

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	-	Area of High Ecological Value
AONB	-	Area of Outstanding Natural Beauty
CA	-	Conservation Area
CLA	-	County Land Agent
EHO	-	Environmental Health Officer
HDS	-	Head of Development Services
HPB	-	Housing Policy Boundary
HRA	-	Housing Restraint Area
LPA	-	Local Planning Authority
LB	-	Listed Building
NFHA	-	New Forest Heritage Area
NPLP	-	Northern Parishes Local Plan
PC	-	Parish Council
PPG	-	Planning Policy Guidance
SDLP	-	Salisbury District Local Plan
SEPLP	-	South Eastern Parishes Local Plan
SLA	-	Special Landscape Area
SRA	-	Special Restraint Area
SWSP	-	South Wiltshire Structure Plan
TPO	-	Tree Preservation Order

**LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
CITY AREA COMMITTEE 30 MARCH 2006**

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

Item	Pages	Application No Officer	Parish/Ward Recommendation Ward Councillors
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		S/2006/0299	EAST HARNHAM
1	4 - 5	Charlie Bruce-White	APPROVED WITH CONDITIONS
		15 ANDREWS WAY SALISBURY SP2 8QR	Cllr Collier Cllr Culver
		SINGLE STOREY EXTENSION WITH ROOM UNDER	
		S/2006/0281	ST PAUL
2	6 - 13	Miss L Flindell	APPROVE SUBJECT TO S106
	SV	43 ASHLEY ROAD SALISBURY SP2 7DD	Cllr Clegg Cllr Fear
		CHANGE OF USE FROM MIXED USE BUSINESS PREMISES TO 9NO DWELLINGS	
		S/2006/0132	BEMERTON
3	14 - 24	Mr R Hughes	APPROVED WITH CONDITIONS
	SV	LAND TO THE REAR OF 45 QUEEN ALEXANDRA ROAD SALISBURY SP2 9LL	Cllr Mrs Evans Cllr Osment Cllr Vincent
		ERECTION OF 44 DWELLINGS INCLUDING ANCILLARY OPEN SPACE LANDSCAPING AND CAR PARKING AND NEW VEHICULAR ACCESS ONTO QUEEN ALEXANDRA ROAD FOLLOWING DEMOLITION OF NO 45 QUEEN ALEXANDRA ROAD	

Part 1
Applications recommended for Refusal

No Refusals

Part 2

Applications recommended for Approval

Application Number:	S/2006/0299		
Applicant/ Agent:	MR & MRS D BOWYER		
Location:	15 ANDREWS WAY SALISBURY SP2 8QR		
Proposal:	SINGLE STOREY EXTENSION WITH ROOM UNDER		
Parish/ Ward	EAST HARNHAM		
Conservation Area:	LB Grade:		
Date Valid:	14 February 2006	Expiry Date	11 April 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

1

REASON FOR REPORT TO MEMBERS

One of the applicants is an employee of Salisbury District Council.

SITE AND ITS SURROUNDINGS

The site relates to a modern two storey detached dwelling, situated off Andrews Way, Salisbury.

THE PROPOSAL

It is proposed to erect a single storey rear extension with a basement room underneath.

PLANNING HISTORY

None relevant

REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expiry 16/03/06
Departure	No	
Neighbour notification	Yes	Expiry 07/03/06
Third Party responses	No	

MAIN ISSUES

1. Visual amenity / design
2. Neighbouring amenity

POLICY CONTEXT

G2, D3 of the Salisbury District Local Plan

PLANNING CONSIDERATIONS

Impact upon visual amenity

The single storey extension takes the form of a simple lean-to, extending across the width of the rear elevation of the house, and protruding out a distance of 3 metres. Materials and fenestration would match that of the existing house. A new patio/terrace would be created off the extension. The basement would be constructed directly below the extension and patio, and would only be visible from the applicants' garden area. Since the rear garden is set below the ground floor level of the house (approx. 1.5m) limited excavation of the garden area would be required to create the basement room. It is therefore considered that the extension would be in keeping with the existing dwelling, and would have little impact upon the visual amenity of the area.

Impact upon neighbouring amenity

Due to the limited depth and height of the extension, it is not considered that its bulk would unduly affect the amenity of neighbours. Since the patio/terrace would be extended further out into the garden, it will be necessary to increase the height of some sections of boundary fencing in order to retain existing levels of privacy.

Conclusion

The extension would be in keeping with the existing dwelling and surrounding area and would not unduly affect the amenity of neighbours.

REASONS FOR APPROVAL:

The extension would be acceptable in principle, and would not have a significant impact in design or amenity terms.

And subject to the following conditions:

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building.

Before development is commenced details shall have been submitted to and approved in writing by the Local Planning Authority showing a satisfactory method of screening, which would limit possible overlooking of adjacent garden areas from the new raised patio area. The development shall be in accordance with the approved details.

The reason for the above condition is listed below:

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.

To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

In order to prevent significant overlooking into neighbouring properties from the new patio/terrace.

And in accordance with the following policies of the adopted Salisbury District Local Plan:

Policy G2	General Development Guidance
Policy D3	Extension

Application Number:	S/2006/0281		
Applicant/ Agent:	SPACE DESIGN SOLUTIONS LTD.		
Location:	43 ASHLEY ROAD SALISBURY SP2 7DD		
Proposal:	CHANGE OF USE FROM MIXED USE BUSINESS PREMISES TO 9NO DWELLINGS		
Parish/ Ward	ST PAUL		
Conservation Area:		LB Grade:	
Date Valid:	6 February 2006	Expiry Date	3 April 2006
Case Officer:	Miss L Flindell	Contact Number:	01722 434377

2

REASON FOR REPORT TO MEMBERS

Councillor Fear has requested that this item be determined by Committee due to the interest shown in the application

SITE AND ITS SURROUNDINGS

The site is located within a primarily residential area, characterised by terraced dwellings. There is a two-storey warehouse building on the site, set back from Ashley Road with forecourt parking. This building was originally constructed as an Ice Cream factory and storage distribution premises in 1947. It has a single storey lean to section at the rear of the building and attached garage/store running to the rear of the gardens of Nos 33 to 41 Ashley Road with separate access from Coldharbour Lane. There is a narrow passageway to the west side of the building with brick wall and trellis to the garden of No 41 Ashley Road. There is close boarded fencing to the east boundary with the Christadelphian Hall. The rear boundary wall of the lean-to section of the building forms the boundary with Salisbury District Council Allotments to the north.

