

**AGENDA ITEM 7**

**INDEX OF APPLICATIONS ON 16 July 2009**

	<b>APPLICATION NO.</b>	<b>SITE LOCATION</b>	<b>DEVELOPMENT</b>	<b>RECOMMENDATION</b>	<b>DIVISION MEMBER</b>
01	S/2009/0736	LAND AT WAYSIDE STOFORD BOTTOM STOFORD SALISBURY SP2 0PW	DEMOLITION OF GARAGE TO EXISTING DWELLING (WAYSIDE) AND ERECTION OF ONE CHALET BUNGALOW, NEW VEHICULAR ACCESS TO STOFORD BOTTOM, CLOSURE OF EXISTING ACCESS, LANDSCAPING AND HARDSTANDING AND NEW BIN ENCLOSURE	APPROVE	CLLR BEATTIE
02	S/2009/0689	LAND ADJACENT CONCORD HOUSE WHITE CROSS ZEALS WARMINSTER BA12 6PH	ERECTION OF SINGLE STOREY THREE BEDROOM DWELLING ON LAND ADJACENT CONCORD HOUSE ZEALS WITH DETACHED SINGLE GARAGE	APPROVE	CLLR JEANS
03	S/2009/0560	78 LOWER ROAD SALISBURY SP2 9NJ	SIDE AND REAR EXTENSIONS. AMENDMENTS TO ACCESS, BOUNDARY WALLS AND PARKING ARRANGEMENTS TO NO'S 78, 80 & 82	APPROVE	CLLR COCHRANE

Deadline	22/07/2009		
Application Number:	S/2009/0736		
Site Address:	LAND AT WAYSIDE STOFORD BOTTOM STOFORD SALISBURY SP2 0PW		
Proposal:	DEMOLITION OF GARAGE TO EXISTING DWELLING (WAYSIDE) AND ERECTION OF ONE CHALET BUNGALOW, NEW VEHICULAR ACCESS TO STOFORD BOTTOM, CLOSURE OF EXISTING ACCESS, LANDSCAPING AND HARDSTANDING AND NEW BIN ENCLOSURE		
Applicant/ Agent:	MR RICHARD GREENWOOD		
Parish:	SOUTH NEWTON		
Grid Reference:	480432.3 135705.1		
Type of Application:	Outline		
Conservation Area:		LB Grade:	
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

### 1. Purpose of Report

The Director of Development Services does not consider it prudent to exercise Delegated Powers for the following reason:

- A previous new dwelling application was approved at 'Northern Area' Committee in 2006, with Members requesting that any further applications for this site were to be determined by a Planning Committee.

### 2. Main Issues

- Principle of development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on Highway safety
- Archaeology
- Loss of Trees

### 3. Site Description

The site relates to a plot of land which is occupied by a dwelling known as 'Wayside' and its curtilage. The dwelling is on a corner plot with an existing access onto Stoford Bottom, with its curtilage running alongside Mount Pleasant Road. The boundaries of the site are within the Housing Policy Boundary of Stoford.

The dwellings in the immediate area, including the properties within Mount Pleasant Road,

typically consist of detached chalet bungalows.

#### 4. Planning History

S/2006/1770	Outline application for one dwelling	A/C	06/10/06
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The above application was approved with access taken from the side of the site (from the private road 'Mount Pleasant'). However, it was not possible to agree with the owners of Mount Pleasant the implementation of the new access and construction works have not started.

S/2006/1102	Outline application for one dwelling	Withdrawn	25/07/06
S/1995/0589	A similar outline application for a dwelling at Mount Pleasant Close (opposite Wayside) was approved subject to a 106 agreement. Due to a boundary dispute in regards to visibility splays which would have encroached onto neighbouring land, the Section 106 Legal Agreement was never completed, and permission was never issued.	Withdrawn	27/05/97

#### 5. The Proposal

The proposal (RESUBMISSION) is to erect a chalet bungalow in the curtilage of Wayside. This is an outline application seeking approval for the layout, access arrangements and principle of development. The applicant has also submitted indicative elevations of the dwelling within the plot.

The siting of the proposed dwelling is identical to the previous application (S/2006/1770), except that access is taken from 'Stoford Bottom' rather than the private road 'Mount Pleasant'.

#### 6. Planning Policy

The following development plan policies and national planning guidance are considered relevant to this proposal:

Local Plan policies G1, G2, D2, H16, C6

#### 7. Consultations

Highways	No objections, subject to conditions in regard to gates being set back from the road and surface-water run-off details being agreed
Archaeology- Wessex Water-	Nothing of archaeological interest is likely to be affected by the proposal  No objections, subject to informatives

#### 8. Publicity

The application was advertised by site notice / neighbour notification / advertisement

Expiry date 25/06/09

Third-Party Representations- 15 letters of objection/concern have been received so-far, with the main points of objection summarised as follows:

- The road is privately owned, and cannot be used as part of this development.
- Development is in close proximity to adjacent dwellings, and will overlook rear gardens.
- Development will spoil the outlook from nearby dwellings, especially Dewfalls (adjacent)
- Development may pose highway safety hazard/conflict
- The description of 'chalet bungalow' is misleading.
- New access is too close to existing junction and bus stop
- The height, scale and building line of the new dwelling will have an adverse impact on the character of the area, and will be overbearing.
- The proposal may adversely affect or overload the drainage and sewage systems in the area.
- The development will involve the removal of a WWII air-raid shelter, which is considered to be of particular historical significance.
- The original Mount Pleasant estate benefited from an attractive spacious layout and character with a feeling of space and located on the edge of with views to open countryside. Additional dwellings will be out of keeping with the spacious character of the estate.
- An un-authorized access has already been created at the side of the site, and concerns have been raised that this will be used by construction traffic or by the new dwelling when completed
- No surface-water run-off details, energy saving measures, air-quality mitigation measures or danger mitigation measures have been submitted with the application
- The demolition of the existing garage will be detrimental to visual amenity

Parish Council: Object, for the following reasons:

- The access encroaches onto Mount Pleasant which is a private road
- Access will be dangerous so close to the road junction
- Mount Pleasant is over 50 years old, and interference with existing services should be avoided
- The leylandii hedge adjacent to the application site should not be removed, as this will affect the silven character of the area

## **9. Planning Considerations**

Members should note that the 2006 scheme was approved with access taken from the side of the site ('Mount Pleasant', a privately owned road). However, it was not possible to agree with the owners of 'Mount Pleasant' the implementation of the new access; hence the reason for this amended application. This new proposal therefore has to be considered in the light of this previous application, and the differences between the two schemes critically examined.

### **9.1 Principle of Housing Development**

The site is within the HPB where the principle of new residential development is acceptable, subject to the criteria as set out in Policy H16 of the SDLP. Of particular importance is that the proposal should not constitute inappropriate backland development and should not result in the loss of an open area, which contributes to the character of the area. In the officer's opinion, the development would comply with Policy H16, as the proposal will not constitute inappropriate backland development, and will not result in the loss of an open area.

Policy D2 of the SDLP states that the design of the proposal should respect the character of the area, with particular regard to building lines, scale and height and plot widths.

PPG 3 promotes a more efficient use of land, while at the same time maintaining a high quality design and environment.

