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| Date of Meeting | 23 rd July 2015 |
| Application Number | 15/04378/FUL |
| Site Address | 4A and 4B The Crescent, Hillview Road Salisbury SP1 1HY |
| Proposal | Detached three bed dwelling |
| Applicant | W.Mundy Building Contractors Ltd. |
| Town/Parish Council | St Martin, Salisbury |
| Grid Ref | 414915 130031 |
| Type of application | Full Planning |
| Case Officer | Tom Wippell |

Reason for the application being considered by Committee

The application has been called to committee by the local member Councillor Ian Tomes if minded to approve, in view of the environmental/highway impacts and car parking.

1. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that planning permission be **Approved** with Conditions.

2. Report Summary

The issues in this case are:

- The principle of residential development;
- Ownership
- Impact on visual amenity and character of the area;
- Impact on residential amenity;
- Highway safety;
- Other Issues

Publicity of the application has resulted in an objection from the Town Council and six letters of objection (6 letters from a single address have been counted as 1). There have been no letters of support.

3. Site Description

The Crescent is a small cul-de-sac (private road) at the bottom of Milford Hill to the east of the chequers. The site lies within the recently re-designated Milford Hill Conservation Area and immediately to the north of the grounds of Milford Hill House (the youth hostel), a grade II listed building, and to the south east of the grade II* Winchester Gate Inn. The rise of the hill and near-alignment with Winchester St means that the site is visible from within the city

centre over the ring road. No. 4A and 4B The Crescent is the easternmost of a pair of modest semi-detached two-storey houses; now converted into two flats.

4. Planning History

14/10146/FUL- Extension to east elevation to create 3 x flats
Withdrawn

14/12193/FUL- Extension to east elevation to create 2 x flats
Refused

(This last development was refused for the reasons of cramped/overdevelopment of the site and parking)

5. The Proposal

Planning permission is sought to construct a detached three-bed dwelling to the side of the existing property with an open carport, with the existing dwelling used as 2 flats. 1 parking space will be provided for each flat (not part of the application site as no changes to parking), and 2 parking spaces will be provided for the new dwelling (one space will be an open carport underneath the dwelling).

6. Planning Policy

Core Policy 1, Core Policy 2, Core Policy 57, Core Policy 58

NPPF

7. Consultations

Town Council: Strongly object to this application on the grounds of overdevelopment and lack of parking arrangements.

Conservation: No objections or comments to make

WC Highways: I note that the proposed dwelling includes allocated minimum parking in accordance with current standards. It is considered that the new development will not have any significant impact on highway safety and I therefore recommend that no highway objection be raised to this application.

Archaeology: Support, subject to an archaeological watching brief being carried out

8. Publicity

The application has been advertised by way of site notice and letters to near neighbours.

The publicity has generated six letters of objection (6 letters from a single address; counted as 1) and no letters of support.

The letters of objection are summarised as follows:

- Illegal use of lane without a right of way to access new dwelling
- Traffic will come dangerously close to neighbouring windows
- Insufficient space within the plot for vehicle turning
- Insufficient levels of parking proposed

- The parking is currently formally laid out in the lane, and is not informal as claimed
- Damage has been caused to the driveway and access gates during construction
- Additional cars and construction traffic will cause harm to highway safety
- Narrow road is inappropriate for additional traffic
- Design would adversely affect the character of the Conservation Area
- Loss of privacy due to removal of trees adjacent to the school
- Overdevelopment/massing
- Overshadowing to existing property
- Loss of trees will affect privacy into Youth Hostel and School
- Loss of open space
- Inappropriate materials
- Removal of trees and works to the site has already been carried out without permission
- Approval would set a precedent
- Impact on surface-water-run-off
- Approval will ruin the Arcadian qualities

9. Planning Considerations

9.1 Principle

A previous application for an extension to the side and the creation of 2 flats (4 in total on the site) was recommended for approval by Planning Officers but refused at Committee for the following reasons:

1. *The proposed development, by reason of its size (height and width), the amount of excavation works/tree removal required to enable the development, and the number of additional residential units created at the site, would result in a cramped form of overdevelopment for this small, narrow parcel of land, which would be harmful to the character of the existing property, the semi-detached pairing and the wider Crescent which is designated as a Conservation Area. As such the proposal is considered to be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.*

2. *The proposed development, by reason of its location at the top of a narrow and congested private driveway, with limited parking for motorised vehicles, would provide insufficient parking for future occupiers of the site, and is likely to result in unauthorised parking and obstruction on and around the existing parking spaces and the vehicular access leading to the site. The scheme is therefore considered to result in an adverse impact on the amenities of properties along the Crescent, contrary to Policy 57 of the Wiltshire Core Strategy.*

Having regard to Core Policies 1 and 2, which support new residential development in the City Centre, a proposal for additional new residential units at the site is not considered unacceptable in principle, provided the development is appropriate in terms of its scale and design to its context, and provided other interests including residential amenity and highway safety are addressed.