THE PROPOSAL

To convert and extend the premises to provide 9 apartments. This will involve extending at the rear with a new single storey extension following demolition of the existing lean to section and garage/store; replacing the two storey extension to the east side with a three storey extension providing stair access to the rear flats; and the addition of a second floor set behind the parapet wall. The forecourt will provide 1 parking space per unit. Cycle parking and bin storage is proposed to the east side of the building.

PLANNING HISTORY

1989/636 Change of use to bacon packing and sausage manufacturing Refused 10/5/1989
The site of the proposed bacon packing and sausage manufacturing premises is considered unacceptable by reason of its proximity to existing residential development, the occupiers of which are likely to suffer detriment to the enjoyment of their dwellings caused by noise, general disturbance and odours.

2005/2102 Change of use application from mixed use business premises to 10 one-bedroom apartments, including associated enabling works Withdrawn 12th December 2005

CONSULTATIONS

WCC Highways - The parking level and layout for this proposal is acceptable. I note that 10 secure cycle spaces are also provided and these spaces should also be covered – this is not clear from the submitted drawing. Subject to confirmation or resolution by condition no highway objection is raised.

Housing & Health Officer - I have no objection in principle to this proposal. I note that the applicant has carried out a contaminated land survey that identified the overall risk of

contamination as low. From the reported details and knowledge of the former uses of the site, I would agree with this statement. The survey has however identified a possible slight risk of soil contamination in the covered yard area at the rear of the site and I would recommend that as a condition of approval the applicant be required to take some soil samples in this area when the concrete is broken up and removed and to provide an analysis report validated by a suitably qualified consultant or if necessary a suitable scheme of remediation. I note that the issue of flood risk has been re-assessed in consultation with The Environment Agency (EA) and that the proposed floor levels will be at 48.90AOD which is 600mm above the predicted 1 in 100 year flood level, and 200mm above the climate change adjusted level. It may be appropriate to obtain written confirmation of this agreement with the EA and ensure that the proposed floor level is shown on the approved plan or attached as a condition.

Wessex Water Authority - The development is located within a sewered area, with foul and surface water sewers available. The developer has proposed to dispose of surface water to existing arrangements. It will be necessary, if required for the developer to agree points of connection onto Wessex Water systems for the satisfactory disposal of foul flows and surface water flows generated by the proposal. According to our records there is a public water main and surface water sewer crossing the site. Wessex Water normally requires a minimum three metre easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree in writing prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. Although not shown on the public sewer record drawing, we understand there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records, thus indicating these as public in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus

English Nature - Although the site is relatively close to the River Avon System Site of Special Scientific Interest and Special Area of Conservation, English Nature do not believe that there is a risk of the proposed development having any impact upon the SSSI. No ecological information has been supplied with this application, however in this case English Nature think it unlikely that any protected species will be affected by the development. The only cause for concern is with regards to the possible presence of bats within the roof/roof spaces of the site. All species of bat are protected under the Conservation (Natural Habitats & c) Regulations 1994. Bats also have protection under the Wildlife and Countryside Act 1981 (as amended).

The ODPM/Defra Circular relating to Planning Policy Statement 9, paragraph 98, states that the presence of a protected species is a material consideration when a local planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Particular weight should be attached where a European protected species (listed in Annex IV to the Habitats Directive) is concerned.

Under the Conservation Regulations 1994, Regulation 3(4), the local planning authority is the competent authority having regard to the requirements of the Habitats Directive in the exercise of its functions. Development in a non dwelling house which affects European Protected Species will require a licence from the DEFRA. To avoid risking an offence under the above legislation it is strongly recommended that where a building conversion is proposed, the developer has the building surveyed for bats. This must be completed by a competent suitably licensed consultant.

Environment Agency - We withdraw our objection to the application, subject to conditions and informative being included in any planning permission granted.

Forward Planning - The proposal is not in accordance with PPG3 – Housing as the design of the windows does not contribute to creating a sense of community, in fact it will result in a poor living environment for potential occupiers of the flats. It is suggested that the deletion of the top floor from the scheme should be considered. The proposal does not provide adequate cycle parking required by policy TR14. It is recommended that the number of cycle spaces be

increased. The proposal does not contribute to either on or off site recreation facilities in the area and is therefore contrary to policy R2 and appendix IV.

In accordance with Section 54A of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning application should be refused until the applicant can demonstrate how the Policies can be satisfied.

REPRESENTATIONS

Advertisement No
Site Notice displayed Yes, expiry date 10th March 2006
Departure No
Neighbour notification Yes, expiry date 2nd March 2006
Third Party responses Yes, 2 letters of support
Support the development of the premises and agree best use would be residential in this location.
The building has been reduced in height and there are plans included to demolish the attached garage.
Number of dwellings has been reduced (previous application for 10 sought maximum profit for minimum input)
One and two bed flats are what first time buyers in Salisbury require

7 letters of objection/concern summarised as follows:
Overlooking to surrounding dwellings/gardens/increase in number of windows -Loss of privacy
Opaqued windows should be conditioned in perpetuity
Number of windows should not be increased.
Insufficient parking spaces – no allowance for visitor parking
There will be parking restrictions in Ashley Road when Residents parking comes into force
Extra burden on sewer and water infrastructure
Area is not suitable for further residential building
Should be developed with 2/3 dwellings on the site built in keeping with the terraced housing in area and would not overlook adjacent properties/gardens

62 signatures on a petition titled 'Residents objecting to the full application for the change of use of business premises to 9 one bedroom apartments including associated enabling works

MAIN ISSUES

Principle
Loss of employment site
Impact to residential amenity
Parking
Flooding
Land contamination
Ecological impact and protected species
Water efficiency
R2

POLICY CONTEXT

Adopted Salisbury District Local Plan policies G1 (Sustainable Development), G2 (General), G3 (water requirements), G4 (flooding), H8 (Housing Policy Boundary of Salisbury), E16 (employment), C10 (development affecting SSSIs/SAC), C12 (protected species), D3 (extensions), TR11 (off street car parking), TR14 (provision of cycle parking), R2 (Recreation open space)

Supplementary Planning Guidance – Achieving Sustainable Development Adopted April 2005
PPG 3- Housing
PPS 9 – Biodiversity and Geological Conservation
Circular 06/2005 – Biodiversity and Geological Conservation

PLANNING CONSIDERATIONS

Principle

The site is located within the Housing Policy Boundary of Salisbury where residential redevelopment is permitted except as provided for by other policies in the local plan.