### ***9.2 Impact on character and appearance of area***

The dwellings in the immediate surrounding area, including the properties within Mount Pleasant Road, typically consist of detached bungalows. As such, a proposal for a chalet bungalow in a similar sized plot as the other properties is not considered to be out of keeping with the surrounding area. The footprint and siting of the proposed dwelling is appropriate (identical to the previously approved application S/2006/1770), and the indicative height/ design of the new chalet bungalow is expected to be similar to the other bungalows in the immediate area. Concerns about building height can be dealt with at the reserved matters stage, with a condition requiring floor levels to be agreed.

The leylandii hedge alongside Mount Pleasant will be retained (and should be conditioned if approved), and only a small section of shrubs/ vegetation alongside Stoford Bottom will be removed for the access to be replaced by a grass verge. Due to the minimal loss of boundary screening in this location, it is considered that the sylvan character of the area will be preserved. However, to ensure that there will be minimal impact on visual amenity, a condition should be placed on any approval requesting that further details of the boundary treatments/ planting schemes should be submitted to and approved by this Authority before development commences (to be maintained in this condition thereafter), in the interests of visual amenity.

### ***9.3 Impact on Residential Amenity***

The indicative design of the chalet bungalow shows dormer windows to the rear, facing directly towards the property known as Holly Trees to the west. It is accepted that overlooking, or the perception of overlooking may increase with this development. However, after considering the valid concerns raised by local residents on overlooking, on balance it is judged that overlooking will not increase to a significant degree to warrant refusal. There will be approximately 25 metres plus distance between the proposed windows and the affected property, and mature trees and boundary screening will ensure that overlooking will be kept to a minimum. It is considered that careful design at the Reserved Matters stage of the application would prevent significant overlooking into neighbouring dwellings in order to safeguard residential amenity.

Unlike the previous 2006 application, the proposed driveway leading to the new dwelling will pass within close-proximity to the existing dwelling known as Wayside. There is a concern that that noise/ disturbance may occur to the occupiers of Wayside from vehicles/ pedestrians accessing the new dwelling.

On balance, when considering that the driveway will be used by one dwelling only, it is considered that noise/ disturbance will not occur to a significant enough to warrant refusal. The amount of expected traffic/ pedestrian activity generated by one dwelling will be relatively small, and when taking into account the layout of the shared-access, the suitable turning/ manoeuvring space available for both properties and the distance to Wayside's windows (over 2 metres), it is considered that impact on residential amenity will not be significant enough to warrant refusal.

The built-form of the new dwelling will not overshadow/ overbear the neighbouring boundaries, and windows will be sufficiently far away from neighbouring boundaries to ensure that noise-disturbance will not adversely affect privacy or the perception of privacy.

#### **9.4 Impact on Highway Safety**

The previous new dwelling application (S/2006/1770) was approved with access taken from the private road 'Mount Pleasant'. This revised scheme seeks access via Stoford Bottom, a much busier 'through' road between Woodford Valley and the A36. Concerns have been raised by local residents that the access will be dangerous to highways safety, due to its siting adjacent to the junction of Mount Pleasant and directly onto Stoford Bottom which is a much busier road than Mount Pleasant.

After entering pre-application discussions and seeking expert advice from the Highways Team prior to the submission of the application, the layout of the access has been arranged in such a way as to not cause significant harm to highway safety. Although close to the junction with 'Mount Pleasant' and sited directly onto the busier 'Stoford Bottom', the highways team are satisfied that sufficient manoeuvring/ turning space will be available to ensure that vehicles entering/ leaving the site will not cause disruption to highway safety.

It should be noted that this Authority have sought Legal advice on whether the 'visibility splays' should form part of the application site, and whether the correct ownership certificates had been 'served' on Third Party landowners (ie- the residents of Mount Pleasant). It was concluded that whilst the eastern visibility splay would cross private land not in the ownership of the applicant, maintenance of the splay was unnecessary because the land is an entrance to 'Mount Pleasant' estate and is free from obstruction. Therefore, the visibility splays do not form part of the application site.

#### **9.5 Archaeology**

There will be no impact on archaeology, as there are no known archaeological sites in the area. However, after information from local residents, Wiltshire County Council will undertake further investigation into a World War II air-raid shelter at the site, with a further report expected to be submitted as late- correspondence.

#### **9.6 Impact on Nearby Tree**

When submitting planning applications, the Local Planning Authority must be satisfied that a suitable tree survey has been submitted with the application so that they can fully assess the merits of the application. In this case, it is considered that a suitable tree survey has been submitted, and has allowed Planning Officers to fully consider the loss/ retention of trees on this site.

The applicant has stated that no trees are to be felled as part of this application. In actual fact, whilst the significant maple tree to the north of the site is to remain, there are a number of small apple trees and conifers on the site which will be removed if permission is granted. To clarify this issue, it should be stated that the planning officer was fully aware of the need to fell the apple and conifer trees as part of the development, and also the applicant's intention to retain the maple tree to the north of the site. Therefore, the description on the application form should relate to the loss of *significant* trees (that is to say trees worthy of protection on their own merits such as the maple) on the site, and does not include the loss of smaller apple and conifers trees (as they are not worthy of protection on their own merits).

The tree officer has visited the site, and concludes that the maple tree to the northern section of the site will not be significantly affected by this development, subject to tree protection measures to be agreed by condition. The loss of a number of small apple trees in the garden will have minimal

impact on the character of the area.

## **10. Conclusion**

This application has been considered against the relevant SDLP policies, G2, H16 and D2. It is considered that a residential dwelling could be accommodated on the site without disruption to the nearby maple tree, and would be appropriate to the character of the area. Further, it is considered that the new dwelling will not result in a significantly adverse impact upon the amenities and living environment enjoyed by nearby residents, and subject to conditions will not result in an adverse impact to highway safety.

### **It is recommended that planning permission be granted for the following reasons**

This application has been considered against the relevant Salisbury District Local Plan policies, G2, H16 and D2. It is considered that one residential dwelling could be accommodated on the site to be appropriate to the character of the area, and will not result in an adverse impact upon the amenities and living environment enjoyed by residents and subject to conditions will not result in an adverse impact to highway safety.

#### ***Subject to the following conditions:-***

1. Approval of the details of the design and external appearance of the building, the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

(A01A)

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. (A02A)

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (A03A)

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

5. The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced. (C03A)

Reason: To ensure the exact finished floor level[s] of the buildings- Policy G2

6. No development shall take place until details of provision for recreational open space in accordance with policy R2 of the Salisbury District Local Plan have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy R2 of the Salisbury District Local Plan.

7. No development hereby approved shall commence until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development- Policy H16, D2

8. No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the buildings. (G20A)

Reason: In the interests of the amenity and the environment of the development- Policy D2, H16

9. The area between the edge of the carriageway and 5 metres back from the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority, prior to development commencing on site.

Reason: In the interests of highway safety- G2

10. Subsequent to the demolition of the existing garage at Wayside, sufficient space for two parking spaces together with a vehicular access thereto shall be provided for Wayside and the new dwelling before it is occupied, in a position to be approved by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety, to prevent loose material discharging onto the highway- Policy G2

11. No development hereby approved shall commence until visibility has been provided at the junction of the site access with Stoford Bottom (within the application site edged red), in accordance with the drawing LDS/9687/TP4/C. Development shall be carried out in accordance with the approved details, (with visibility splays maintained at a height of less than 1 metre above the adjacent road level), and maintained in this condition thereafter.

