

## REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting:</b>	10 <sup>TH</sup> May 2012		
<b>Application Number:</b>	S/2012/0028/FULL		
<b>Site Address:</b>	45 Ladysmith, Gomeldon, Salisbury. SP4 6LE		
<b>Proposal:</b>	Demolition of part of existing house and erect first floor extension to rear of property. Erection of a semi detached, three bedroom dwelling.		
<b>Applicant/Agent:</b>	Mr Luke Roberts		
<b>City/Town/Parish Council</b>	Idmiston Parish Council		
<b>Electoral Division</b>	Bourne & Woodford Valley	<b>Unitary Member</b>	Cllr Mike Hewitt
<b>Grid Reference:</b>	Easting: 418690	Northing: 135353	
<b>Type of Application:</b>	Full		
<b>Conservation Area:</b>	Cons Area: -N/A	LB Grade:- N/A	
<b>Case Officer:</b>	Mr Tom Wippell	Contact Number: 01722 434554	

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

The applicant is related to a senior officer of the Council. Under the Scheme of Delegation where private applications are made by an elected member or a senior officer of the Council or their close relations, or by a planning officer and objections are received raising material planning considerations the application will be determined by the Planning Committee.

### 1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be REFUSED.

### 2. Report summary

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

1. Principle of new residential development
2. Impact on character of area
3. Impact on residential amenity
4. Impact on highway safety
5. Archaeology
6. Affordable Housing/ Public Open Space requirements

The application has generated objections from Idmiston Parish Council and three third parties.

### 3. Site Description

The application site supports a detached chalet style house positioned within a residential street in the Housing Policy Boundary of Gomeldon.

The site has frontage to Ladysmith of approximately 21m which is wider than the average in the street. The existing house sits centrally on the plot on a similar building line to its neighbours, no. 43a (to the east) and no. 47a (to the west). No. 47a is a detached bungalow.

### 4. Relevant Planning History

Application	Proposal	Decision
S/2008/0375	New dwelling at 43 Ladysmith, (to the east)	Approved 21/04/08

### 5. Proposal

The proposal is to demolish part of the west side of the existing house to enable a new 'plot' to be formed between the remains of the existing house and no. 47a. On this plot it is proposed to erect an attached 4 bedroom house.

The new plot would have an approx. 8.5m wide frontage to Ladysmith. The new house would be two storey with a relatively low ridge height of approx. 6.8m (achieved by lowering the slab level into the ground). This ridge height is 1.5m lower than no. 45 and 1.7m higher than no. 47a. A 1.8m gap would be retained between the side wall of the new house and the common boundary with no. 47a.

The front of the new house would be sited close to the existing building line, although with a slight projection forward of the closest part of no. 47a. At the rear the house would project 6.3m behind no. 45, although only slightly behind no. 47a which is presently set further back.

Three parking spaces are proposed to the front of the new house, covering the larger part of the front 'garden'. Two spaces are proposed to the front of no. 45.

In addition to the new house, it is also proposed as part of the application to erect a first floor rear extension to no. 45.

### 6. Planning Policy

South Wiltshire Core Strategy – Core Policy 3 and 'saved' Policies G2, D2, H16 and R2 of the Salisbury District Local Plan.

### 7. Consultations

#### Parish Council:

Object to the amended plans for the following reasons:

Notwithstanding the submission of amended proposals, the Parish Council's objection to this application remains for the reasons stated in our response to the original submission, namely:

'Having regard to the design, size and scale of the proposed development to provide for a second dwelling, it is considered that the resulting development would be overlarge, constitute an overdevelopment of the site and would be in contrast to the visual amenity of the area.'

#### **Environmental Health:**

No observations

#### **Highways:**

I have now viewed the revised parking layout on Drawing 11023/P100A which I can confirm has alleviated my concerns over parking. The parking levels on site are now in accordance with Wiltshire's Parking Standards and as such, I recommend that no Highway objection is raised, subject to conditions.

#### **English Heritage:**

The scheme should be dealt with in accordance with the relevant Local and National Planning Policies.

#### **Archaeology:**

After discussion with the applicant, it appears that significant works have previously been undertaken in the area of the proposed new building. This is likely to have disturbed any archaeological remains which were potentially present. Therefore no objections are raised.