Local planning authorities are expected to give priority to converting existing buildings in preference to the development of Greenfield sites and policy G1 of the Adopted Local Plan promotes the effective use of land in urban areas. However, PPG 3 (para 54) makes it clear that whilst new development must make the best use of available land this should not compromise the quality of the environment.

Policy E16 requires that the redevelopment of employment premises for non-employment purposes will only be permitted where the land or premises are no longer viable for an employment use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

Loss of employment site

The applicant has submitted a supporting statement that the main building has only been partly utilised over the recent years, housing a refrigeration/cold storage business. A statement regarding the economic viability of the site from Myddelton & Major has been submitted with the application, stating that they marketed the property freehold between February and June 2005 in which they received no offers from prospective purchasers wishing to use the premises for commercial purposes.

The statement raises concern over the impact of the general lack of investment in the buildings continued repair and maintenance as a result of its under-use, leaving the buildings in a poor condition and in need of investment to protect its longevity and that a more intensive business use, would have a detrimental effect on the residents of the area with an associated increase in vehicular movements.

It is considered that applicant has demonstrated that the premises are no longer viable for an employment use and that the loss of an employment use in this tight knit residential area represents an environmental benefit. The loss of such a use is therefore considered acceptable.

Impact to residential amenity

Policy G2 (viii) of the Adopted SDLP requires that new development will avoid detriment to public health and policy G2 (vi) requires the avoidance of unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings to the detriment of existing occupiers.

The existing building has windows at ground and first floor on both the east and west elevations. The proposal seeks to block two existing windows on the east and west elevations at ground and first floor closest to No 41 Ashley Road and the Christadelphian Hall; change the remaining existing windows on the west elevation to high level and three additional high-level windows at first floor on the west elevation. New windows are proposed in reduced existing openings on the east elevation at ground and first floor. It is proposed to demolish and replace the existing garage and single storey lean to extension to the rear of the site with a single storey flat roof extension considered appropriate to and an improvement on the overall appearance of the existing building and site.

Four flats are proposed at ground floor level, three flats at first floor level and two at second floor.

PPG3 (paras 39 and 41) states that local planning authorities should promote conversions of buildings formerly in other uses by taking a more flexible approach to development plan standards with regards to densities, car parking, amenity space and overlooking, design and layout.

The previous application proposed opaque glazed windows to prevent overlooking to the adjacent properties but would have resulted in poor living conditions for the potential occupiers of these flats, by reason of lack of outlook and a reliance on land outside the ownership of the applicant for light. The previous application for 10 flats on the site was withdrawn following a recommendation for refusal on the grounds of impact to residential amenity to existing and future occupants of the flats.

This revised application has reduced the number of dwellings proposed, reduced the rear extension to single storey height and reorganised the accommodation so that the principal living areas of the dwellings on the ground and first floors have outlook (units 3 & 4 have living areas accessing private gardens; the living areas of units 1 and 5 utilise the large windows on the front façade of the building, unit 2's living area looks onto the east side access to the rear of the building and the first floor unit 7 looks out over the allotment gardens to the north.

Concern has been raised that the third floor flats have only rooflights set behind parapet walls. However, in light of the fact that these rooflights would have an uninterrupted light source and taking into account government guidance on the promotion of the reuse of existing buildings and that the local planning authority should take a flexible approach to standards; it is considered that the top floor flats would have an acceptable standard of accommodation.

Due to the separation afforded by the Christadelphian Hall between the east elevation of the building and houses to the east, and as the windows are reduced in size from the existing openings, it is not considered necessary to condition that the windows on the east elevation should be obscured glazed.

By reducing the number of dwellings proposed and reorganising the internal layout and position of principal rooms, it is considered that the revised proposal will have an acceptable impact to existing adjoining/nearby residences and future occupiers of the flats.

Parking

Objections have been received to the application on the grounds that insufficient on street parking is available.

It is proposed to use the forecourt to provide 10 parking spaces. Cycle parking is also proposed to the east of the building.

PPG3 requires local planning authorities to examine critically the standards applied to new residential development, particularly with regards to roads, layouts and car parking.

Whilst each application is judged on its own merits, an appeal decision on an application in George Street (to the south of the development site) for the conversion of one dwelling into two (S/2000/1397) is relevant when considering parking in the area. Planning application S/2000/1397 did not provide any on site parking. The inspector considered that the creation of an additional dwelling by the division of a larger house itself without on-site parking would contribute positively to the aims of securing more efficient use of urban land and sustainable residential environments. He notes that PPG3 requires Council's to review their parking standards to allow for significant lower levels in urban areas where public transport is available and there is a demand for car free housing. The inspector considered that this would tend to both discourage the use of and minimise the need for a private car, central to the aims of PPG3.

The inspector concluded that the absence of on-site parking in the location would accord with Government Guidance aimed at securing sustainable residential environments, outweighing the conflict with the parking requirement policies of the Local Plan and that the lack of on site parking would not justify rejection of the proposal.

WCC Highways have raised no objection to the proposal to provide one parking space per flat, although have recommended that the cycle spaces should be covered. This could be dealt with via condition.

Flooding

The applicant has submitted a revised Flood Risk Assessment which the Environment Agency has recommended will meet the requirements of PPG25 (Development and Flood Risk) and that the proposed development is in accordance with the guidance contained therein. They have recommended conditions and an informative.

Land contamination

The applicant has carried out a contaminated land survey that has identified the overall risk of contamination as low. The Environmental Health Officer has recommended that there is a possible slight risk of soil contamination in the covered yard area at the rear of the site and has recommended a condition for soil samples and analysis report to be completed.

Ecological impact and Protected Species

The site is near to the River Avon, a part of the River Avon System Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). This site has protection under national and international legislation.