Reason: In the interests of highway safety- Policy G2

12. Any gates shall be set back 4.5 metres from the edge of the carriageway, and such gates to open inwards only and retained in this condition thereafter.

Reason: In the interests of highway safety- Policy G2

13. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/ driveway), incorporating sustainable



drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought-into use until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To prevent the discharge of water onto the highway, in the interests of highway safety- Policy G2

14. The development, including site clearance, must not commence until a statement of all the relevant details of the protection of the maple tree to the north west of the site has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that the tree to be retained will not be harmed during the development, including by damage to their root system.

The tree must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development- Policy G2, D2, H16

15. The maple tree to the north west of the site shall be retained and shall not be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If the maple tree to the north west of the site is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 years of the completion of the development, another tree shall be planted at the same place, and that tree shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development.

16. The height of the proposed new dwelling as measured from finished floor level shall not exceed 7.5metres.

REASON: To secure a harmonious form of development Policy G2, D2, H16

**INFORMATIVE:**

This decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan:

G2- General Criteria for Development  
 D2 - Design – Infill Development  
 H16 - Housing Policy Boundary  
 CN21.- Archaeology protection  
 R2 - Open Space Provision

**INFORMATIVE: - R2**

You are advised to contact the Local Planning Authority prior to any submission of details so that compliance with Policy R2 can be discussed.

**INFORMATIVES:- WESSEX WATER**

The development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal.

**INFORMATIVE:**

Notwithstanding the indicative elevations shown on the submitted plans detailing elevations and floorplans, the council will consider the appearance of the dwelling at the detailed application stage, and the approval of this application does not necessarily indicate the Council’s opinion on the design of the dwelling, and is without prejudice to any formal decision taken in respect of development of the above site at the detailed application stage.

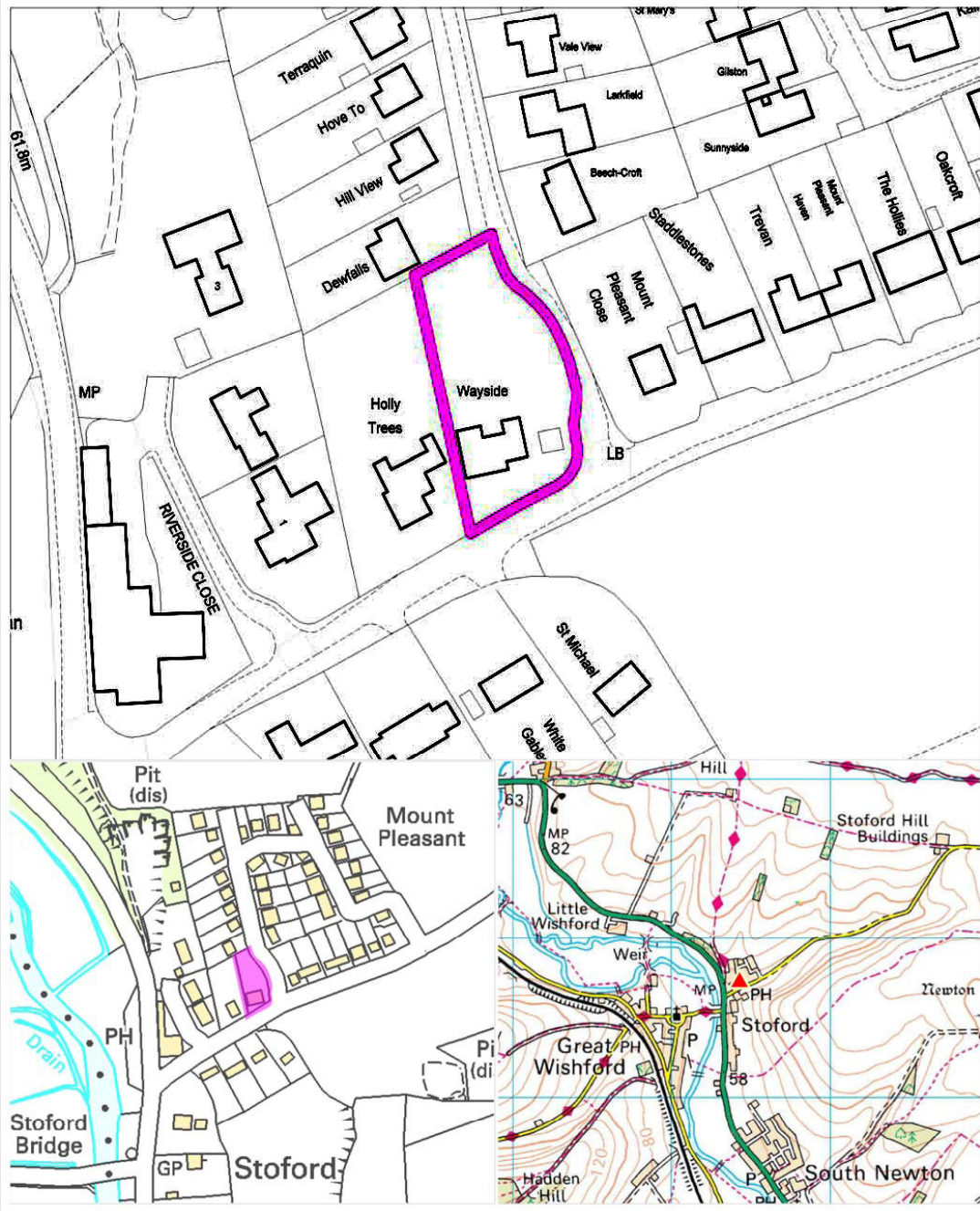
**INFORMATIVE:**

The applicant should be aware that the reserved matters application will be brought back to the Planning Committee for determination.

<b>Appendices:</b>	None
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<b>Background Documents Used in the Preparation of this Report:</b>	<p>Informatives:</p> <p>1.This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.</p> <p>Drg. No. LDS/9687- TP3/C, LDS/9687-TP1/B, LDS/9687-TP4/C, LDS/9687-TP3/C</p>
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S/2009/736



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**WAYSIDE STOFORD BOTTOM SP2 0PW**

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Deadline	18/06/2009		
Application Number:	S/2009/0689		
Site Address:	LAND ADJACENT CONCORD HOUSE WHITE CROSS ZEALS WARMINSTER BA126PH		
Proposal:	ERECTION OF SINGLE STOREY THREE BEDROOM DWELLING ON LAND ADJACENT CONCORD HOUSE ZEALS WITH DETACHED SINGLE GARAGE		
Applicant/ Agent:	MR ANDREW HUNTER IAN PAMPLIN ASSOCIATES		
Parish:	ZEALS		
Grid Reference:	377207.4 132238		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

**Application Number:** S/2009/0689

**Proposed Development:** Erection of single storey, three bedroom dwelling on land adjacent to Concord House, Zeals, with detached garage

**Reason for the application being considered by Committee**

Councillor Jeans has requested that this item be determined by Committee due to public interest and the AONB impact raised by Zeals Parish Council.