I have made the applicant aware that, should the site be less disturbed than thought, if human remains are encountered (which is a significant risk given the nearby barrows) it is an offence to remove or disturb them and the police and coroner must be informed immediately.

### **8. Publicity**

The application (and amended scheme) was advertised by site notice and neighbour consultation.

Three objections were received from third parties to the amended plans, with the main points of objection summarised as follows:

- Overshadowing to side and front of neighbouring properties
- The new dwelling is too high/imposing
- Loss of privacy to front gardens of neighbouring properties
- Increased cars on road will be harmful to highway safety
- The proposal will dwarf neighbouring small bungalows
- Overdominance of the area

- Overdevelopment of the site
- Poor design
- Cramped design
- Not in-keeping with the surrounding area
- Overlooking to side of neighbouring properties

## **9. Planning Considerations**

### **9.1 Amended Plans**

After concerns were raised about the originally submitted scheme, amended plans were submitted. These are the plans now before the Committee. The main differences between the original plans and the amended plans are:

- The number of bedrooms in the original dwelling has been reduced from 4 to 3. The new dwelling is still proposed to have 4 bedrooms;
- An extra parking space has been created at the front of the site (making 5 in total);
- The new dwelling has been moved away from the neighbouring property by a further 95cm, so that it is now 1.8 metres from the boundary;
- The new dwelling has been 'sunk into the ground' by 40cm, so that the overall ridge height has effectively been reduced from 6.72 metres to 6.32 metres.

The consultees/neighbours/Parish Council have all been reconsulted on these amended plans and their comments can be seen above.

The Committee should also note that due to concerns raised by the applicant about the potentially confusing layout of documents on the Council's website, for the avoidance of doubt, all the consultees/neighbours/Parish Council have been given a further opportunity to comment on the revised scheme and the website has been updated. Any additional comments received as a result of this further consultation exercise will be presented to the Committee as late correspondence.

### **9.2 Principle of Development**

The site is located within the Housing Policy Boundary where the principle of new residential development can be acceptable if in accordance with the criteria set out in 'saved' Policy H16 of the Salisbury District Local Plan. Of particular relevance is that the proposal should not result in the loss of an open space which contributes to the character of the area, and should comply with the design policies of the Plan.

'Saved' Design Policy D2 states that proposals for infill development will be permitted where proposals respect or enhance the character and appearance of the area in terms of the following criteria:

- (i) the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths;
- (ii) the architectural characteristics and the type, colour of the materials of adjoining buildings; and

- (iii) the complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings and the new development proposes to replicate such richness

In this case it is considered that the proposal does not satisfy criteria (i) in that the building plot width and the scale and massing of the development would neither respect nor enhance the character and appearance of the area. The proposal is, therefore, contrary to Policies H16 and D2. The detailed reasons for this failure are set out below.

### **9.3 Impact on character of area**

Although on a similar building line and orientation to other properties in Ladysmith, it is considered that the new dwelling would appear cramped within the immediate street-scene due to a combination of the relatively small width of the plot and the overall scale and massing of the proposed house. The proposed plot is noticeably narrower than others in the immediate street scene, and in particular no. 47a and retained no. 45. The proposed house is also noticeably large, filling a good proportion of the plot (including right up to the boundary with no. 45). The cramped appearance resulting from this 'garden grabbing' would detract from the overall character of the street scene to the detriment of visual amenity in general.

The adverse impact of the proposal is compounded by the car parking arrangements. A four bedroom house requires 3 parking spaces, and this can only be achieved by effectively giving over the larger part of the front garden for this purpose. The mass of resulting hard-standing at the front of the property would be undesirable within its context.

It is considered that little has changed in design terms over the originally submitted plans, with the reduced height/width of the built-form doing little to reduce the cramped and congested appearance of the dwelling. If anything the amended design accentuates the restricted dimensions of the plot, by drawing attention to the small width of the built-form in comparison to the original dwelling.

Consequently, the resultant scheme is considered to be unsympathetic to the character and visual appearance of the area. The scale, plot size and massing of the development does not respect adjoining buildings, and it is therefore considered that a dwelling in this location should be viewed as in-appropriate infilling, contrary to Policies D2 and H16.

### **9.4 Impact on residential amenity**

'Saved' Policy G2 sets out general development control criteria. In particular, it requires all new development to avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings.