English nature is of the opinion that there is no risk of the proposed development having any impact on the SSSI/SAC.

Planning authorities are required to take account of the presence of protected species, when considering applications for planning permission. English Nature has advised that the applicant will need to provide information on whether protected species are present. Paragraph 99 of Circular 06/2005 states 'bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development'.

The protected species legislation applied independently of planning permission, and the developer has legal obligations towards any protected species that may be present. It is considered that as the building has been in use for refrigeration and cold storage, it is unlikely that protected species are present, and a survey is not requested.

Water Efficiency

The Environment Agency has advised that the site falls within the catchment of the River Avon and the habitats and watercourse have been suffering as a result of over abstraction of water resources throughout the catchment. Whilst Wessex Water has raised no objections to the proposal; in order to contribute to reducing water demand in the area to be of benefit to the River Avon and contribute to the preservation of future public water supplies in the area, in accordance with policy G3 of the Local Plan and Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" which promotes the prudent use of natural resources, the Environment Agency has recommended a condition that a water efficiency scheme for the development is required to include water efficient appliances, fittings and systems.

R2

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 of the local plan, applicants are required to enter into a unilateral undertaking and provide a commuted financial payment. Applicants are now required to sign agreements during the course of the application. The applicant has signed and returned the agreement. However, payment is only requested if the council is minded to approve the scheme.

CONCLUSION

This application has been considered against the relevant policies from the Adopted Local Plan. The application seeks to retain the existing building, which has been on the site since 1947 and forms part of the history of the development of the area, and is a sustainable reuse of an existing building in line with policy and government guidance.

It is considered that the revised proposal will result in an acceptable impact to residential amenity for both existing and future occupiers

RECOMMENDATION:

Subject to the applicant and any other relevant parties entering into a section 106 of the principal act relating to the provision of public recreation open space within the statutory determination period (ending 03/04/2006), then the application be approved for the following reason:

REASON FOR APPROVAL:-

This application has been considered against the relevant policies from the Adopted Local Plan. The application seeks to retain the existing building, which has been on the site since 1947 and forms part of the history of the development of the area, and is a sustainable reuse of an existing building in line with policy and government guidance. It is considered that the revised proposal will result in an acceptable impact to residential amenity for both existing and future occupiers.

And subject to the following conditions:-

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

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 (0004 AMENDED)

(2) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

Reason: In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

(3) Floor levels should be set at least 600mm above the 1 in 100 year flood level currently predicted to be 48.3m above Ordnance Datum.

Reason: To protect the development from flooding

(4) Before development is commenced, 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.

(5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additional windows other than those hereby permitted.

Reason: To secure adequate standards of privacy for the occupants of neighbouring premises

(6) If any sign of protected species are found during the building works hereby permitted, work should stop immediately and English Nature be contacted immediately for further advice.

Reason: To safeguard protected species.

(7) Before the development hereby permitted commences on the site, a soil survey of the area where the concrete is to be broken up and removed (in the covered yard area at the rear of the site) shall be undertaken and the results submitted to the Local Planning Authority in the form of an analysis report

validated by a suitably qualified consultant and if necessary a suitable scheme of remediation to be approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and completed before any residential unit hereby permitted is first occupied.

Reason: In the interests of health and safety for occupants of or visitors of the proposed development as there is a slight risk of soil contamination in the covered yard area at the rear of the site.

(8) Before development commences, full details of the cycle storage provision to include the design, siting, numbers of and timing for provision and the allocation to users shall be submitted to, and approved in writing by the Local Planning Authority, and the development shall subsequently accord with the approved scheme.

Reason: To ensure that adequate and suitable cycle parking spaces are available to the residents of the development in accordance with the requirements of policy TR14 of the Adopted Salisbury District Local Plan.

INFORMATIVES: - POLICY

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G1 (1), G2 (General), G3(water requirements), G4 (flooding), H8 (Housing Policy Boundary of Salisbury), E16 (employment), C10 (development affecting SSSIs/SAC), C12 (protected species), D3 (extensions), TR11 (off street car parking), TR14 (provision of cycle parking), R2 (Recreation open space)

INFORMATIVE:- S106 AGREEMENT

This permission shall be read in conjunction with the Section 106 Agreement, which is applicable to this application, in terms of its restrictions, regulations or provisions

INFORMATIVE: WATER EFFICIENCY

The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include as a minimum, low-flush toilets, water butts, spray taps, low flow showers, and kitchen appliances with the maximum water efficiency rating.

INFORMATIVE: FLOOD RISK

The Local Planning Authority and Environment Agency does not accept liability for the detailed calculations contained in the FRA, nor does this consent constitute consent or approval that may be required under any other statutory provision, byelaw, order or regulation.

Flood risk cannot be eliminated and is expected to increase over time as a result of climate change and this consent does not absolve the developer of their responsibility to ensure a safe development.

INFORMATIVE:- PROTECTED SPECIES

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applied independently of planning permission, and the developer has legal obligations towards any protected species that may be present.

INFORMATIVE:- WESSEX WATER

The development is located within a sewered area, with foul and surface water sewers available. It will be necessary, if required for the developer to agree points of connection onto Wessex Water systems for the satisfactory disposal of foul flows and surface water flows generated by the proposal. According to our records there is a public water main and surface water sewer crossing the site. Wessex Water normally requires a minimum three metre easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. The developer will need to protect the integrity of Wessex systems and agree in writing prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. Although not shown on the public sewer record drawing, there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records, thus indicating these as public in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus.

Application Number:	S/2006/0132		
Applicant/ Agent:	THE LUKEN BECK PARTNERSHIP LTD		
Location:	LAND TO THE REAR OF 45 QUEEN ALEXANDRA ROAD SALISBURY SP2 9LL		
Proposal:	ERECTION OF 44 DWELLINGS INCLUDING ANCILLARY OPEN SPACE LANDSCAPING AND CAR PARKING AND NEW VEHICULAR ACCESS ONTO QUEEN ALEXANDRA ROAD FOLLOWING DEMOLITION OF NO 45 QUEEN ALEXANDRA ROAD BEMERTON		
Parish/ Ward			
Conservation Area:		LB Grade:	
Date Valid:	19 January 2006	Expiry Date	16 March 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

3

REASON FOR REPORT TO MEMBERS

Councillor Osment has requested that this item be determined by Committee due to:

The interest shown in the application
The controversial nature of the application

SITE AND ITS SURROUNDINGS

The application site as defined by the red line has been pieced together from a number of individual residential plots, encompassing all of the existing "Merryfield" plot, "No1 Crestmount Drive", "45 Queen Alexandra Road" and parts of the rear gardens of dwellings along Queen Alexandra Road. It is located within the HPB, in an established residential area. Part of the site (Merryfield) can currently be accessed off Queen Alexandra Road, and part off the narrow Crestmount Drive (No.1 Crestmount Drive). The site is elevated above other land to the west of the site with particular reference to houses and gardens in Penruddock Close.