**1. Purpose of Report**

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

**2. Main Issues**

The main planning issues are considered to be as follows:

1. The principle of development;
2. The impact on the character and appearance of the Housing Restraint Area (HRA) and this part of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB);
3. The impact on highway safety;
4. The impact on the living conditions of nearby properties;

5. Drainage

6. Public recreational open space facilities, sustainability and other factors.

### 3. Site Description

The site consists of existing garden curtilage to Concord House in White Cross, Zeals. Concord House is a two storey house with an unusual modern (ie 1960's) design, including a separate but linked two storey hexagonal summerhouse.

Surrounding properties include Woodlawn House (opposite – referred to as Fir Tree House in the application drawings), Lime Tree Cottage, White Cross Island and Park Hedges which, with other properties, form a cluster of dwellings. However, the area remains essentially rural, characterised by trees and dense hedgerows. Most dwellings have relatively large gardens, though Concord House's is perhaps the largest.

In planning terms, the site lies within a Housing Restraint Area (HRA) and forms part of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

### 4. Planning History

The planning history for this specific site is detailed below. A planning application was also refused in 2002 for a dwelling on land adjoining the site, at White Cross Island (S/2001/1929). The reasons for refusal related to the impact on the loose knit character of White Cross Island, highway safety, sustainability concerns and public recreational open space

Application number	Proposal	Decision
S/2005/0462	Erection of bungalow	Refused on 28 <sup>th</sup> April 2005 for the following reasons:  <i>(1) The erection of the proposed dwelling, by reason of its excessive size and height, and the positioning of the dwelling and driveway within the site, would result in the urbanisation of the area and an erosion in the rural characteristics of this part of White Cross, harming the character and appearance of the area and failing to maintain the natural beauty of the AONB. In these respects it would be contrary to policies H19, G2,</i>

		<p><i>D2, C4 and C5 of the Replacement Salisbury District Local Plan.</i></p> <p><i>(2) The erection of the proposed development, by reason of the positioning of the dwelling and driveway within the site, would have an unsatisfactory layout, and poor relationship with adjoining properties, resulting in overlooking and additional noise and disturbance, contrary to policy G2 of the Replacement Salisbury District Local Plan.</i></p> <p><i>(3) The proposed development, in that it would not make adequate contribution towards recreational open space, would be contrary to policy R2 of the Replacement Salisbury District Local Plan.</i></p>
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## **5. The Proposal**

The application proposes the erection of a single storey bungalow and single garage in the southern part of the garden.

The bungalow would have three bedrooms and would have an 'L' shape with measurements (in total) of around 16m by 15m, and an overall height of 6m. The materials proposed to be used are Ashlar local coursed stone for the principal elevations, and coloured render to match with stone quoins on the other elevations; a slate roof and windows and doors of natural oak.

## **6. Planning Policy**

The following saved policies of the Adopted Salisbury District Local Plan are considered relevant to this proposal:

- G1, G2 – General Development Criteria
- C4, C5 – Development within the AONB
- H19 – Development within Housing Restraint Areas
- R2 – Public Recreational Open Space facilities

The advice in circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development) is also relevant to this application.

## **7. Consultations**

### **Zeals Parish Council** (comments summarised)

Presentations were made by both the applicant and objectors. After some discussion during concerning the height of the proposed bungalow, the widening of the existing access and provision of a visibility splay, it was proposed that the Parish Council should object to the application as the current application has not materially changed from the previous application in March 2005 and therefore the previous reasons for refusal still apply.

### **Highways**

Further to previous application S/2005/0462, it is recommended that no highway objection be raised subject to conditions relating to the surfacing of the means of access and the discharge of surface water.

### **Environmental Health**

I have no objection in principle to this proposal but would recommend that conditions be attached to any approval to protect the amenities of the nearby residential uses during the demolition and construction process.

### **Arboriculturalist**

No objections are raised to the application. Recommend a landscaping condition to obtain replacements for the trees that are being lost.

### **AONB group** (comments summarised)

The applicant appears to comply with planning policies and the AONB group does not wish to comment, other than that any development should integrate with the landscape character through location, design and materials.

## **8. Publicity**

The application was advertised by site notice and neighbour notification with an expiry date of 18<sup>th</sup> June 2009.

**3** letters of objection have been received raising the following comments (summarised):

- A similar application was refused in 2005 [the reasons for which are given above]. There have been no changes in the area to justify a different decision, the only significant difference being that the application is now for a larger three bedroom house as opposed to the two bedroom house proposed in 2005.
- The erection of a dwelling would fail to conserve or enhance the natural beauty of the AONB and would be outside of the village 'envelope' of Zeals village itself. Furthermore permission was refused in 2002 for a dwelling on land belonging to

White Cross Island (S/2001/1929) for reasons including the impact on the loose knit character of White Cross Island, highway safety, sustainability concerns and public recreational open space.

- If the Concord House application is approved, there would be no basis for refusing permission to build elsewhere in White Cross.
- This proposal represents undesirable infill and an urbanisation of an area that has already been damaged to an extent by less-than thoughtful building when regulation was a little more lax and inspiration lacking.
- In comparison to the 2005 scheme the footprint is virtually identical, as is its position and the driveway, only the roof apex is a little lower. The points raised previously about urbanisation the erosion of the rural characteristics of this part of White Cross remain relevant today.
- The sight lines required for the entrance for the new dwelling would undoubtedly require a large section of hedging adjacent to the lane to be removed. The dwelling would thereby be overlooked by the neighbouring cottage opposite.

**3** letters of support have been received (one of which is from the applicant) raising the following comments (summarised):

- This is a completely new application and should not be confused with that submitted in 2005.
- The existing gazebo/summerhouse is an eyesore and does not blend in with the hamlet of White Cross. A new, more traditionally-built building would be more pleasing to the eye than a 1960s monstrosity. The application effectively replaces one structure for another
- Concord House sits in 1.2 acres of residential curtilage, one of the largest plots in White Cross. It can easily accommodate another building without losing the feel of openness and space. Other properties are situated much closer together and the applicant has ensured ample open space is available by not siting the bungalow too closely to other dwellings. It would not harm the AONB and government guidance suggests a much higher density than that proposed here.
- The proposal could potentially bring a family to the area, boosting local facilities, as would the R2 monies.
- Concern expressed at the manner at which the Parish Council meeting was managed, and that they have been misled about the position, size and location of the dwelling. It is not larger than the 2005 application and the proposed garage is only single rather than double.
- The size of the dwelling is in keeping with the surrounding properties and, if anything, is smaller than the majority. The grounds to Concord House were two sites merged into one and this proposal follows some of the previous boundary. The dwelling's height would be 4.6m lower than Concord House's roof and 1.3m lower than the summerhouse.



- Attention should be drawn to the extension added to Rose Cottage which was effectively increased by 51%.

## **9. Planning Considerations**

### **9.1 The principle of development**

The site lies within a Housing restraint Area, where policy H19 applies. This policy states that within HRAs, the erection of single new dwellings is not unacceptable in principle, but should only be permitted where there would be no adverse impact on the area's character, no loss of an important open space, that the loss of trees, hedges and walls is kept to a minimum and where the design of the dwelling is in keeping with its surroundings.

