

Date of Meeting	9 April 2015
Application Number	14/11884/FUL
Site Address	Gorley Marina Road Salisbury SP1 2JN
Proposal	Sever land and erect 1 No 2 bed dwelling with parking for existing property
Applicant	Landmark Estates GBR Ltd
Town/Parish Council	SALISBURY CITY
Ward	ST MARTINS AND CATHEDRAL
Grid Ref	415129 129490
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application has been called-in to SAC by Cllr Tomes due to concerns in respect of the visual impact of the proposed development on the surrounding area, the relationship to adjoining properties and environmental/highway impact.

1. Purpose of Report

To consider the above application and to recommend to Members that planning permission be APPROVED subject to Conditions.

2. Report Summary

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

1. Principle of development;
2. Scale, design & materials;
3. Impact on the amenity of neighbours;
4. Impact on the character and appearance of the surrounding area;
5. Highway considerations;

The application generated a total of seven representations from third parties, all were objecting to the proposal, citing grounds as summarised below:

- Overdevelopment
- Out of keeping with neighbouring properties

- Overbearing
- Overlooking/overshadowing
- Loss of trees
- Insufficient parking provision
- Unsuitable access/Highway safety concerns
- Query over rights to use rear access track

Salisbury City Council objects to the proposal on grounds of overdevelopment.

3. Site Description

The application site consists of approximately 216 square metres of land currently forming the majority of the rear (south) garden of number 3 Marina Road, Salisbury. The land is currently laid out as a linear garden with relatively mature planting, including mature side boundary hedges and few trees, including overgrown conifer trees at the far end (south) boundary, adjacent to a pre-fabricated single garage and small area of hardstanding sufficient to park one small car.

Access to the site (and to the existing single garage/parking space) is via an unnamed, unmade track to the south which intersects with the A36 Southampton Road approximately 35m to the south east of the application site.

4. Planning History

S/2004/2402	Living room extension and internal alterations	Approved 10.12.04
14/01268/FUL	Erection of 3 storey 2 x 1 bedroom flats with garages on ground floor	Refused 24.04.14

5. The Proposal

The application proposes the sub-division of the existing rear garden of number 3 Marina Road, and the erection of a detached two bedroom dwelling with access via the track to the south and the provision of 1 x off-street parking space for the new dwelling, and 1 x off street parking space for number 3 Marina Road.

6. Local Planning Policy

Adopted Wiltshire Core Strategy (WCS) Core Policies CP1, CP2, CP57 & CP64
 Saved local plan policy H8 (as saved in Appendix D of the WCS)
 NPPF & NPPG

7. Summary of consultation responses

WC Highways – No Highways comments

Highways Agency – No objection

Public Protection Officer – No objection subject to Conditions

WC Archaeology – No objection, subject to Condition

Wessex Water – Standard letter of advice

WC Housing Development Officer – No objections, no affordable housing provision required

Salisbury City Council – Objects to the proposal on grounds of overdevelopment

8. Publicity

The application was publicised by site notice and neighbour notification letters. The application generated a total of seven representations from third parties, all were objecting to the proposal, citing grounds as summarised below:

- Overdevelopment
- Out of keeping with neighbouring properties
- Overbearing
- Overlooking/overshadowing
- Loss of trees
- Insufficient parking provision
- Unsuitable access/Highway safety concerns
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Salisbury City Council objects to the proposal on grounds of overdevelopment.

9. Planning Considerations

9.1 Principle of development

The application site is located within the defined limits of development and H8 Housing Policy boundary of Salisbury, where, except as provided by the other policies of the Local Plan, residential development will be permitted and is acceptable in principle. In these respects it is considered the proposed development constitutes a sustainable form of development and accords in principle with Core Policies CP1 & CP2 of the adopted Wiltshire Core Strategy (WCS), and saved policy H8 of the Salisbury District Local Plan (as saved within Appendix D of the WCS).

9.2 Scale, design & materials

The application site consists of the southernmost part of the rear garden of number 3 Marina Road. The immediate surrounding area is predominantly residential, with bungalows on Marina Road to the north, and older two storey early 20th Century houses along Tollgate Road to the east. Further to the west are the larger buildings relating to the Wiltshire College campus, and further to the east (on the opposite side of Tollgate Road) are commercial premises (Mercedes garage).

The application proposes the subdivision of the garden to provide a plot for a detached single dwellinghouse with vehicular and pedestrian access from the track to the south. The proposal preserves a pedestrian walkway (along the eastern side boundary) from the southern boundary to the retained portion of the rear garden of number 3 Marina Road.