THE PROPOSAL

It is proposed to demolish No.45 Queen Alexandra Road to create a new vehicular access, serving 44 new dwellings, involving the demolition of Merryfield and No.1 Crestmount. The scheme would also provide a small area of open space, with new landscaping. 35 percent of the houses would be Affordable Housing.

The scheme has been submitted with:

A waste and recycling audit report
Flora and fauna report
Contamination reports
A Flood risk assessment

PLANNING HISTORY

Given that the application site consists of a number of separate residential properties, there are a number of planning applications related to the application site within the red line, not all of which are of relevance to the current scheme. However, those of most relevance are:

S/02/0469 – Erection of two bungalows, and garages (land between Merryfield site and rear of dwellings in Queen Alexandra Road). Members originally refused the application on the following basis:

"The proposal site is of an open unbuilt character surrounded by existing planting. Due to its positioning between tight knit and more spacious residential areas, and its siting in a backland location between existing residential plots, the existing site is considered to provide an important City Area Committee 30/03/2006

visual relief to the surrounding housing. Furthermore, the site is served by a narrow unmade access track, leading off the busy residential Queen Alexandra Road, which is already used as a vehicular access by three existing dwellings.

Notwithstanding the site is within a Housing Policy Boundary, it is considered that the proposal would have an adverse impact on the character and appearance of the local environment and landscape setting, due to the loss of the existing important open gap and would lead to a material increase in the amount of vehicular traffic burden on the narrow access track. Therefore, the proposal would have an adverse impact on the visual amenities of the area, and result in a potential inconvenience and hazards to all road users contrary to policy G1 (iii), (iv) & (ix) of the adopted Salisbury District Local Plan”

However, at a subsequent appeal, the inspector allowed the scheme. A copy of this decision is attached.

S/05/2185 - Erection of dwelling (on southern part of garden of Merryfield). Approved

S/02/1348 – Erection of religious hall (on land to rear 30 Queen Alexandra Road). Refused by members due to the likely impact on amenities and character of the area. The application was subsequently refused on appeal on similar grounds. A copy of the Inspectors considerations at that time are attached. (Members should however note that this application and decision has been referred to largely because it has been referred to by a number of third parties as being relevant to this application scheme – the actual details of dismissal are however very precise to that particular set of circumstances, and officers do not believe that this decision is particularly relevant to this proposal)

S/02/1407 – Erection of 4 dwellings, on land relating to 3 Crestmount Drive. Members original refused this scheme because:

“The proposed site forms part of the rear garden area serving an existing bungalow. Whilst the land to the north west of the site is being developed for 15 dwellings, the remaining residential area to the south of the application site is typified by lower density development, which has an open spacious character, and which serves to provide a visual break between the adjacent housing development.

Notwithstanding the character and type of residential development on the land immediately adjacent to the application site, it is considered that the redevelopment of this prominent site in the manner proposed due to the substantial bulk , scale, and massing of the dwellings, would be unsympathetic to and out of keeping with the spacious and open character of the area, and detrimental to visual amenity. Furthermore, due to the close proximity of large open garden area which serve adjacent dwellings, the proposed development would be likely to set an undesirable precedent for similar piecemeal , and poorly planned residential development, lacking in any on site public recreational open space, which would be likely to further erode the visual character of the area and have an adverse impact on the amenities of residents and the highway system. Consequently, the proposal would be contrary to policies G1(I), (II), and (iv) of the adopted Salisbury District Local Plan.”

(A reason for refusal was also included relating to policy R2). However, a subsequently appeal was allowed on the site. A copy of the Inspectors comments are attached.

S/2001/0574 – 15 houses and access off Crestmount Drive. Approved.

CONSULTATIONS

WCC Highways - No objections subject to conditions and contributions towards a package of measures to encourage sustainable travel.

Housing & Health Officer – No objections, as small area of contamination on site will be covered by roads

Wessex Water Authority - No objections regards Foul and surface water, or sewage treatment, but with regards water supply, there are potential difficulties with the supply of water to this development, which will result in excessive velocities within the existing network. The supply network serving this area will require modelling.

Environment Agency - No objections, subject to a surface water drainage condition

REPRESENTATIONS

Advertisement Expiry 23/2/06
Site Notice displayed Expiry 23/2/06
Departure No
Neighbour notification Yes. Expiry 13/2/06
Third Party responses 33 letters (two letters with additional 20 accompanying signed slips from objectors) outlining the following points:

Scheme is out of keeping – too dense
Scheme will lead to more traffic – highway safety dangers
Visibility from new access will be restricted by parked cars
Traffic speeds on Queen Alexandra Road are very high
Existing boundaries will be affected
Amenities of existing occupiers detrimentally affected
This will exacerbate existing sewer and surface water drainage problems
Existing boundary treatment plans are wrong
What will happen to Crestmount Drive
Loss of views
The stated school is closed, and shops don't exist
Construction will impact on surrounding amenities
Existing private properties will be surrounded by social housing
Development will result in loss of trees and habitat
Devaluation of existing properties
Loss of a green open space

Design Forum – In the view of the Design Forum, the scheme will succeed or fail on the quality of the materials used, and the quality of the detailing. Large scale details should be submitted and approved for windows, doors, eaves, porches, chimneys and boundary treatments. Car parking for Lots 20-26 dominates the street scene. This area needs to be redesigned. A detailed landscaping scheme should be submitted and agreed prior to the granting of planning permission

MAIN ISSUES

Principle
Impact on character of area
Impact on amenities
Impact on highway system
Planning Gains
Drainage
Trees and ecology

POLICY CONTEXT

G1 G2 D1 D2 G4 G5 R2 H16 SDLP

PPG3 – Housing, PPG13 – Sustainable travel

PLANNING CONSIDERATIONS

Principle

The site is located within the HPB, and within an established residential area. PPG3 also encourages the more efficient redevelopment of such land, subject to the impact of the redevelopment on the character of the area.

