

## REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting:</b>	25 <sup>th</sup> October 2012		
<b>Application Number:</b>	S/2012/1120/Full		
<b>Site Address:</b>	45 Ladysmith, Gomeldon, Salisbury. SP4 6LE		
<b>Proposal:</b>	Alterations and extensions to existing building and subdivision of plot to form 2 separate dwellings		
<b>Applicant / Agent:</b>	Mr James Bravery		
<b>City/Town/Parish Council</b>	Idmiston		
<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>	Minor		
<b>Conservation Area:</b>	Cons Area: - NA		LB Grade:- NA
<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.

Members should note that this application was deferred at the last committee in order to carry out a site visit and for officers to update the report after representations were received at the last committee from the applicant. These are addressed in the officers report below

### 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
7. Additional points raised by the applicant at the last committee

The application has generated objections from Idmiston Parish Council and twelve 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**

S/2012/0028- Alterations and extensions to existing dwelling and subdivision of plot to  
create 2 separate dwellings- REFUSED

S/2008/0375 - New dwelling at 43 Ladysmith (adjacent site to the east) APPROVED

#### **5. Proposal**

The proposal is to subdivide the plot into two equal halves, and create 2 semi-detached dwellings (shown on the block plan as 45 and 45a Ladysmith). Both plots would have an approx width of 10.5 metres fronting Ladysmith.

The existing building will be extended by 2.12 metres towards the eastern side (reducing the distance to the eastern boundary to 1.2 metres), with an additional two-storey extension also created towards the rear, extending 4metres back into the rear garden (when measured from the rear wall of the original dwelling). A dormer window will be added to the front elevation, and a first-floor ensuite-bathroom window/ various ground-floor windows/doors inserted in the eastern side elevation.

A single-storey flat-roof rear extension (with rooflights) is also proposed towards the western side of the site. There will be no further encroachment towards the boundary, and the separation distance between the extension and the neighbouring boundary will remain at 3.4 metres. A first-floor ensuite bathroom window/ a ground floor window and a utility room door will be present on the western side elevation.

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

#### **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 application for the following reasons:

The Parish Council fully endorses the view of the LPA that the plot size is considered to be uncharacteristically small in relation to the existing property, and remains of the view that extensions of the size proposed constitute an overdevelopment of the site to the detriment of the adjoining properties and the wider neighbourhood." Furthermore, the Parish Council is of the view that the existing building is already overlarge and dominates its surroundings. The proposed extension of the front elevation to the east will reinforce the dominance of the existing structure to the further detriment of the street scene and the visual amenity of the neighbouring bungalows. The Parish Council remains concerned that the provision of 5 car

spaces in the shallow area in front of the building together with the associated hard surfacing will result in a car dominated urbanised environment which is an inappropriate feature in an estate of bungalows in a rural setting and does not accord with the design guidance set out in the LPA's own document 'Creating Places'.

Environmental Health: No observations

Highways: I can confirm that the amended parking layout is acceptable and as such, I recommend that no Highway objection is raised, subject to the conditions being attached to any permission granted

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

Archaeology: I had previously recommended a condition on an earlier application on this site, as the site is very close to both a scheduled barrow (WI 386 – scheduled horse barrow) and a further bowl barrow which was excavated in the early 20<sup>th</sup> century on the site of what is now 47a Ladysmith. There is therefore the potential for the site to contain archaeological remains which might include human remains. On the previous application, I changed my advice as the applicant demonstrated that the side of the house, where a new extension was proposed, had been previously disturbed by installation of services.

The design and access statement that accompanies this application recognises that there is potential for the site and also considers that this potential would have been removed by significant works including drainage, patio and a garden pond. Whilst I appreciate that this may well be the case, the proposal is for a relatively large new extension, presumably also with new services to allow the property to be split in two. In addition, the patio appears to be raised on the accompanying photography, suggesting that the previous footprint of impact might be less significant than that around the side of the house.

It is therefore recommended that a programme of archaeological works, in the form of an archaeological watching brief, is carried out during construction.

## **8. Publicity**

The application was advertised by site notice and neighbour consultation.

Twelve 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

Additional points submitted by the applicant at the last committee in support of the proposal

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- The proposed extension to the existing house has been shifted to predominantly the eastern side which is adjacent to a relatively newly built two storey house, thus away from the bungalow.
- The plot has been divided down the middle creating two plots of approximate equal size.
- Reduction in size of the additional dwelling from a 4 bed to a 2 bed, to ensure no extension is needed to the western boundary
- The two storey extension would remain over 2.5 meters behind the rear of number 43a
- The proposed building would be equal distance from the boundary as 43a

## 9. Planning Considerations

A previous application was refused at Committee in April 2012 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, design 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.*

This re-submission therefore has to be considered in the light of this previous application, and the differences between the two schemes critically examined.