Policies C4 and C5 are also relevant to this proposal, in that it lies within the AONB. These policies require that the AONB's natural beauty is not harmed and that siting, scale, design and landscaping standards are appropriate.

Because the site is within an area where development is permitted, there is no 'in principle' objection to an additional dwelling (unlike, for example, a site outside of an HRA or similar designation). However, this does not mean that proposals for an additional dwelling are necessarily acceptable – any new development must comply with the criteria of H19 and the other Local Plan policies.

### **9.2 The impact on the character and appearance of the Housing Restraint Area (HRA) and this part of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB)**

Consideration has been given to the specific impact of the proposed dwelling in terms of its impact on the character and appearance of the area. The site currently consists of garden curtilage, but one that is largely screened from public view by dense hedgerows and trees, particularly when viewed from the unclassified road to the south. There is an existing gated entrance into the garden, although this has an appearance off a field access and appears to be little-used.

Concern has been expressed that the erection of a dwelling and garage would significantly harm this area's rural character. However, there is no reason why the erection of a dwelling should necessitate the removal of much if any of the planting on the southern boundary of the site.

The standards imposed by the highways department are not onerous and would not require the significant loss of hedgerow. For any hedgerow loss that might occur there is no reason why it could not be replaced, secured by a suitable landscaping condition (as recommended by the Council's arboriculturalist).

This is in contrast to the previous (2005) scheme where the then arboriculturalist expressed concern about the proximity of the dwelling to the existing western boundary, which would have prevented a suitable boundary being provided. In any case, the fact remains that the applicant could remove the existing hedgerow in its entirety without requiring any form of

planning consent – indeed the imposition of conditions on this application would provide greater security for the hedgerows than would a refusal of permission.

The layout, position, design and height of the dwelling now proposed is very different to that proposed in 2005. That scheme proposed a plot division that ran north-south, with the width of the dwelling covering much of the width of the plot. This meant that the dwelling would have been positioned immediately in front of the driveway, increasing the degree of urbanisation. That proposal also had an unsatisfactory driveway position, which ‘snaked’ around the front, side and rear of the dwelling to a car parking area close to the northern boundary of the site. Meanwhile the height of that building was over 7m.

It is considered that the dwelling and position now proposed overcomes the reasons for refusal raised in 2005. By being sited away from the entrance and sub-dividing the plot horizontally rather than vertically, the degree of apparent urbanisation would be reduced. The height of the dwelling would be lower and the availability of space for landscaping means that the impact of the proposal is not considered to be significant.

The Parish Council has expressed concerns about the driveway. The Council’s arboriculturalist has commented that it seems that the access shown on the plans as submitted does not appear to be in the same place as the existing access, although it is understood that the applicant’s intention is simply to use the existing access (the submitted plan is based on a digital survey). Even if the access is relocated slightly, however, the highways department does not now require it to be widened (their original comments suggested that this might be necessary). Therefore a landscaping condition can be used to secure a driveway that is not unacceptably wide or urbanising.

In design terms, the dwelling is less dominant than the previous proposal and has greater articulation. Although its overall footprint might be greater, the ‘L’ shape of the building breaks up its design and is considered preferable to that proposed earlier. There is a relatively long forward projection but this is unlikely to be seen from the adjacent unclassified road. The materials proposed would be appropriate to the surrounding area, and it would include the removal of the existing summerhouse (a further contrast to the 2005 scheme).

Concern has been expressed about the potential for future development of White Cross if this application were to be approved. If it can be demonstrated that further development proposals comply with H19 and other Local Plan policies, are not unacceptably dense and could suitably landscaped, then it may well be that additional development is permitted, but it would be difficult to resist this application on the basis of fears of future development, particularly that the area is designated within the boundaries of an HRA.

Certainly it cannot be said that, on its own, this proposal would result in an unacceptably dense form of development. Both the existing and proposed dwellings would have reasonable degrees of surrounding garden when compared to the pattern and form of development in the hamlet.

Overall, it is considered that the proposed dwelling would not harm the character or appearance of the area, and that the natural beauty of the AONB hereabouts would be maintained.

### **9.3 The impact on highway safety**

Highway safety concerns did not form a reason for refusal of the application in 2005, though they did form a reason for refusal of the dwelling on adjoining land in 2002. Although the unclassified road from which the dwelling would be accessed is narrow, the highways department has not raised an object to the increased use of this road or the junctions at either end of the road.

Given the stance of the highways department not to object to the application, it is considered that highway safety could not form a reason to refuse permission that could be reasonably defended at appeal. As stated above, the highways department now only require that details of driveway surfacing and drainage are provided, and do not require widening for visibility.

### **9.4 The impact on the living conditions of nearby properties**

Concern has been expressed that the proposed dwelling would result in unacceptable overlooking, or that it would itself be unacceptably overlooked. The impact on neighbours' amenities formed part of the reasons for refusing the 2005 application, but this was because inadequate space was available in that scheme to secure boundary treatments (ie hedging) to prevent overlooking. In this case there would be adequate space for suitable hedging to remain in place to prevent any overlooking. Similarly this would prevent the proposed dwelling being overlooked by Woodlawn House.

It is considered that the proposal would not harm the living conditions of nearby properties.

### **9.5 Drainage**

In relation to the disposal of sewage, Government circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development) provides advice regarding situations where mains sewerage is not practically available.

This site is not served by mains sewerage. In such situations a package treatment plant is the preferred option, and this is proposed by the applicants. It is considered that the specific details of the plant (including responsibility, means of operation and maintenance) can be secured through an appropriate planning *Grampian* condition. This means that development could not take place until any necessary Consent to Discharge required from the Environment Agency has been secured.

### **9.6 Public recreational open space facilities, sustainability and other factors**

The applicants have made a contribution towards public recreational open space, to comply with policy R2. It should be noted that this is a requirement, necessary to ameliorate the impact of additional pressure on existing facilities from the increase in population within the Parish, rather than a positive reason to approve development.

The application in 2002 was refused partly on the grounds that the hamlet is in an unsustainable location, where access to facilities and services is only likely to be available by use of the private car rather than a choice of transport modes. The situation with regard to facilities, services and transport options has not subsequently improved.

At the time of the 2002 application there was doubt whether the HRA-designated areas

(which are generally less sustainable and more rural) would be carried forward in the 2003-adopted Local Plan. This meant that less weight was given in sustainability terms, to the allocation White Cross within an HRA-designated area.

In the event, HRAs were carried forward and hence sustainability concerns did not form a reason for refusal in 2005. The continuation of Housing Restraint Area designations remains in some doubt, given the emphasis of the draft Regional Spatial Strategy and the emerging Local Development Framework on only sustainable locations being suitable for development.

However, the fact remains that a decision on their continuation is not imminent, and therefore the fact that White Cross is within an area designated for some (albeit limited) development in the current saved Adopted Local Plan means that to refuse the principle of any additional residential development would be difficult to defend at appeal.

## **10. Conclusion**

It is considered that the proposal would comply with the relevant saved policies of the Adopted Salisbury District Local Plan, and that there are no material planning considerations that would warrant a decision otherwise.