As a result, according to Local and National policies, the reuse of the site for residential purposes is acceptable in principle, subject to the impacts of the development on the surrounding environs. This is assessed in the following sections.

Furthermore, the site itself has been subject of planning permission for residential development for a total of three additional dwellings, and an adjacent site, which originally consisted of a few modest bungalows with large open garden areas to the north of this application site, has been developed in recent years for 15 affordable houses. In addition, on an adjacent site, an appeal Inspector allowed 4 further houses. (see above Planning History section)

Impact on character of area and detailed design issues

The area surrounding the site is predominantly of a tight knit urban character, with a varied architectural character. The rather more spacious character of the application site is therefore rather unusual compared to surrounding built form.

Members will note that two previous refusals by the LPA (one forming part of the current application site) have made reference to and sought to retain the open character of the area. However, subsequent appeal decisions differ from the stance of the LPA. For instance, the appeal decision relating to two bungalows on part of the current application site states at paragraph 5:

"5 The site is within the Housing Policy Boundary of the Local Plan and the proposed dwellings would lie between the dwellings in Queen Alexandra Road to the east and Merryfield to the westEffectively therefore this would be a normal infill development within an established residential area rather than the development of an "important open area" as the Council alleges....."

Similarly, in determining the dense and prominent development at the rear of No.3 Crestmount Drive, the inspector seems to disregard the LPA's stance regards the loss of the openness of the land (paragraphs 4 & 5 are of particular relevance).

Therefore, whilst the scheme would significantly alter the spacious character of the area and create a far more dense urban character, it is considered that a refusal on these grounds may be difficult given previous inspectors rather dismissive comments regards the open character of the area.

Unfortunately, following the removal of the mature trees which currently occupied part of the site and particularly the western boundary, any housing scheme on this site will now be highly visible and prominent from the west. Because of this issue, and at the insistence of the LPA, the scheme includes an area of public open space and new planting running adjacent to the western boundary, which in the long term, will help reduce the visual starkness of the scheme. This landscape strip has been deliberately left out of the residential cartilages in order that the long term retention of this strip can be secured.

With regards the detailed design issues, following some discussions with the LPA, the layout of the scheme is considered to be generally acceptable. Whilst the Design Forum comments are accepted, it is considered that the detailed layout of the houses at the northern end of the site would protect amenities of adjacent existing properties and outlined in the amenities section of this report. Whilst from an urban design/street scene point of view, these dwellings would be better located in a terrace running north south parallel to the main internal road, this would result in the rear of the dwellings facing the dwellings in Queen Alexandra Close, thereby resulting in more overlooking than the existing layout. Members should consider this point carefully, as either layout causes some amenity affects.

Impact on amenities

This is rather an unusual situation in amenity terms. As application site consists of land which forms part of residential garden areas of dwellings along Queen Alexandra Road, the residents of the dwellings most affected by this development actually have a vested interest in this scheme. As a result, no objections have been received from occupiers of those dwellings most affected.

However, the role of the planning authority is to protect the amenities of all current and future residents of adjacent dwellings. Therefore, the impact of this scheme on adjacent amenities must be considered as normal.

A number of objections have been received from adjacent dwellings surrounding the site, and this is understandable. At the moment, those dwellings adjacent to the site benefit from the general openness of the site, compared to the rather more urban character of the surrounding residential area. The application

site as it currently stands therefore has no impact on adjacent amenities, in terms of overshadowing or loss of privacy, a situation which although very desirable, is very unusual in such an urban area.

By contrast, the redevelopment of this site for any major housing development at all is always likely to reduce significantly the current levels of amenity enjoyed by adjacent residential properties, given the likely bulk of such dwellings, together with the obvious needs for fenestration and other design features required as part of a housing scheme. In this regard, paragraph 5 of the appeal decision relating to the erection of the two bungalows on part of the current application site is of some interest. This indicates that:

“.....Provided the buildings are confined to a single storey and are of a modest scale, both as indicated on the submitted plan, I do not consider they would affect the character and appearance of the area or have any noticeable effect on the outlook from, or privacy of, nearby dwellings”

The main question for members is therefore whether the redevelopment of the site in the chosen form has managed to limit the reduction in amenities to a degree acceptable to an urban area.

a) Impact on houses in Penruddock Close

The proposed housing in the south western corner of the application site has been designed in a circular pattern with a rear parking court, so that the houses front onto the public highway and also front onto the areas of public open space. Whilst such a layout is encouraged as it improves the public realm and gives surveillance to the public open space, this arrangement also means that a number of proposed dwelling will face towards the houses and gardens in Penruddock Close.

However, whilst such an arrangement will indeed alter the relationship of the site with adjacent existing dwellings, there is a significant height difference between the properties and particularly the garden areas of dwellings in Penruddock Close and the application site itself, which is located on higher land. Taking into account the height of the proposed dwellings and their distance from the boundaries of the site adjacent to Penruddock Close, and taking into account the fact that replacement landscaping will be planted between the proposed houses and adjacent existing houses, it is considered on balance that the likely impact of the new dwellings on the amenities of occupiers of adjacent existing dwellings (in terms of loss of privacy, overshadowing or general dominance) would not be so significant as to warrant refusal.

b) Impact on dwellings in Alexandra Close

The dwellings in Alexandra Close are a late 20th century infill development which is located within close proximity to older dwellings in Queen Alexandra Road and the existing bungalows of Crestmount Drive. As a result, there is already a close juxtaposition between these dwellings, with limited privacy levels.