### 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 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.

#### Impact on character of area

It is considered that the reason for refusal 1 (relating to design) in the previous application has not been overcome. The existing building is already relatively wide in comparison to nearby properties, and the proposal to increase the width by a further 2.1 metres towards the east, at full-height, would result in a cramped form of development.

Although on a similar building line and orientation to other properties in Ladysmith, the semi-detached pairing would fill virtually the entire width of the eastern plot at full-height, and the cramped appearance resulting from this 'garden grabbing' extra width would detract from the overall character of the street scene, to the detriment of visual amenity in general. Furthermore, this additional bulk, in combination with the proposed two-storey/single storey extensions to the rear, is considered to represent an overdevelopment of the site.

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.

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 inappropriate infilling, contrary to Policies D2 and H16.

#### 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.

It is considered that the extensions towards the eastern side of the application site will have a detrimental impact on residential amenity. The rear extensions in particular will protrude a further 4 metres back past the rear of the original dwelling and will have high eave-levels (6.4 metres and 5.2 metres respectively). The combination of the extension's depth, its eave-heights and its overall massing will add a significant amount of bulk to the building.

This additional bulk, when sited within such close proximity to the neighbouring boundary (1.2 metres), would diminish the outlook from the neighbouring bedroom/landing windows, and would dominate the adjacent access path, side window, front-door area and rear conservatory. The openness currently enjoyed by the neighbouring property would be significantly reduced and overall it is considered that the proposal, due to a combination of its overall length, scale, and close proximity to the adjacent residential property, would create an oppressive and overbearing development that would cause significant harm to the amenities of adjacent residents.

### 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 new front-facing window 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.

The side-facing ensuite bathroom windows at first-floor level and the side-facing windows/doors at ground-floor level are not considered to result in any harmful loss of privacy. Oblique overlooking from the proposed rear-facing windows is not considered to result in any significant loss of privacy to the adjacent rear gardens.

### Highway Safety

After concerns were raised about the layout of the parking (and turning/manoeuvring within the site), amended plans have been submitted which show that sufficient parking provision will be provided to the front of both houses. Whilst this means the loss of garden area, the five parking spaces proposed meets the criteria sought for such a scheme, subject to conditions regarding access and disposal of surface water.

### Archaeology

The design and access statement that accompanies this application recognises that there is potential for the site and also considers that this potential would have been removed by significant works including drainage, patio and a garden pond. Whilst it is appreciated that this may well be the case, the proposal is for a relatively large new extension, presumably also with new services to allow the property to be split in two. In addition, the patio appears to be raised on the accompanying photography, suggesting that the previous footprint of impact might be less significant than that around the side of the house.

It is therefore recommended that if minded to approve, a programme of archaeological works, in the form of an archaeological watching brief, is carried out during construction.

### 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.

### Additional points raised by the applicants at the last committee

The following are the additional points raised by the applicants at the last committee (in italics) with officer comments underneath

*The proposed extension, extends 2M out from the existing kitchen single storey extension. and not 6m as stated*

The measurement depends where you measure from. the proposed extension extends four metres from the wall of the original dwelling house. When measured from the existing single storey extension this is 2M as stated by the applicant

*Height of eaves of proposed rear extension 5.2M not 6.4M as stated*

The height of the eaves of the hipped roof on the rear of the extension is as stated in the officers report 6.4M the side of the extension (where it faces the neighbouring property) is 5.2M

*No additional ground floor windows or doors planned for western side*

This is correct although the existing door and window are shown moved to an alternative location.

*Increased width of 2.1 to eastern side not 1.5m*

*The increased width to the side boundary is 2.1M not 1.5M*

*There are no side doors in 43a*

This is correct the officer report has been amended

*47A is linked detached not detached*

For planning purposes the house is detached. whilst the two single storey garages abut each other the two dwellings are essentially detached.

*Block plans accompanying the report are out of date and omit the recently built conservatory at 43a and the side extension to 47a*

Members will be aware that the plans accompanying the committee report are the councils own maps and are intended to indicate where the site is only, *they are not intended to substitute the plans submitted with the application.*

*The report fails to mention that after being informed that the application was going to be refused we offered to reduce the height of the eaves but were told that these compromises were unlikely to change the Planning Officer's recommendations yet the eave height feature as a reason for refusal*

Officers did not consider that the amendment being offered would alter the fundamental reasons for refusal that are outlined in this report.

## **10. Recommendation**

That planning permission be REFUSED for the following reasons:

1. The proposed development, by reason of its 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 development, by reason of its proximity to the side boundary of the site with no. 43a Ladysmith, and by reason of its overall size, length and design (with

high-level eaves), would have an overbearing impact on no. 43a Ladysmith to the detriment of the occupiers' amenities. 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.