9.2 Ownership

The applicant has 'served notice' on all landowners of the driveway during the application process. Given that 'notice' has been served on all landowners of the driveway, Officers consider that the consultation process has been adhered to as a point of law, as the development is not 'land-locked' in planning terms.

In regard to the concerns raised from neighbouring properties about rights of way, the Council's Legal Team have confirmed that the ongoing right of way/ land ownership / driveway maintenance/ construction damage disputes between the applicant and the neighbouring properties should be regarded as a civil issue, and cannot be considered as a material planning consideration at this stage.

9.3 Impact on Visual Amenity and character of the Conservation Area

The detached dwelling is considered to be sympathetic in design and scale, will not overbear the size of the existing property, or detract from the appearance of the wider area. The development is set-down from the adjacent property, ensuring that the development will not compete with the main dwelling or unbalance the semi-detached pairing.

The plot is of sufficient size to accommodate this scale of extension without being overwhelmed, and the loss of open space within the Conservation Area will not be significantly harmful to visual amenity. Although the plot is sited at the top of the slope, views of the new dwelling will be limited from the Crescent, given its location to one-side of the property, and the development will not be overly prominent from the wider Conservation Area.

Materials (brick and slate) are considered acceptable for this relatively secluded side-location, and in visual terms no objections are raised.

The visual impact of the proposed footprint/ retaining walls/ loss of trees/ additional excavation works on the character of the front part of the site/ views up The Crescent have been fully assessed, but the impact is not considered to result in an overdevelopment of the site, or any significant harm to visual amenity as to warrant refusal on this basis.

9.4 Impact on residential amenity

The new dwelling is set away from neighbouring properties, and does not extend past the rear of the existing dwelling at first-floor level. No overshadowing, overlooking or overdominance will occur to neighbouring properties, with any side-facing windows in the existing flats reconfigured to face front-and-rear only if necessary, to ensure that overshadowing/overdominance will not occur to existing occupants.

The impact of additional cars/delivery vehicles reaching the site via the driveway has been fully assessed, but given the limited amount of development proposed, it is considered that noise/disturbance from additional vehicular trips will not be significantly harmful to residential amenity as to warrant refusal.

Any damage caused to neighbouring properties/ the driveway during or after construction should be regarded as a civil issue between the applicant/owner, and therefore this issue cannot be assessed as a material planning consideration.

9.5 Highway Safety

The Car-Parking Strategy Review 2011-2026 (see appendix) suggests that 2 spaces should be provided for a 3-bed property. This can be achieved via the creation of one parking space sited opposite the dwelling, and 1 parking space sited in a car-port underneath the dwelling.

The two existing flats will continue to be served by 1 space each, which is the same as the existing setup at the site. Officers therefore consider that there will be no adverse impact on parking provision at the site.

Table 7.1 Minimum parking standards (allocated parking)

| Bedrooms | Minimum spaces |
|-----------------|---------------------------------------|
| 1 | 1 space |
| 2 to 3 | 2 spaces |
| 4+ | 3 spaces |
| Visitor parking | 0.2 spaces per dwelling (unallocated) |

Furthermore, the site is sited in a sustainable location close to the city centre, within easy walking distance of public transport and other local facilities, thus minimising the need for a private car. Therefore, no objections are raised to the level of parking or to the layout proposed.

Whilst it is noted that the access lane is narrow and has a relatively awkward layout in terms of the coming-and-going of vehicles, it is considered that delivery vehicles, construction traffic and occupier's car manoeuvres will not result in any significant harm to highway safety above current levels.

9.6 Other Issues

It has been confirmed (in part 13 of the application form) that no protected species are present within the site. During the site visit, no visible evidence of protected species was observed. Therefore due to the relatively small size of the site and its siting within a semi-urban area, it is considered that a protected species survey is not required.

Drainage and surface-water runoff details can be agreed by condition and will also be assessed at the Building Control stage of development.

Whilst it is noted that works at the site have already started, including levelling of the site, the removal of an earth-bank close to the boundary and the removal of a number of trees, the works have been carried out at developer's own risk.

No trees worthy of Tree Preservation Order have been removed (or are proposed to be removed) as part of this development.