The proposed dwellings on the northern section of the application site would have the most affect on the existing dwellings in Alexandra Close, and some of the housing is located within a few metres of the back garden boundaries of adjacent dwellings, and only approx 10 metres from one particular dwelling (in respect of plot 26 and 7 Alexandra Close)

However, this northern portion of the new development has at least been laid out in a parallel terrace form, with terraces running east/west across the site, with roadway and parking in between. As a result of this particular layout style, the occupiers of adjacent Alexandra Close would be faced largely with the gable ends of the proposed houses, with the majority of the bulk of the terracing having no real impact on adjacent amenities, other than some oblique overlooking. Otherwise given the orientation of the terraces, it is likely that there would be no

significant overshadowing or dominance issues which would warrant refusal given the urban nature of the area.

c) Impact on Nos 2 & 3 Crestmount Drive

No2 Crestmount Drive will be most affected by this scheme, having a long terrace of two storey dwellings running parallel to the northern boundary of the site abutting No.2. No cross section of this relationship has been submitted by the applicant and therefore the actual relationship is difficult to judge.

However, the terrace is separated from the boundary by 8 metre long gardens, and the existing boundary hedging, which is apparently controlled by the owner of No.2. As a result, whilst the outlook of the occupier of No.2 from his garden area will change, with the likelihood of the roofs and the first floor windows being partially visible from the existing garden area, it is likely that the long bulk of the terrace and the full impact of northern facing windows will be largely masked by the occupiers of existing hedging. As a result, the actual

impact of this part of the scheme on No.2 (in terms of overshadowing, loss of privacy or dominance) is not likely to be so significant as to warrant refusal.

Likewise, given the above, whilst the amenities of the occupiers of No.3 Crestmount Drive (to the north of No.2) would be affected to some degree, the above facts coupled with the greater distance from the application site would be likely to mean that the impacts on amenities would not be so significant as to warrant refusal. Whilst the removal at some point of the high hedging in the ownership of No.2 would increase the impacts of the development, the distances involved mean that again, the impacts would not be so significant as to warrant refusal, particularly given the urban nature of the area.

d) Impact on dwellings in Queen Alexandra Road

At the current time, the existing dwellings benefit not only from generous rear gardens, but also a relatively open aspect to the west, which is enhanced by the remaining trees and shrubs on the site.

The development as proposed would completely alter this relationship, and create a much more urban, tight knit relationship, with the introduction of an effective wall of development resulting from the orientation of the dwellings. The reduction in general amenities, particularly to occupiers of houses to the east of the site, would be significant.

However, after some discussions with the LPA, the proposed dwellings on the eastern side of the site have been rearranged, with parking courts to the rear. This layout change results not only in a more attractive street frontage, but also creates a greater distance between the proposed properties and existing buildings and gardens in Queen Alexandra Road.

As a result of this particular layout, it is considered that whilst dwellings in Queen Alexandra Road would no longer benefit from the high level of privacy and seclusion they currently enjoy, the overlooking created by the new dwellings would not be so significantly harmful to warrant refusal, given the urban character of the area as a whole. Likewise, overshadowing and dominance would not be so bad as to warrant refusal due to the separation created by the car parking. Furthermore, whilst

it is likely that occupiers of adjacent existing dwellings will suffer some noise and disturbance from the use of the car parking, a refusal on these grounds might be difficult given the urban character of the area.

Other dwellings to the south of the site within Queen Alexandra Road whose gardens do not form part of the application site would also be affected by the proposal, given the alteration in outlook created by the siting of the new dwellings in the southern tip of the site. It is likely that the existing garden areas would suffer from loss of privacy caused by rear windows of the development at first floor level, and amenities would also be reduced through the general dominance caused by the dwellings.

However, overshadowing is unlikely to be a serious issue, given the orientation of the new dwellings to the north of the existing garden areas. Furthermore, any overlooking and dominance caused would only seriously affect the lower half of the rear gardens, with the top half of gardens nearest the house being less significantly affected. Again, whilst such impacts are regrettable, particularly given the current high levels of amenities experienced by current occupiers, it is considered that refusal on these grounds may be difficult given the urban nature of the area.

Impact on highway system

Members will note that the attached Inspectors decisions make little reference to highway issues. Whilst the appeal decision for the two bungalows is highway related, this relates quite specifically to the possible problems created by the use of the narrow access lane serving Merryfield by additional dwellings. As a result, as the Merryfield access is not to be used by this development, in officers' opinion, they are of little weight to the determination of this current application. However, the decisions do indicate that the various Inspectors were not particularly concerned about the highway system in the area.

Queen Alexandra Road is a busy residential road, which along with the adjacent Roman Road, allows vehicular access between the A36 area and the Devizes Road. According to the various neighbour letters, traffic speeds tend to be higher than the permitted speed limit, particular on that part of Queen Alexandra Road between the site and Devizes Road. However, between the site and Pembroke Road, given the bend and junction with Pembroke Road and the narrower nature of the road together with parked cars, vehicle speeds seem to be slower, and in accordance with the speed limits.

Against this context, WCC Highways has recommended that this scheme is acceptable in highway safety terms, subject to conditions, in particular the retention and maintenance of the visibility splays adjacent to the new vehicular access to the site. The parking arrangements are considered acceptable, and in accordance with current guidance in PPG3. A package of measures towards the encouragement of sustainable transport has also been agreed between the county and the developers.

As a result of the response of WCC Highways, a refusal on highway safety grounds would be difficult to support.

Concerns have been raised regards the future use of Crestmount Drive, which is apparently privately owned by the current occupier of No.1 Crestmount Drive, to be demolished. Whilst private ownership issues are not a planning consideration, the concerns regards possible reuse of the access track by future residents of the new housing is a legitimate concern. As a result, a suitable condition can be imposed which would result in the blocking up of Crestmount Drive at its junction with the northern edge of the site. This would discourage pedestrian and vehicular use of the lane. However, future misuses of the lane would be a matter for the private owners.

Impact on trees and ecology

A flora and fauna survey has been submitted. This indicates that there is little of ecological interest on the site (ie no protected species), other than normal flora and fauna often found in residential areas. However, the report does recommend some actions that need to be taken to protect any flora and fauna from harm during construction. A suitable condition regards this matter has been suggested below.

Unfortunately, a significant number of mature but unprotected trees that did exist on the site were "ring barked" by persons unknown prior to any planning application being submitted, and process that results in the slow death and decay of the tree, and leads to the trees becoming unstable and dangerous. Subsequently, these have already been felled at the suggestion of the Council's Arboricultural officer, given the location of the trees directly adjacent other residential properties, and the adjacent school .

