

## REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting:</b>	29 <sup>th</sup> March 2012		
<b>Application Number:</b>	S/2012/0160/FULL		
<b>Site Address:</b>	26 Queens Road, Salisbury. SP1 3AJ		
<b>Proposal:</b>	Replacement garage and new boundary wall		
<b>Applicant/Agent:</b>	Mr. J Lewis		
<b>City/Town/Parish Council</b>	St. Edmund and Milford		
<b>Electoral Division</b>	Salisbury City Council	Unitary Member	Cllr Paul Sample
<b>Grid Reference:</b>	Easting: 414722.5		Northing: 130636.5
<b>Type of Application:</b>	Other		
<b>Conservation Area:</b>	CA: N/A	LB Grade: N/A	
<b>Case Officer:</b>	Mrs. Becky Jones	Contact no. 01722 434388	

This application is before the Committee at the request of Cllr Sample in view of the local interest shown in the application.

### 1. Purpose of report

To consider the above application and to recommendation of the Area Development Manager that planning permission be **Granted Subject To Conditions**

### 2. Report summary

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

1. Site history and permitted development rights (the fallback position)
2. Scale, design and impact upon the character of the streetscene
3. Impact upon amenities of neighbours
4. Highway safety

Salisbury City Council supports the application.

The application has generated 3 letters of objection including one petition with 79 signatures (St Marks Road and Park Street).

### 3. Site Description

The site is located on the corner of St Marks Road and Queens Road. The house faces onto Queens Road, and its rear garden and an existing garage front onto St Marks Road. A close board fence forms the northern boundary. A small pedestrian access lies to the east of the site, and separates the rear gardens fronting Queens Road from No 81 St Marks Road.

### 4. Relevant Planning History

S/2011/0771 Replacement garage structure and boundary fence to be replaced by solid wall. Withdrawn due to highway concerns.

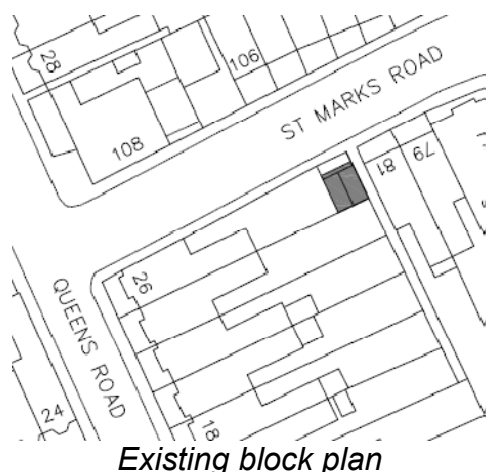
## 5. Proposal

The proposal is to demolish an existing detached garage and erect a new detached garage in its place, and replace the existing boundary fence with St Marks Road with a wall and pedestrian gate.

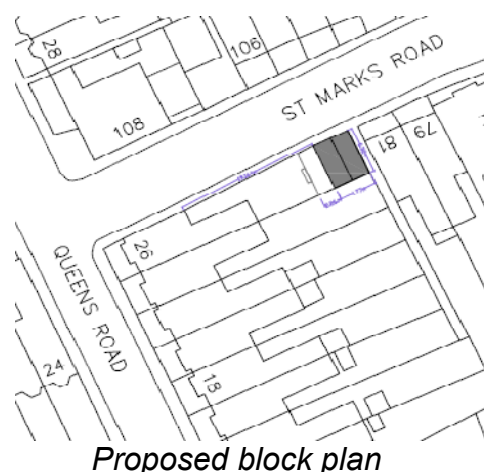
The applicant has amended the previously withdrawn scheme following discussion with WC Highways. The garage door has been widened from 2.7m to 4m and would have a roller shutter. The width of the new garage would be 4.7m, and its length equal to the full depth of the plot (about 5.6m) from the side boundary to the back of the pavement with St Marks Road. The front elevation of the existing garage has a small pitched roof section, and is about 3.2m from ground to ridge. The proposed garage would have a fully pitched roof and would be very slightly lower, about 3.15m from ground to ridge. It would be constructed from brick with a sheet metal roof.

The proposed brick wall would extend from the house to the garage, with one timber doorway close to the house. It would replace the existing timber close board fence and would be about 1.75m high.

The applicant has stated that the existing garage (measuring 4.6m by 4m) is not large enough for their needs and in their view cannot accommodate a family sized car.



*Existing block plan*



*Proposed block plan*

## 6. Planning Policy

The following policies of the Salisbury District Local Plan which are 'saved' in the South Wiltshire Core Strategy are relevant to this proposal:-

- G2 - General Principles for Development
- D3 - Design

## 7. Consultations

### Salisbury City Council

Support.

