

# TOWN AND COUNTRY PLANNING ACT 1990

Name and address of agent:

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RINGWOOD  
BH241NU

Name and address of applicant:

MR A SMITH  
ST GEORGE KEEP LTD  
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In pursuance of its powers under the above act and in accordance with the terms of the application reference S/2008/271 dated 06/02/2008 and the plans and particulars submitted therewith.

**SALISBURY DISTRICT COUNCIL HEREBY GRANT PERMISSION** for the following development:

REF NO: S/2008/271  
PROPOSAL: FULL APPLICATION - CHANGE OF USE TO C3 &  
ERECTION OF SEMI DETACHED CHALET  
BUNGALOWS & ASSOCIATED WALLING  
LOCATION: LAND OF THE BUTT OF ALE PUBLIC HOUSE  
SUNNYHILL ROAD SALISBURY

**(Subject to the following conditions overleaf / attached)**

**Reference No:** S/2008/271

**REASONS FOR APPROVAL:-**

Planning permission has been granted for redevelopment of the site with the erection of a detached chalet bungalow. This application proposes redevelopment of the site with a pair of semi-detached chalet bungalows. Subject to conditions, the proposed development would result in an efficient use of land within a built up area, without resulting in significant harm to the living conditions of surrounding properties, adverse impact to highway safety or threaten the ongoing viability of the adjacent public house.

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. (A07B)

(1) 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 (0004 AMENDED)

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

(2) Reason: To secure a harmonious form of development

(3) No development shall commence until details of the existing site levels and proposed finished site, floor, eaves and roof ridge levels have been submitted to and approved in writing by the Local Planning Authority. The levels to be agreed shall be in accordance with details shown on drawing No 752:10, unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed level details.

(3) Reason: In the interests of visual and neighbouring amenities, and to ensure that the existing grounds levels are sufficiently lowered.

(4) There shall be no occupation of the dwellings hereby approved, until the north east and south west side boundaries of the site have been constructed in accordance with details to be submitted and approved by the local planning authority. The detailed plans will need to incorporate visibility splays to the site accesses with nothing over 600mm in height above the adjoining paved footway being erected, planted or maintained in front of a line measured 2.0m back from the paved footway extending across the whole site frontage in the form of a parallel strip.

(4) Reason: In the interests of existing neighbouring amenities, to protect future occupiers from possible disturbance and in the interests of highway safety.

(5) Notwithstanding the provisions of Classes A to E 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 alteration or extension to the dwellings, nor any extensions, enlargement or alterations to the roof (including the insertion of rooflights), nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

(5) Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

(6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additional windows added to the elevations or roofslopes of the dwellings other than those hereby approved.

(6) Reason: To ensure that the Local Planning Authority retains control over any additional windows in the interests of residential amenity (to ensure adequate privacy for the occupants of neighbouring premises).

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

(7) Reason: In the interests of highway safety

(8) There shall be no occupation of the dwellings hereby approved, until the driveway for the first 4.5 metres of its length measured back from its junction with the public highway has been properly consolidated (not loose stone or gravel) and provision has been made within the site for the disposal of surface water (so as to prevent its discharge onto the highway) all in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

(8) Reason: In the interests of highway safety.

(9) No construction work shall take place on Sundays or public holidays or outside the hours of 8.00am to 6.00pm weekdays and 8.00am to 1.00pm on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

(9) Reason: The proposed development is in a heavily residential area and construction outside these hours is likely to be detrimental to the amenity and likely to cause noise nuisance to existing residents.

(10) No work shall start on site until full details of a scheme for the insulation against noise emissions from the adjacent public house has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before any part of the development is brought into use.

(10) Reason: To ensure the amenities of future occupiers of the dwelling due to the proximity of the site to the adjacent public house.

#### INFORMATIVES: - POLICY

This decision has been in accordance with the following saved policies of the Adopted Salisbury District Local Plan:

G1 (1)

G2 (general)

H16 (Housing Policy Boundary)

D2 (design)

R2 (recreational open space)

#### INFORMATIVE:- WESSEX WATER

The development is located within a sewered area, with foul and surface water sewers.

Although not shown on the public sewer record drawing, we understand there may be a sewer crossing the site, that by virtue of its age could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records, thus indicating these as 'public' in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus.

The developer has proposed to dispose of surface water to existing arrangements.

Please note the proposed development is within a Source Protection Zone and any surface water discharge will need to be in line with the Environment Agency guidelines.

It will be necessary if required, for the developer to agree points of connection onto our systems, for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on site, a point of connection onto Wessex systems.

The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (2) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

**INFORMATIVE: Wiltshire Fire and Rescue Service**

The applicant should be made aware of the letter received from Wiltshire Fire and Rescue Service regarding advice on fire safety measures. This letter can be found on the file, which can be viewed at the planning office between the hours of 09:00 and 17:00 Monday to Friday.

**INFORMATIVE:- S106 AGREEMENT**

This permission shall be read in conjunction with the Section 106 Agreement, which is applicable to this application, in terms of its restrictions, regulations or provisions

**IMPORTANT NOTE:** This permission shall be read in conjunction with the Section 106 Agreement dated **INSERT** (Town and Country Planning Act 1990), which is applicable to this application, in terms of its restrictions, regulations or provisions.

Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

Signed :

(Authorised Officer)

Date: **27/03/2008**

Please refer to the notes attached to this decision

End of Decision.

Support	Officer