## **Recommendation**

It is recommended that planning permission is granted, for the following reasons

The proposed dwelling would not harm the White Cross Housing Restraint Area or this part of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. It would not harm highway safety, the living conditions of nearby properties or any other material planning consideration. It would therefore comply with saved policies G1, G2 (General Development Criteria), C4, C5 (Development within the AONB), H19 (Development within Housing Restraint Areas) and R2 (Public Recreational Open Space facilities) of the Adopted Salisbury District Local Plan.

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) No development shall commence on site until details and samples 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.  
POLICY- G2, C5

(3) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of the natural beauty of this part of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural beauty.

POLICY: G2, C5

(4) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: G2, C5

(5) The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY: G2

(6) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

POLICY: G2

(7) During the carrying out of the development approved, no delivery of plant, equipment or materials, or any demolition, construction work or other building activity shall take place on Sundays or public holidays, or outside the hours of 08:00 to 18:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays

REASON: In the interests of the amenities of nearby properties  
POLICY: G2

(8) During the demolition and construction of the development hereby approved, no bonfires or burning of surplus building materials or other waste shall take place on the site.

REASON: In the interests of the amenities of nearby properties  
POLICY: G2

(9) Prior to the first occupation of the dwelling hereby approved, the summerhouse serving Concord House, shown to be demolished on the plans hereby approved, shall be so demolished and the materials removed from the site.

REASON: In the interests of the character and appearance of the area

POLICY: H19, C5

(10) No development shall take place until full details of the proposed package treatment plant shall be submitted to and approved, in writing, by the Local Planning Authority. The treatment plant shall operated and maintained in accordance with the details thereby approved.

REASON: In the interests of the amenities of nearby properties and the character and appearance of the area.

POLICY: G2, circular 03/99

INFORMATIVE

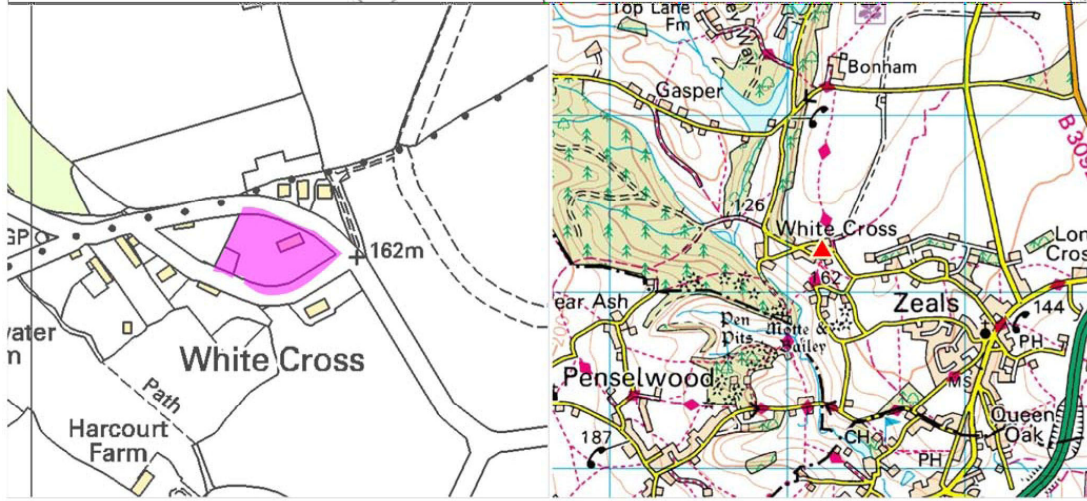
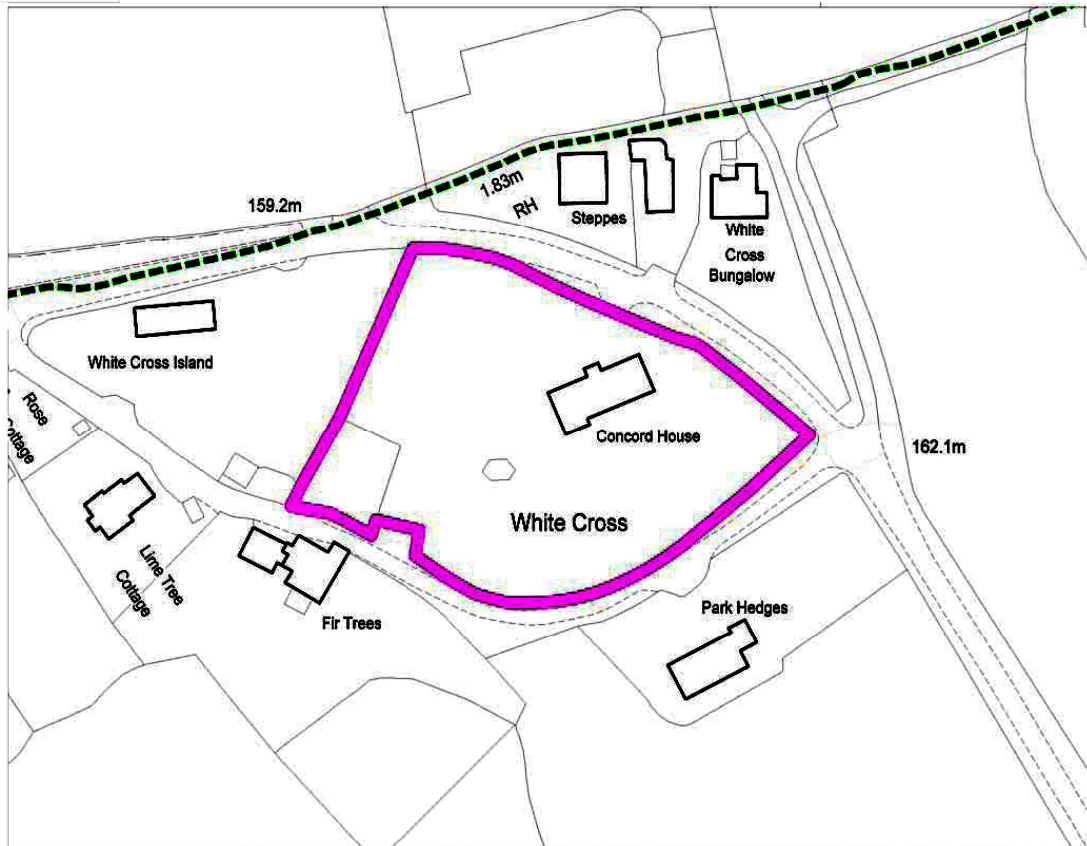
In relation to condition 10, the applicant is advised that Consent to Discharge may be required from the Environment Agency. In order to satisfy condition 10 the Local Planning Authority will need to be satisfied that the tests of circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development) have been met.