### WC Highways

No objection subject to conditions.

## 8. Publicity

The application was advertised by site notice, and neighbour consultation which expired on 8<sup>th</sup> March.

3 letters of objection and petition signed by 79 people from St Mark's Street (and 1 in Park Street) were received. Objections were on the following general grounds:

- Lack of forecourt coupled with brick wall is dangerous to pedestrians;
- Negative impact on street scene as garage is no longer set back from the edge of pavement;
- Lack of visibility for drivers reversing out. Minimum standards are not sufficient.

## 9. Planning Considerations

### 9.1 Site history and permitted development rights (the fallback position)

The applicant has previously applied for a similar scheme, with a narrower garage entrance. WC Highways raised concerns and the application was withdrawn. Discussions with Highways have taken place and the scheme now includes a wide roller shutter door.

The Town and Country Planning (General Permitted Development) Order (GPDO) permits the applicant to construct a garage on the footprint as proposed (and up to the back of the pavement line) without the need for a planning application. This would be subject to a height limit of 2.5 metres which is 0.65m lower than the proposed scheme, but feasible. Significantly in view of the objections, the GPDO would not prevent the applicant from constructing a building to the back of the pavement line. This potential fallback position is, therefore, an important material consideration.

### 9.2 Scale, design and impact on the character of the streetscene

Policy D3 sets out the criteria for the development of ancillary buildings within the curtilage of a property. The proposal must be compatible in terms of the scale, design and character to the existing property, using complimentary materials. It must also be carefully integrated in relation to other properties and the landscape framework.

The area is characterised by terraced brick dwellings, set back from the pavement edge behind low walls and railings. The frontage is intermittently broken up by entrances to garages and open spaces around the houses used for parking and gardens. The existing garage lies adjacent to and level with the frontages for Nos 79 and 81 St Marks Rd. In turn, these two dwellings are set back from the frontage of the Kingdom Hall, which is set slightly forward within the street frontage. Its porch and boundary wall lie close to the back of the pavement line. Immediately opposite the application site is No 108 Queens Road, which has a set of garage doors and balcony/car port facing onto the street.

The proposed replacement garage would be slightly lower than the existing structure, but it would be brought forward within the street scene to the back of pavement line. This would be slightly forward of Nos 79 and 81 St Marks Rd, and almost level with the Kingdom Hall. When viewed from the east or west of St Marks Road, the garage would be visible within the street scene. However, it would be 3.15m above ground level, and given that the applicant could construct a building in this location up to 2.5m high without planning permission, the additional impact created by this difference in height is not considered to be sufficiently harmful to warrant refusal. Furthermore, No 108 Queen Street has a set of garage doors beneath a balcony which are sited on the back of pavement line. Given that

this site is opposite the application site, it is difficult to argue that the proposal sets an unwelcome precedent.

The scale of the garage is considered to be modest, and its design with a shallow pitched roof and brick walls is considered to be acceptable. The proposed brick boundary wall and gate would be constructed from matching brick, to replace the timber fence and this would also be acceptable. The proposal would therefore comply with Policy D3.

### **9.3 Impact upon neighbouring amenities**

The garage would have some impact upon the amenities of the occupiers of No 81 St Marks Road. This dwelling is separated from the site by a narrow pedestrian passageway. It has a low boundary wall and trellis on the west boundary of the small front garden, and a living room window faces north. The existing garage is set back almost level with the front of this house, but the replacement garage would be brought forward by about 1.4 metres. It would however be slightly lower in height to its ridge than the existing structure.

The new garage would be sited to the north/west of the front of No 81, and therefore, it is unlikely to have any significant impact on light levels reaching this property from the east and south. It would also be sited to the side of the front window, so would not be directly in the sight line from this window, but would be visible to the left side. No 81 already has a trellis and wall extending to about 2 metres in height above the pedestrian walkway, so the garage eaves would be visible for about 0.3m above the fence with the shallow pitch extending about 1.15m above the fence.

In conclusion, whilst the garage would be obliquely visible from the front window of No 81 St Marks Rd, about 1.15m of the structure would be visible above the trellis and wall for No 81. Due to its siting to the north west, it is unlikely to affect existing light levels reaching the front window. It would also be separated by the pedestrian walkway. Therefore, the amenities of the occupiers of No 81 would not be unduly disturbed by the development, and given the fallback position of a structure that could be constructed up to 2.5m in height, no objection is raised under Policy G2.