The proposed dwelling is of modest scale and of 1.5 storey form, under a pitched roof (providing accommodation within the roof void, providing two double bedrooms and a bathroom at first floor level).

The materials for the proposed dwelling consist of external brickwork under a half-hipped tiled roof. Taking into consideration the modest scale of the proposed dwelling, and the appropriate materials proposed for the walls and roof, it is considered the proposed development would be compatible in terms of the scale, design and character of surrounding properties and would integrate satisfactorily in relation to other properties and the overall landscape framework.

9.3 Impact on the amenity of neighbours

Comments and objections in third party representations received relate to the impact of the proposed development in terms of:

- Overdevelopment
- Out of keeping with neighbouring properties
- Overbearing
- Overlooking/overshadowing
- Loss of trees
- Insufficient parking provision
- Unsuitable access/Highway safety concerns
- Query over rights to use rear access track

The proposed dwelling is of relatively modest 1.5 storey form and has been designed to minimise the impact of the development on adjoining neighbours via overlooking and overshadowing. The immediately adjoining land uses are the residential gardens of neighbouring properties.

The application site is not within a conservation area, and there are no protected trees within or adjacent to the site.

There are no side facing casement windows within the proposed dwelling. There is a single roof window within the east and west facing roof planes, each serving a first floor bathroom and a void over the internal staircase respectively (therefore neither roof window serves a habitable roof). A Condition could be imposed to ensure the side facing windows are glazed with obscure glazing to ensure there are no undue impacts on the amenity of neighbours to the east and west from overlooking.

The South facing (front) elevation of the proposed dwelling faces the southern boundary with the access track. It is considered the windows within the south elevation would not unduly overlook adjoining neighbours.

The north facing windows within the rear elevation of the proposed dwelling would face onto the rear elevation of number 3 Marina Road, however it is considered that by reason of the separation distance between the proposed and existing houses on Marina Road, together with the presence of existing mature boundary screening features, the proposed windows within the north elevation would not result in undue overlooking of neighbouring properties.

9.4 Impact on the character and appearance of the surrounding area

By reason of the modest scale and appropriate external materials proposed for the new dwelling, taken together with the screening effect of existing mature boundary features and other natural screening in the locality, it is considered the proposed development would not result in an undue adverse impact on the character of the surrounding area.

9.5 Highway considerations

It is noted that the application site already has a single garage at the southern end, and that at least two other properties on Tollgate Road are using the access track from the A36 to access garages to the immediate east of the application site.

The application proposes access to the site via the unmade track to the south (with access to/from the A36 Southampton Road). The proposal would create off-street parking provision for two vehicles – one for the proposed new dwelling and one for number 3 Marina Road.

The Wiltshire Highways officer has declined to comment on the application as the access is from the A36 which is within the remit of the Highways Agency.

The Highways Agency has assessed the proposed development and are content the proposal will have no detrimental effect on the Strategic Road Network and has provided a consultation response of 'No objection'.

The issues of ownership and rights of access over the track have been brought up in third party representations. These are essentially civil matters and do not constitute a material planning consideration in the determination of this application.

10. S106 and Community Infrastructure (CIL) contributions

No S.106 contributions are considered relevant to the proposed development.

In due course this development could be subject to the **Community Infrastructure Levy**. Wiltshire Council is in the process of preparing a Community Infrastructure Levy (CIL) charging schedule. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth. Wiltshire Council is on course to adopt CIL in early summer of 2015.

Once CIL has been adopted by the Council, the landowner (or whoever has assumed liability for the development) would be liable to make payment to Wiltshire Council for this type of development. At the moment the charging schedule is in draft form only. However, it gives an indication of the level of contribution that would be required in respect of the development proposal.

11. Conclusion

The application proposes a sustainable form of development that would result in the provision of an additional modest single dwellinghouse within a predominantly residential area, without undue impacts on the amenity of neighbours, the existing character of the surrounding area, adverse impacts in terms of Highway safety or other material planning concerns.

12. RECOMMENDATION

It is recommended the application be APPROVED, 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 8504/100 Revision A, dated 05.01.15, as deposited with the local planning authority on 05.01.2015, and
Drawing number 8504/101 Revision A, dated 05.01.15, as deposited with the local planning authority on 05.01.2015.

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

- 3 No development shall commence on site until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall commence within the area indicated (the application site) until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Further Recommendations: The work should be conducted by a professional archaeological contractor in accordance with a Written Scheme of Investigation agreed by this office. There will be a financial implication for the applicant.

- 5 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

- 6 Before the development hereby permitted is first occupied the roof window(s) in the east and west facing roof planes shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 7 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 above ground floor ceiling level in the east or west facing side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.