CASE OFFICER'S REPORT

Application Reference:	PL/2023/10548
Site Address:	Greneaker, Gutch Common, Semley, Wiltshire, SP7 9BG
Date site notice posted:	28/12/23
Consultation Expiry:	14/01/24

POLICIES

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 27 Tisbury Community Area
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Core Policy 69 Protection of the River Avon SAC

Saved Salisbury District Local Plan
H32 Mobile Homes
H33 Accommodation for dependent persons

RELEVANT PLANNING HISTORY

S/1999/0691/FUL – Erection of egg grading/general purpose building A.C 27.05.99

20/11566/FUL - Demolish egg store building and place mobile home on same site A.C 19.03.21

ISSUES

- Principle of development including planning history;
- Impact on neighbourhood amenity, heritage impacts and AONB;
- Highway Safety;
- River Avon SAC impact

REPRESENTATIONS

Donhead St Mary Parish Council – No objection

W.C Highways – No objection subject to conditions

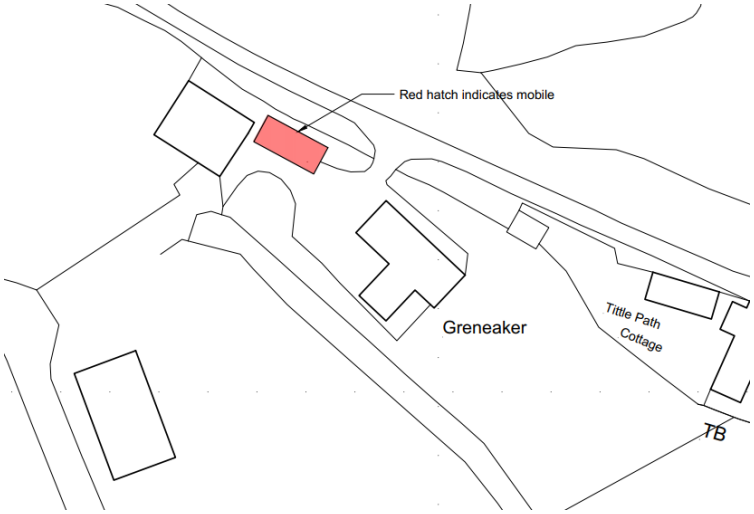
Third Party Representations – None received

Site Description

The application site is an existing mobile home approved under planning consent 20/11566/FUL within the existing farm complex known as Greneaker Farm. The site is located within Gutch Common, a small rural hamlet in close proximity to the village of Semley and Sedgehill. For the purposes of the local plan, the site is classed as being within the open countryside. The site is located within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). The site is within the Hampshire Avon Catchment SAC.

Proposal

This application seeks to vary condition 4 of planning consent 20/11566/FUL that granted a temporary three year approval for the siting of the mobile home. The red hatch below indicates the existing mobile home in situ.



ASSESSMENT

Principle of development including planning history

A Section 73 application allows for variation and/or removal of condition(s). Any new information received in relation to a previous condition can facilitate the removal of the condition requirements on any new decision notice issued as part of a Section 73 application

The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Of relevance is saved policy H32 of the Salisbury District Local Plan (SDLP) which states:

Proposals for the siting of mobile homes, including residential caravans, will be subject to the same policies and criteria as for permanent housing, although for environmental reasons they may not be acceptable on all sites where permanent housing would be acceptable. Temporary

permission will be considered favourably in order to provide accommodation for a dependent person or whilst an existing dwelling is being restored.

Also of relevance is saved policy H33 of the SDLP which states:

Proposals to create separate units of accommodation for dependent persons will be permitted provided that either:

(i) the accommodation is created wholly or partly within the existing dwelling or takes the form of an extension to that dwelling;

(ii) the design and internal arrangement of the proposed unit of accommodation would allow it to be re-absorbed into the main dwelling when it is no longer required to house a dependent person; and

(iii) where an extension is proposed, its siting and design is acceptable and the remaining external space around the building is adequate

or,

(iv) the accommodation is created as a result of a conversion of an existing building within the curtilage of the main dwelling; and

(v) is subject to a restrictive occupancy condition or, if outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing Policy Area, is subject to the applicant entering into a legal agreement with the Local Planning Authority that the ancillary accommodation will not be let or sold separately from the main dwelling.

Planning consent 20/11566/FUL granted planning permission for the siting of the mobile home. Condition 4 of this consent (the condition sought to be varied by way of this application) states:

The mobile home hereby permitted shall be removed in its entirety from the land on or before the 19th March 2024. Within one month of the removal of the mobile home from the land, a scheme of works for the re-landscaping of the land shall be submitted to and approved in writing by the Local Planning Authority. The reinstatement of the land shall be in accordance with the agreed scheme.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building/use for which permission can be justified only on the basis of a special temporary need.

