice in PPS5 (Planning for the Historic Environment) and the Wylde Conservation Area Appraisal.

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) The development hereby approved shall be undertaken in accordance with the following approved plans:

REASON: for the avoidance of doubt and in the interests of proper planning

(3) 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 all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (ii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Large scale details of proposed eaves and verges (1:5 section);
- (vi) Details of rainwater goods (which shall be metal and finished in black);
- (vii) samples of the external facing materials (including roof materials)

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

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY: CN8

(4) No part of the development hereby permitted shall not be occupied until the first five metres of the 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

(5) The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5m metres from its junction with the public highway.

REASON: In the interests of highway safety

POLICY: G2

(6) No part of the development shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

POLICY: G2

(7) No development shall commence until details of the means of surface water drainage of the site (including surface water from the access/driveway), incorporating sustainable drainage details, have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the drainage details thereby approved. No water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains.

REASON: in the interests of highway and railway safety, and the amenities of nearby properties.

POLICY: G2

(8) Development shall be undertaken in accordance with the recommendations of the protected species survey dated November 2009 (set out at section 6) and the Arboricultural Appraisal dated 26th June 2008 unless otherwise agreed, in writing, by the Local Planning Authority.

REASON: in the interests of protected species and the character and appearance of the area with regard to trees.

POLICY: C12, G2

(9) No groundworks shall commence on site until an archaeological watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief shall be carried out in accordance with the written specification, by a professional archaeologist, which shall have been first agreed in writing by the Local Planning Authority.

REASON: To safeguard the identification and recording of features of archaeological interest.

POLICY- CN21

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no external alterations or development within Part 1, Classes A-H (including the insertion of further windows) shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the character and appearance of Conservation Area, to ensure that the integrity of the design is maintained, and to prevent the insertion of windows that could result in loss of privacy within the site and to adjoining neighbours.

POLICY: CN8, G2

(11) Construction work shall not begin until a scheme for protecting the proposed

residential properties from noise and vibration from the nearby railway line has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any part of the residential development is occupied.

REASON: to ensure a reasonable standard of accommodation

POLICY: PPG24

(12) Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority:

The investigation must include:

- (a) A full desktop survey of historic land use data,
- (b) A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages).
- (c) A risk assessment of the actual and potential pollution linkages identified,
- (d) A remediation programme for contaminants identified. The remediation programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for use.

The remediation programme shall be fully implemented, and the validation report shall be forwarded to the Local Planning Authority, prior to first occupation of the first of the dwellings hereby approved being occupied.

REASON: In the interests of public health and safety

POLICY: G2

(13) The development hereby approved shall be undertaken in accordance with the mitigation measures proposed in the Construction Method Statement dated February 2010 unless otherwise agreed in writing by the Local Planning Authority.

REASON: in the interests of preventing groundwater pollution

POLICY: G8

(14) Works to construct the development hereby approved shall only take place between the hours of 08:00 to 17:30 on Mondays to Fridays and 08:00 to 13:00 on Saturdays. Works shall not take place on Sundays or Public Holidays.

REASON: in the interests of the amenities of nearby properties

POLICY: G2

(15) No development shall commence on site until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst

the development is carried out. Development shall be carried out in accordance with the approved sample.

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

POLICY- CN8

(16) (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY- G2, CN8

Appendices	None
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Background documents used in the preparation of this report	Documents submitted with planning application S/2010/0310.
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