The development will not overhang the boundary, and although an earth bank has been removed to accommodate the extension, there will be no adverse impact on the adjacent playing fields.

Recommendation: Approve

For the following reasons;-

In pursuance of its powers under the above Town & Country Planning Act 1990, the Council hereby grant PLANNING PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

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 section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. Before development is commenced, brick and slate samples to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be in accordance with the details agreed.

REASON: To ensure that the external appearance of the proposed development will relate appropriately to that of the existing building.

3. The development hereby permitted shall not be first occupied until the whole of the proposed car parking areas have been consolidated and surfaced (not loose stone or gravel). These areas shall be maintained as such thereafter.

REASON: In the interests of highway safety.

4. No development shall commence within the area indicated (proposed development site) until:
 - A written programme of archaeological investigation (a watching brief), 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.

The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office. The approved programme of archaeological work shall be carried out in accordance with the approved details.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the carport hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

6. This development shall be in accordance with the submitted drawings:

214017/14, dated APRIL 2014 and received to this office on 19/05/15

REASON: For the avoidance of doubt.

APPENDIX

Minimum Parking Standards for Wiltshire Council (p105-107)

7 Parking standards

Introduction

- 7.1 A review of parking standards and best practice was undertaken by the council's former term consultant Mouchel in 2010. As it is considered that this work is still largely valid, only a 'light touch' review was undertaken as part of the development of this revised LTP3 Car Parking Strategy.

Minimum residential parking standards

- 7.2 In view of the points made in chapter 3, the council has developed a set of minimum parking standards for residential development across Wiltshire. These standards should ensure that sufficient parking is provided in new developments to cater for demand, while Policy PS6 provides the flexibility to allow for a lower level of provision where specific circumstances can be demonstrated.
- 7.3 The following minimum parking standards (see Table 7.1 below) are based on allocated parking (that is, parking allocated to individual dwellings).

Table 7.1 Minimum parking standards (allocated parking)

| Bedrooms | Minimum spaces |
|-----------------|---------------------------------------|
| 1 | 1 space |
| 2 to 3 | 2 spaces |
| 4+ | 3 spaces |
| Visitor parking | 0.2 spaces per dwelling (unallocated) |

- 7.4 Garages will only count as part of the allocated parking provision where they meet the minimum size requirement of 6m x 3m (internal dimensions). This is to ensure that there is sufficient room for an average sized family car, a cycle and some storage provision. Where these minimum size requirements are not met, the council will require design statements and/or transport assessments to demonstrate the need for such provision and/or to set-out the role of alternatives (e.g. car ports which are unlikely to be used for storage and could therefore count towards allocated parking provision).
- 7.5 Policy PS6 sets out the presumption that unallocated communal parking will be included in the majority of new residential developments; to allow sufficient flexibility, this will be negotiated on a case-by-case basis with the aim of reflecting local circumstances and need.

Policy PS6 (p93)

Policy PS6 - Residential parking standards

The provision of car parking associated with well designed new residential development will be determined in accordance with an approach which takes account of:

- dwelling size
- the appropriate mix of parking types (e.g. unallocated, on-street, visitor etc).

A set of minimum parking standards for residential development (based on allocated parking) has been developed to provide a basis for this approach. In determining the appropriate mix of parking types, the presumption will be that unallocated communal parking will be included in the majority of new residential developments.

Reduced residential parking requirements will be considered in the following circumstances:

- where there are significant urban design or heritage issues
- where parking demand is likely to be low
- where any parking overspill can be controlled.

- 3.33 While the provision of required parking spaces should always be well integrated within the wider design approach to a residential development, it is acknowledged that the requirement to achieve minimum standards could have an adverse impact where there are significant design or heritage issues (e.g. in terms of the ability to safeguard and conserve the scale, character, setting, distinctiveness, functionality and/or cultural value of a development or local area).
- 3.34 As part of the integration with the wider design approach to a development, appropriate measures should also be considered to reduce the environmental impact of providing the required parking spaces (e.g. the use of permeable surfaces to reduce surface water run-off).
- 3.35 In town centres in particular, parking demand is likely to be less (e.g. because of the availability of a range of local services and good local sustainable transport options) and any tendency for potential parking overspill onto nearby streets is or can be controlled.
- 3.36 The council will require a design statement and/or transport assessment to justify any reduced residential parking requirement. In addition, residential travel plans and other 'smarter choices' measures may be required to help reduce the need for, and/or usage of, residential parking spaces.
- 3.37 More details on residential parking standards are provided in chapter 7.