<b>Appendices</b>	<b>None</b>
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<b>Background Documents Used in the Preparation of this Report:</b>	Plan Ref 195/01 PO1. Date Received 11th May 2009 Plan Ref 195/01 PO2A. Date Received 15th May 2009 Plan Ref 195/01 PO3. Date Received 11th May 2009 Plan Ref 195/01 PO4. Date Received 11th May 2009 Plan Ref 195/01 PO5. Date Received 11th May 2009 Plan Ref 195/01 PO6. Date Received 11th May 2009 Plan Ref 195/01 PO7. Date Received 11th May 2009
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ERECTION OF SINGLE STOREY THREE BEDROOM DWELLING ON LAND ADJACENT CONCORD HOUSE ZEALS WITH DETACHED SINGLE GARAGE

S/2009/689



**Wiltshire Council**  
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LAND ADJACENT CONCORD HOUSE, BA126PH

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Deadline	16/06/2009		
Application Number:	S/2009/0560		
Site Address:	78 LOWER ROAD SALISBURY SP2 9NJ		
Proposal:	SIDE AND REAR EXTENSIONS. AMENDMENTS TO ACCESS, BOUNDARY WALLS AND PARKING ARRANGEMENTS TO NO'S 78, 80 & 82		
Applicant/ Agent:	DR CHRISTOPHER COCHRANE		
Parish:	FISHERTON AND BEMERTON VILLAGE		
Grid Reference:	412494 130486.5		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

### Reason for the application being considered by Committee

- The application is made by Councillor Cochrane of Wiltshire Council (Fisherton & Bemerton ward)

### 1. Purpose of Report

To consider the above application and the recommendation of the case officer to APPROVE the development subject to conditions.

### 2. Main Issues

- Principle of development
- Character & appearance of the area
- Residential amenities of neighbouring properties
- Highways safety

### 3. Site Description

The site relates to a modern end-of terrace dwelling, situated on Lower Road, Salisbury. This is a predominantly residential area, with a variety of housing types and styles. The dwelling is set back approximately 15 to 20 metres from Lower Road, and has a shared access and forecourt parking area with the other two adjoining terraced properties. To the east of the site exists Nadder House, a large two storey dwelling situated very close to the site boundary, but set much further back from the road so that its front building line is approximately commensurate with the rear building line of the application dwelling.

The site is within the Housing Policy Boundary.



#### 4. Planning History

<i>App. No.</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
99/0266	Addition of sun porch to the rear.	AC	19.04.99
02/0118	Replacement of existing garage with larger extension Re-routing of surface water drain on adjacent land.	AC	06.03.02
03/0407	Removal of part of existing party wall. Replacement of existing garage with pitched roof garage. Extension including rear dormer window and lean to style porch extension.	AC	29.04.03
03/1758	Provision of car port and veranda and window in east wall	AC	22.10.03
04/1454	Replacement of existing garage with pitched roof extension over car port and extension to rear including 1 <sup>st</sup> floor balcony	REF	18.08.04
04/2340	Replacement of existing two storey garage with pitched roof extension and rear lean to porch extension.	AC	22.12.04
07/1115	Replacement of existing garage with pitched roof two-storey extension and rear porch extension, with roof terrace over improved parking arrangements on land shared with No.'s 80 & 82 Lower Road.	AC	18.07.07

#### 5. The Proposal

Consent is sought for side and rear extensions to the dwelling and alterations to the access, boundary walls and parking arrangements.

Schemes of a similar description have been granted consent in the past, and the applicant has substantially completed the side and rear extensions. However, there are a number of discrepancies between what has been constructed and these previously approved drawings. Notable alterations to the external appearance of the extensions include:

- The formation of a flat roofed element to the front of the side extension;
- Alterations to the design and positioning of the front dormer window to the side extension;
- Alterations to the design a rear dormer window.

The application therefore seeks consent for the authorisation of these works, as well as further amendments, yet to be commenced, which include:

- The provision of a larger veranda to rear of the side extension;
- The repositioning of a circular window within the side of the extension;
- Alteration to the design of the new access/front boundary arrangement.

## 6. Planning Policy

The following development plan policies are considered relevant to this proposal:

- Local Plan policies G2, D3

## 7. Consultations

Highways Officer

I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:

- The access shall remain un-gated (as inward opening gates are likely to obstruct parked vehicles and outward opening gates will encourage vehicles to stand in the highway against interest of highway safety);
- The common turning area shall be provided and maintained for that purpose only;
- The driveway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

## 8. Publicity

The application was advertised by neighbour notification and site notice.

Publicity expiry date 29/05/09

1 letter of objection was received. A summary of the reasons given include:

- Loss of privacy from circular side window
- Overbearing
- Loss of light
- Poor design
- Party Wall issues

## **9. Planning Considerations**

### ***9.1 Principle of development***

The general principle of a two storey side extension has already been agreed through the previous planning consents. Considerations therefore relate to whether any of the proposed alterations would have a materially significant impact in terms of the character and appearance of the area, and upon the residential amenities of adjoining properties.

### ***9.2 Character and appearance of the area***

The proposed plans show the side extension to have its ridge set approximately 1.7 metre below that of the original dwelling, with its roof slope following the same pitch angle. This is considered to result in an extension of an appropriate scale in visual terms, which is subservient to the original dwelling and the overall terrace. The extension would be marginally lower than the 2004 consent, which it is most similar to, and almost a metre lower than the 2007 consent.

Potentially the most significant alteration from the previous consents relates to the treatment of the front most part of the extension where it links with the existing front porch. The front roof slope of the extension has been shortened by approximately 1 metre compared to the 2004 and 2007 consents, and a larger flat roof section has been constructed to link the extension to the side of the existing porch.

It is noted that a neighbour has raised design concerns over the integration of the flat roofed section with the remainder of the structure. However, the flat roofed section would be relatively small and discrete, and not seen as a prominent or unusual feature from the Lower Road streetscene. It is therefore not considered that the flat roofed section would have such a detrimental affect upon the overall appearance of the extension so as to warrant refusing the proposal on design grounds alone.

Another alteration to the front elevation relates to the dormer window. This has been constructed further up the roof slope and reduced in scale compared to the 2004 and 2007 consents. The overall affect would still be that of a modest pitched roofed dormer that would integrate appropriately with the extension and existing dwelling. It is noted that an additional design feature has been included within the apex of the dormer gable, relating to a mock hoist mechanism, comprising a projecting timber joist with pulley. Given its relatively small size and the otherwise simplicity of the proposed dormer, it is not considered that this feature significantly detracts from the overall design of the extension.

The alterations to the rear of the extension, concerning the dormer window and veranda, would be of a very minor nature and on an elevation that is not prominent from public viewpoints.

The boundary treatment to the access would have the same configuration as proposed within the 2007 consent, but would differ in terms of the treatment of materials. The revised section of boundary treatment which projects inwards into the site parking area would be altered from brick walling to a low trellis set atop a rendered block plinth. It is not considered that this alteration would harm the character of the area given the retention of the more significant brick front boundary wall.

### **9.3 Residential amenities of neighbouring properties**

The side elevation of the extension which faces onto the adjacent Nadder House would not have a materially different impact than the proposals already granted consent. As noted above, the current proposal is lower in height than previous consents and would have a lesser affect if anything in terms of overbearing impact and loss of light.

With regards to privacy, the proposed rear balcony arrangement would be very similar to that of the previous consents and would not result in materially greater overlooking. It is noted that a previous application, S/2004/1454 was refused solely due to the siting of the rear balcony, although this was in a significantly different location, situated off the rear of the original dwelling, rather than the proposed extension.