This application seeks an extension for the siting of the mobile home for an additional three year period. Officers note that the mobile home is in situ and has been since the 23rd August 2021. Two photographs accompany this planning application showing the mobile home in situ as shown below.



The mobile home is used by a resident dependent of the applicant and will continue to be used by this person(s) for purposes of this application in order to oversee care for the applicant and maintenance of the surrounding area. A condition as per the previous consent, limiting the use of the mobile home as an ancillary annexe to the host dwelling can be imposed onto any consent. Given the existing use of the mobile home as outlined, officers consider it acceptable in planning policy terms to impose a condition allowing a further three year temporary period for the siting of the mobile home and its removal at the end of this extended period. This condition would then ensure that

In planning policy terms, whilst the replacement mobile home is not strictly in accordance with the requirements of saved policy H33 of the SDLP, a condition limiting the use of the replacement mobile home as an ancillary annexe to the host dwelling rather than solely as a separate agricultural dwellinghouse would be considered acceptable. A condition for a further temporary three period for use of this mobile home as an annexe requiring it's removal from the land would preserve the character of the wider area. As such, the proposal is considered to be acceptable in planning policy terms and not contrary to Core Policy CP57 of the WCS.

Impact on neighbourhood amenity, heritage impacts and AONB

The site is located within the open countryside. CP51 of the WCS requires development to protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. It also requires proposals to demonstrate that landscape character is conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures.

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

By way of the location of the mobile home in its current location and the proposed conditions as outlined within the previous section of this report, officers consider the continued use of the mobile home as set out will not cause any significant harm to the amenity of the area, the wider AONB or to the setting of the nearby listed building known as Dilkusha. Furthermore, officers note the comments received from the Parish Council of 'no objection' to this proposal and that no third party representations have been received during the consultation period for this planning application.

Highway Safety

The Councils Highways Officer has assessed the proposal and has raised no objection subject to a condition imposed onto any consent regarding the use of the mobile home being ancillary to the host dwelling. Based on these comments received, it is considered that the proposal will not have any adverse impact on highway safety that would warrant the refusal of varying condition 4 of consent 20/11566/FUL.

Protection of the River Avon SAC

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. Whilst the site is not adjacent to any rivers or in any respective flood zones, it is situated within the River Avon Special Area of Conservation (SAC) catchment area. The SAC is designated for several species of wildlife that depend on pristine water quality that is typical of chalk rivers such as the Avon. It is part of a network of sites across Europe designated in order to protect these and other species vulnerable to man-induced habitat change. This SAC is particularly vulnerable to the effects of pollutants including phosphate and nitrogen which may enter the river for example at sewage treatment works or from fertilizers applied to farmland throughout the catchment.

Officers note that the mobile home subject of this proposal has been in situ since August 2021 and is connected to the existing drainage system serving the dwellinghouse with the use conditioned as an annexe to the host dwelling, Greneaker. Given that this proposal is considered to be an enlargement of the existing dwelling by way of the condition imposing an ancillary use only of the mobile home, opposed to the creation of a separate planning unit, there would be no adverse impact/phosphorous increase by way of this scheme to the River Avon SAC.

Subject to the imposing of a condition requiring that the mobile home is used in conjunction as an annexe to the host dwelling, officers consider that the continuation of this proposal would not have any adverse effect in regard to wastewater/phosphorus increase within the River Avon SAC.

CONCLUSION

This application seeks the variation of condition 4 of planning consent 20/11566/FUL to allow for another three year temporary consent for the siting of the mobile home.

Subject to the imposing of the conditions as outlined within this report, officers are of the opinion that on balance, the continued use of the mobile home for ancillary use by a resident dependant of the applicant is acceptable, thus enabling the variation of condition 4 of the previous consent. Therefore, planning permission should be granted for the development.

RECOMMENDATION

Approve with conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

DWG No: P01 Rev A Site Location Plan Date Received 04.12.23
DWG No: P02 Rev B Existing Site Layout Plan Date Received 04.12.23
Existing Front (South Western) Elevation Date Received 04.12.23
Existing Rear (North Eastern) Elevation Date Received 04.12.23
Existing Side (North Western) Elevation Date Received 04.12.23
Existing Side (South Eastern) Elevation Date Received 04.12.23
Existing Mobile Home Floor Plan Date Received 04.12.23

REASON: For the avoidance of doubt and in the interests of proper planning.

2 The mobile home hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling known as Greneaker, Gutch Common, Semley, SP7 9BG and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

3 The mobile home hereby permitted shall be removed in its entirety from the land on or before the 29th January 2027. Within one month of the removal of the mobile home from the land, a scheme of works for the re-landscaping of the land shall be submitted to and approved in writing by the Local Planning Authority. The reinstatement of the land shall be in accordance with the agreed scheme.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building/use for which permission can be justified only on the basis of a special temporary need.