

REPORT TO THE SOUTHERN AREA COMMITTEE

Date of Meeting:	25/10/2012		
Application Number:	S/2012/1205		
Site Address:	15 Bishops Drive, East Harnham, Salisbury		
Proposal:	Construction of conservatory to existing first floor terrace		
Applicant / Agent:	Mr Colin Burrows (<i>Damen Associates Limited</i>)		
City/Town/Parish Council	Salisbury City		
Electoral Division	Harnham	Unitary Member	Cllr Brian Dalton
Grid Reference:	E 413670.4 N 128687.7		
Type of Application:	Full		
Conservation Area:	NA		
Case Officer:	Mr Matthew Legge	Contact Number: 01722 434398	

Reason for the application being considered by Committee

Cllr Brian Dalton has called this application to Committee due to:

- Due to neighbour concerns; overlooking; size.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **Granted** subject to conditions.

2. Report summary

The main issues to consider are:

- Design, Scale and siting
- Amenities of adjoining and or nearby property

The application has generated support from Salisbury City Council (*subject to conditions*) and 1 letter of objection from a neighbouring dwelling.

1 Representation Response

1 Neighbouring letter received objecting to the proposal

3. Site Description

The application site is a detached property which is located within a residential area, with views over the city centre to the north. There is an existing open balcony located on the north facing elevation of the property.

4. Relevant Planning History

No planning history for the application site but the following local planning history is considered to be relevant to this application:

S/2005/1109: First floor conservatory extension. AC (At No.18 Bishops Drive)

S/2002/1668: Living room extension to rear (upper floor level). AC (At No.16 Bishops Drive)

5. Proposal

Construction of conservatory to existing first floor terrace

6. Planning Policy

Adopted policies; G2, D3, H19 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

7. Consultations

Salisbury City Council: Support (subject to conditions): *“SCC do not object subject to the following conditions being attached in order to prevent light pollution and protect the privacy of the residents of No.14:*

- *the eastern wall attached to No.15 Bishop’s Drive should be constructed of solid brick without windows, and*
- *the pitch of the roof should be reduced to 20 degrees or less to have a shallower ridge line,*
- *and that the roof should be constructed of obscure”*

8. Publicity

The application was advertised by site notice and neighbour consultation.

1 letter of objection has been received:

- Concern over impact to neighbouring amenity.

9. Planning Considerations

9.1 Design, Scale and siting

The application dwelling is a detached property which is located on a slope. Due to the topography of the land the front elevation of the dwelling is single storey and rear elevation is two storeys. The dwellings along the northern side of Bishops Drive all appear to be of this construction type and also appear to include as standard a rear first floor balcony area which allows elevated views over the City of Salisbury. This application proposes to enclose this first floor rear outdoor balcony area with the aim to create an enclosed conservatory with direct access through to the application dwelling’s living room.

This application has received a neighbouring objection to the design of the first floor extension and comments concerning the steep angle of the glazed roof and the degree of glazing on or close to the neighbouring boundary. The City Council have also commented about the glazed roofing but the concern from the City Council appears to only relate to the impact on neighbouring amenity and not specifically to the design and impact upon the character of the dwelling or area. It is considered that the massing of the proposed first floor rear extension will be subordinate to the massing of the main dwelling and given the rear siting of the proposed development it is considered that the extension will not be detrimentally visible from the street or from any other significant vantage point. The materials proposed for this extension will largely match those materials used within the main dwelling and as such this design has aimed to marry the extension with the main dwelling. It is considered that the design and massing of the rear extension will not have any

demonstrable impact upon the character of the application dwelling or upon and character of the wider area. Officers note that the Local Planning Authority has in the 2002 and 2005 approved similar types of applications on neighbouring properties along the north of Bishops Drive.

9.2 Amenities of adjoining and or nearby property

This application has received an objection from the neighbouring property located at No.14 and the City Council appears to have largely supported the comments from No.14. In response to neighbouring and City Council comments, the side (eastern) elevation of the proposed first floor rear extension has been altered to include a solid masonry wall which replaces the originally proposed glazed boundary wall. It is considered that the omission of the glazing along the boundary with No.14 would significantly reduce direct and perceived overlooking between the application property and the neighbouring dwelling. It is noted that presently the rear first floor balcony within the application site permits the Applicants to have free access to direct vantage points where views are permitted towards the side elevation of No.14 and down into the rear garden of No.14. It is considered that the enclosing of the outdoor area would help to reduce existing impacts to the amenity of the No.14; however the enclosing of the balcony would also permit year long occupation of the area whereas the occupation of the outdoor balcony could be reasonably assumed to have been generally limited to summer months. In this instance it is considered necessary to impose a planning condition to ensure that no openings could in the future be created on the side boundary. Such a condition would ensure that the neighbouring dwellings privacy is protected in the long term.

The City Council and the neighbouring dwelling (No.14) have both expressed concern over the pitch of the glazed roof and the use of clear glass for the roof. Concern has been expressed that the glass roof will permit undue light omission which could be viewed from the neighbouring dwellings side kitchen door and also viewed while using the neighbouring rear access steps down to the neighbouring garden. Officers are aware that the neighbouring dwelling's kitchen has a rear window and the glazed external kitchen door is an ancillary part of the kitchen. This application is not considered to block any direct sunlight to this side glazed kitchen door and any light omitted from the proposed glazed roof could not in the opinion of Officers be reasonable argued to result in significant harm to neighbouring amenity. The loss of the originally proposed glazed boundary wall and the inclusion of a solid masonry wall in the opinion of Officers significantly reduce and potential glare from activities associated with the proposed first floor rear conservatory extension.

The City Council has commented that it wishes to see obscure glazing for the roofing material which is presumed to be "*in order to prevent light pollution and protect the privacy of the residents of No.14*". Officers do not considered that the proposed clear glazed roof could have an impact on neighbouring amenity as any views out of the conservatory roof will largely be of the sky with little if any views of the neighbouring dwelling at No.14.

10. Conclusion

The proposed rear sited first floor conservatory extension is considered to have no demonstrable impact upon the character of the application dwelling. Whilst the construction of the rear conservatory will result in the creation of further living accommodation on the boundary with No.14, it is considered that the amended design of the conservatory to include a solid masonry wall on the boundary will significantly reduce impacts to neighbouring amenity.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed first floor rear conservatory extension is considered on balance to be acceptable by virtue of its scale, design, siting and materials, with no significant impact to neighbouring amenities and is therefore compliant with adopted policies; G2, D3, H19 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

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.

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

POLICY- D3 (Design)

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY- G2 (General)

(4) The development shall be carried out in complete accordance with the following drawing:

DRG No. 04412 1 Rev B (Aug 2012)

09/10/2012

REASON: For the avoidance of doubt