The insertion of a new dwelling into the application site would result in a large built form within close proximity (1.8 metres) to the common boundary with no. 47a, and within 2.5 metres of this bungalow's bathroom windows and back-door. It is considered that, by reason of the height and length of the side elevation and its proximity to no. 47a, the proposed house would have an overbearing impact on no.

47a to the detriment of the occupiers' amenities. Additionally, the bulk of the house would diminish the outlook from the bungalow's side access path, door and bathroom window, and the occupier's would be dominated by its overall height.

Equally, the new house, by reason of its rear projection behind no. 45, would have an overbearing impact on no. 45 to the detriment of the occupiers' amenities. Notwithstanding that no. 45 is occupied by the applicant, this remains a relevant material consideration.

### **9.5 Overlooking/Loss of Privacy**

The application site is located in an area in which overlooking is not uncommon at the front of properties. Although the front-facing windows of the proposed house would face directly towards the property on the opposite side of the road, the impact of partial overlooking here is not considered to be significant, given that a certain degree of overlooking already occurs in this area, and overlooking from the front is not an unusual situation.

However, occupiers can expect a reasonable degree of privacy at their sides and rear of their properties. The proposed house includes a window and door at ground floor level and a window at first floor level in the side elevation facing no. 47a. It is considered that the first-floor window (which would serve a bedroom) is likely to cause overlooking, or the perception of overlooking, of the side area of no. 47a. The occupiers of the bungalow would feel 'hemmed-in' by the closeness of habitable rooms/windows, which would adversely affect their perception of privacy. Even if the first-floor side-facing window was obscure-glazed, this would do little to overcome the perception, due to its close proximity to the boundary and its orientation, almost directly opposite the bungalow's rear access door/bathroom windows. Furthermore, the obscure-glazing of the only window in this bedroom would not be desirable for future occupants of the new dwelling.

### **9.6 Highway Safety**

The amended plans show that sufficient parking provision is provided to the front of the houses. Whilst this means the loss of garden area for the proposed house in particular, the five parking spaces proposed meets the criteria sought for such a scheme, subject to conditions regarding access and disposal of surface water.

### **9.7 Archaeology**

After discussion with the applicant, it appears that significant works have previously been undertaken in the area of the proposed new building. This is likely to have disturbed any archaeological remains which were potentially present. Therefore no objections are raised by the County Archaeologist.

## **9.8 Affordable Housing/ Public Open Space Contributions**

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 and Core Policy 3 of the South Wiltshire Core Strategy, applicants are required to enter into a legal agreement and provide a commuted financial payment. Without the completion of such a legal agreement, this issue should form a reason for refusal; albeit one that can be overcome with the submission of a legal agreement should other issues be overcome.

## **9.9 The extension element**

In addition to the proposed dwelling, the application is also for a first floor rear extension to no. 45. This extension is relatively modest in terms of its size and would not detract from the appearance of the house or wider street scene (the extension would not be readily visible from public viewpoints).

The extension incorporates a window which would face down the garden. This would be in a similar manner to existing first floor rear facing windows in the house and consequently no adverse impact would be caused to residential amenity. The modest size of the extension and the separation with the boundary with no. 43a would ensure no overbearing relationship.

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

1. The proposed house, by reason of its uncharacteristically narrow plot and resulting cramped appearance, and by reason of its size and massing, would detract from the appearance of the street. This is contrary to Policies H16 and D2 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy).
2. The proposed house, by reason of its proximity to the side boundary of the site with no. 47a Ladysmith, its size and its design (incorporating a first floor window in the side elevation), would both have an overbearing impact on and overlook no. 47a Ladysmith to the detriment of the occupiers' amenities and privacy. This is contrary to Policy G2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).
3. The application does not make provision for the increase in pressure on recreational open space facilities and affordable housing stemming from the additional house. This is contrary to Policy R2 of the Salisbury District Local Plan (which is a 'saved' policy of the South Wiltshire Core Strategy) and Core Policy 3 of the South Wiltshire Core Strategy.

### **INFORMATIVE:**

It should be noted that the reason for refusal 3 given above relating to Policy R2 and Core Policy 3 of the South Wiltshire Core Strategy could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement, in accordance with the standard requirement for recreational public open space and affordable housing provision.