The amenities of other properties in the vicinity would not be unduly disturbed by the wall or garage in accordance with Policy G2.

### **9.4 Highway Safety**

Objections have been received from third parties on the grounds of highway safety. The highways department notes the history of this site and that the previous application was withdrawn after highway issues were raised. The latest scheme has alleviated original concerns, by introducing a 4m wide roller-shutter door which would provide sufficient vehicle to pedestrian inter-visibility and also not overhang the public highway. No highway objection is raised, subject to the following condition being attached to any permission granted:

*Any garage doors installed at any time in the garage hereby permitted shall be fitted so that its leading edge does not project forward of the leading wall of that garage.*

*REASON: In the interests of highway safety and convenience.*

WC Highways have subsequently considered objections relating to the garage being brought forward to the back edge of the footway and vehicle and pedestrian inter-visibility. Objectors consider that there is the potential for conflict between an emerging car and

pedestrians on the footway. As the garage walls have been brought forward, objectors feel that visibility has been unacceptably reduced and that this presents a road safety hazard.

Whilst highways understand these comments, the issue of vehicle to pedestrian inter-visibility has been the main concern with this proposal. Initially, the applicant withdrew planning application S/2011/0771 on the basis of this issue. After discussions with the applicant, three alterations were proposed including the 4m wide door, and this is now incorporated.

A 4m wide door allows for a 2m x 2m vehicle to pedestrian inter-visibility splay, in accordance with the minimum standard requirement. Therefore, despite the garage being brought forward, sufficient visibility remains (due to the width of the door) to avoid any potential conflict and as such, highways do not view this as a safety issue. A roller-shuttered door has also been requested and shown, as this will avoid any part of the door overhanging the footway.

Therefore, having reconsidered the proposal, highways have raised no objection under Policy G2.

## **10. Conclusion**

The proposed replacement garage and brick wall would replace an existing garage which is set back from the pavement line and a timber close board fence. Under permitted development rights, it is considered that the applicant could construct a building on the proposed footprint, provided it did not exceed 2.5m in height (the fallback position). The proposed scheme is about 3.15m to its ridge.

There would be some impact on the street scene, but this is not considered to be sufficient to warrant refusal, given the fallback position. Furthermore, Kingdom Hall's porch and boundary wall are sited close to the pavement line, and No 108 opposite the site has garage doors sited on the back of pavement line, below a balcony. Therefore, the garage is not considered to set an unwelcome precedent.

The amenities of No 81 St Marks Road would be affected, as part of the eaves and shallow sloping pitched roof of the garage would be obliquely visible above the existing boundary wall and trellis. However, the building is unlikely to affect existing light levels reaching the front of the property, given the north-west siting. The fallback position means that a 2.5m high building could be constructed without planning permission in this position.

Highways have raised no objection on highway safety grounds, given the roller shutter door, which is considered to provide sufficient vehicle to pedestrian inter visibility.

## **11. Recommendation:**

### **Planning Permission be GRANTED for the following reasons:**

The proposed replacement garage and boundary wall would be in accordance with the adopted policies G2 and D3 of the Salisbury District Local Plan and the saved policies in Appendix C of the South Wiltshire Core Strategy. The garage would have an acceptable impact on the streetscene, and its design and scale are appropriate in relation to the existing property (Policy D3). Whilst there would be some impact on the oblique outlook from a neighbouring property (No 81 Queen Street), the building is unlikely to unduly disturb the amenities of the occupiers in terms of dominance or loss of light, given its modest height and siting to the north west (Policy G2). The roller-shuttered door would avoid any part of

the door overhanging the footway. The proposed 4m wide door allows sufficient vehicle to pedestrian inter-visibility splay, despite the garage being brought forward and in accordance with the minimum standard requirement. (Policy G2).

**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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building (No 26 Queens Road).

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

POLICY- D3 Design

3. Any garage doors installed at any time in the garage hereby permitted shall be fitted so that its leading edge does not project forward of the leading wall of that garage. The development shall be maintained in that condition thereafter.

REASON: In the interests of highway safety and convenience.

Policy G2 General Principles for Development

4. The development shall be in accordance with the following drawings and plans:

095274-008 30<sup>th</sup> March 2011 Proposed Elevations

095274-004 30<sup>th</sup> March 2011 Proposed North Elevation showing roller shutter door and 4m wide entrance.

095274-002 30<sup>th</sup> March 2011 Proposed Plan Layout

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

Informative: The applicant is advised of the need to submit plans, sections and specifications of the proposed boundary wall for the approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980.