Other privacy considerations relate to the circular round window in the side elevation of the proposed extension. The 2004 and 2007 consents show this window as having its bottom sill 1.7 metres off the internal floor level. This was considered a sufficient height to prevent significant views into the neighbouring property. The current plans, notwithstanding the illustrative notes, show the window as having its bottom sill 1.5 metre off the internal floor level. This would be more likely to permit views from the proposed bedroom into Nadder House. Consequently it is considered reasonable to impose a condition requiring that obscure glazing be fitted to the window.

With regard to any Party Wall matters, this is a civil matter covered by separate legislation outside of the planning system, and therefore cannot be material to any planning decision.

### **9.4 Highways safety**

The Highways Officer raises no objection to the proposed access and parking alterations subject to standard conditions.

## **10. Conclusion**

The proposal would integrate appropriately with the character and appearance of the existing dwelling and surrounding area and, compared to planning permissions still extant, would not significantly affect the residential amenities of neighbouring properties subject to a planning condition concerning the fitting of obscured glazing to a side window. Parking and access arrangements would be satisfactory in highways safety terms. The proposal would therefore accord with the aims and objectives of the development plan, having particular consideration to Local Plan policies G2 and D3, and there are no material considerations which would make the scheme unacceptable.

## **RECOMMENDATION**

**It is recommended that planning permission be granted for the following reasons:**

The proposal would integrate appropriately with the character and appearance of the existing dwelling and surrounding area and, compared to planning permissions still extant, would not significantly affect the residential amenities of neighbouring properties subject to a planning condition concerning the fitting of obscured glazing to a side window. Parking

and access arrangements would be satisfactory in highways safety terms. The proposal would therefore accord with the aims and objectives of the development plan, having particular consideration to Local Plan policies G2 and D3, and there are no material considerations which would make the scheme unacceptable.

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

- 2) The materials to be used in the construction of the external surfaces of the extension and entrance walls hereby approved shall be in accordance with details provided in the submitted application documentation, received on 21/04/09, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 3) The access shall remain un-gated.

Reason: In the interests of highways safety.

- 4) Upon the completion of the re-positioned front boundary walls, the common turning area shall be provided and maintained for that purpose only.

Reason: In the interests of highways safety.

- 5) The driveway shall be properly consolidated and surfaced (not loose stone or gravel).

Reason: In the interests of highways safety.

- 6) Before the development hereby permitted is first occupied the circular window in the eastern elevation shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing at all times thereafter. This circular window shall not be enlarged and no further windows shall be inserted into the eastern elevation.

Reason: To prevent the undue overlooking of the adjoining dwelling.

- 7) Prior to the first occupation of the extension hereby permitted, the cladding on the eastern side elevation shall be completed.

Reason: In the interests of visual amenity.

- 8) The extension hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling and not for any trade, business or industrial purposes whatsoever.

Reason: In the interests of the amenities of neighbouring dwelling/s.

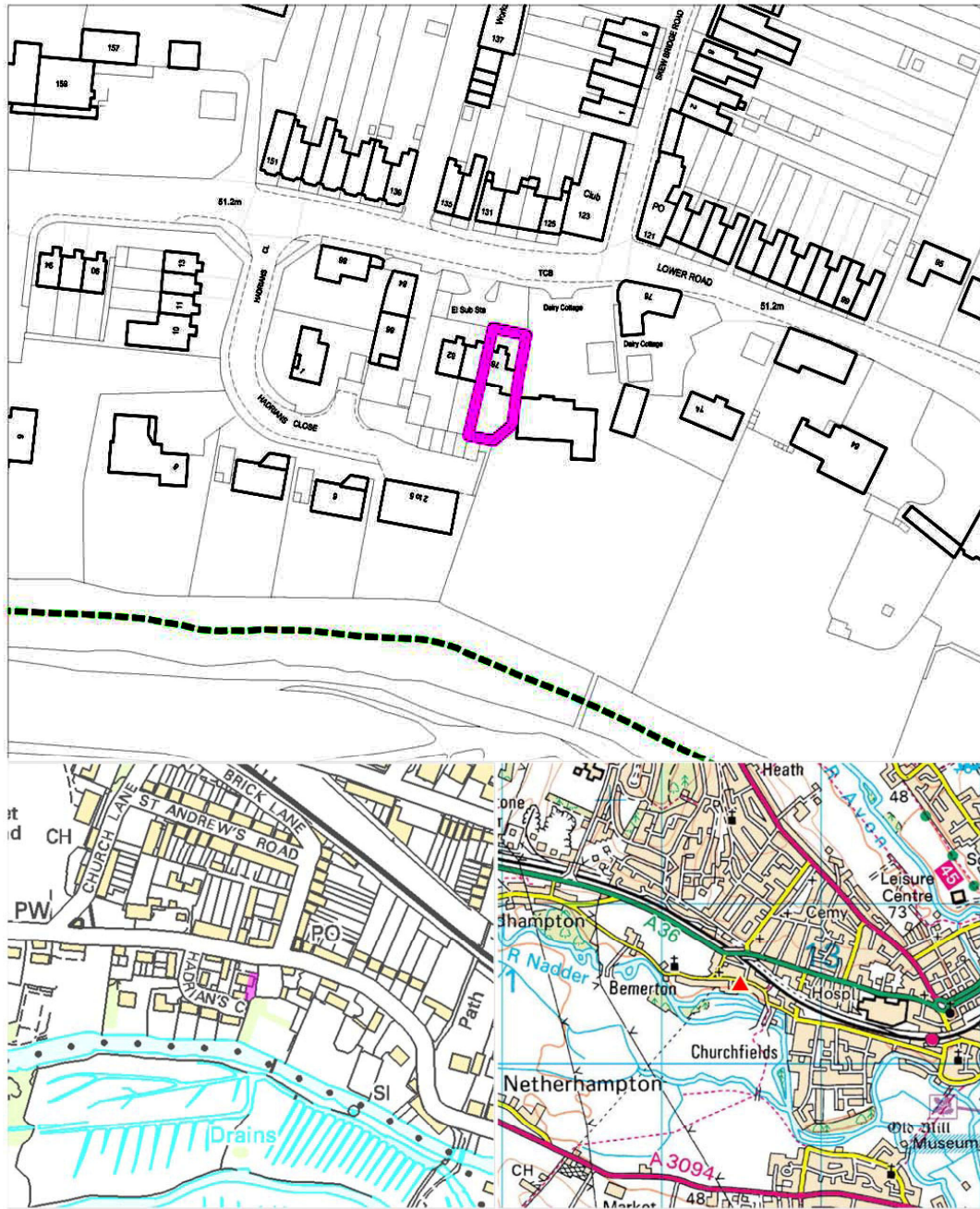
**Informatives:**

1.This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref....Drg.No. 01.... Date Received....16.04.09....  
Plan Ref....Drg.No. 01A...Date Received....16.04.09....  
Plan Ref....Drg.No. 02.... Date Received....16.04.09....  
Plan Ref....Drg.No. 03.... Date Received....16.04.09....  
Plan Ref....Drg.No. 04.... Date Received....16.04.09....  
Plan Ref....Drg.No. 05.... Date Received....16.04.09....  
Plan Ref....Drg.No. 06.... Date Received....21.04.09....

SIDE AND REAR EXTENSIONS. AMENDMENTS TO ACCESS, BOUNDARY WALLS AND PARKING ARRANGEMENTS TO NO

S/2009/560



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