However, whilst the loss of the remainder of the shrubs and trees on site is regrettable, these features are not protected. Hence, a refusal based on the loss of such features would be difficult to support, particular given the new planting which is proposed throughout the scheme.

With regards the new planting, SDC's Arboricultural officer has raised some detailed matters regards the planting scheme, including queries about the choice of species and size of tree (birch and scots pine along the western boundary), which he claims will not provided a sufficient screen. In officers opinion however, a suitable condition can however be imposed which deal with amendments to the planting schedule.

With regards the western boundary, he has also advised that an existing conifer hedge to the rear of the houses in Penruddock close be removed, as in his opinion, it would restrict the longevity of any new planting planted adjacent to it. However, in officers opinion, the conifer screen offers a decent screen at the moment, and it is suggested that if any planting dies adjacent to the existing conifer screen, then conditions can be imposed which handle any replacement planting needed.

On the northern boundary, there is also a conifer hedge, which the LPA understand belongs to the adjacent occupier of No.2 Crestmount drive, although it seems to overhang the application site. SDC's tree officer has warned that due to the requirement for a rear access way behind proposed dwellings in this location, there is likely to be a need to lift the crown of the conifers in this location, thus negating their existing screening effect. However, in officers opinion, the applicants could only undertake works to the trees which project onto their land. Hence, whilst some rather unattractive tree works could be undertaken on the applicants side of the boundary, it is likely that lower branches on the neighbours side would remain and therefore some tree screening would be retained.

The tree officer has also made other comments regards the likely impact of the development on the longevity of existing or proposed planting due to proximity of some of the development. However, whilst he may have some valid points, given the tight knit nature of the development, such amendments to the layout may have other knock on impacts which would require further detailed consideration, and may require the reduction in the number of dwellings and/or changes to the positions of some dwellings and garaging. It is therefore considered that Members should consider the current scheme in light of the trees officers comments.

Drainage issues

The various neighbour comments have also raised the issue regards the likely impact of this scheme on existing sewerage and drainage issues. The developer envisages that connections to existing services are reused by this development. A Flood Risk Assessment relating to surface water drainage has also be submitted by the applicants, and this has been considered and discussed with the Environment Agency.

However, no objections have been raised by Wessex Water, the Highway Authority, and the Environment Agency. As a result a refusal on this ground would be difficult to support.

Planning Gains

a) Affordable Housing

The adopted SPG relating to affordable housing provision indicates that a target of at least 33 percent affordable housing will be sought, where there is a need for such housing. Achieving affordable housing targets is also one of the main aims of Salisbury District Council.

The applicants offered to provide 35 percent affordable housing on the site (15 houses), but have stated that a total of 44 dwelling on site is needed to make the scheme viable. Therefore, whilst members may or may not have issues with the number of dwellings on the site, they should note that there is a direct link between the number of dwellings in total and the percentage and number of affordable housing able to be provided.

Given the large percentage of affordable housing on offer, which is in excess of the 25 percent mentioned in policy H25, and in excess of the percentage mentioned in the SPG, it is considered that this offer is a material consideration of considerable weight in the determination of this application.

b) Public open space

A small public open space would be provided on site, and a financial contribution will be requested towards the provision/maintenance of the on and off site open space (elsewhere on Bemerton Heath).

The above gains will be secured via a suitable legal agreement.

c) Sustainability measures

WCC Highways have no objections subject to a number of contributions and provisions towards the encouragement of sustainable travel patterns, including a contribution towards pedestrian shelter and bike shelter off site at Westwood School, a voucher for each household towards the purchase of an adult bicycle, and a voucher for the purchase of one Salisbury Area Freedom Ticket per household.

d) Community improvements

The Community Initiatives section of SDC has been contacted regards this matter, and it may be possible through this to secure some form of community benefit. However, this is still to be determined at the time of writing and the officer will update members at the meeting.

e) Recycling measures

The provision of a recycling bins, and a compost bin for each household can be secured via a S106.

CONCLUSION – REASONS FOR APPROVAL

The concerns and objections of local residents have been fully considered and are understood. However, in principle, the use of the land for more intensive residential use is acceptable. In design terms, the proposal is aesthetically acceptable, and given that WCC Highways raise no objections to the proposal, the scheme would seem to have no adverse impact on highway safety. Whilst the scheme would significantly affect the high level of amenities currently enjoyed by adjacent properties when compared to the existing situation and relationships, the impacts created by the new scheme in terms of overshadowing, loss of privacy, dominance, and general noise and disturbance would not be unusual given the urban character of the area.

Therefore, on balance, subject to various conditions to mitigate any impacts of the development, this proposal is acceptable in planning terms.

RECOMMENDATION: SUBJECT TO ALL PARTIES ENTERING INTO AND COMPLETING A SUITABLE LEGAL AGREEMENT UNDER S106 OF THE ACT WITHIN THE 13 WEEK STATUTORY DETERMINATION PERIOD, WHEREBY:

PROVISION IS MADE ON SITE FOR AFFORDABLE HOUSING
PROVISION IS MADE ON SITE FOR A SUITABLE AREA OF PUBLIC OPEN SPACE
A FINANCIAL CONTRIBUTION IS MADE TOWARDS THE MAINTENANCE OF PUBLIC OPEN SPACE
THE DEVELOPMENT BE CARRIED OUT IN ACCORDANCE WITH THE SUBMITTED RECYCLING/WASTE AUDIT STRATEGY
A CONTRIBUTION TOWARDS COMMUNITY FACILITIES
A CONTRIBUTION TOWARDS A PACKAGE OF SUSTAINABLE TRAVEL MEASURES

THEN APPROVE, subject to the following conditions:

01 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. (0004)

02 Before development is commenced, 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:0014 To secure a harmonious form of development.

03 No dwellings hereby approved shall be occupied, until all the landscaping, open areas, public open space and other planting has been provided/planted, and such planting/provision has been inspected and agreed by the Local Planning Authority in writing.

REASON: In the interests of amenity

04 Prior to any planting commencing, a scheme for the maintenance schedules for the new landscaping areas and all other open areas outside residential curtilages on site shall be submitted to and agreed in writing by the Local Planning Authority. Planting and maintenance shall be carried out as agreed.

REASON: In the interest of visual amenity of the site

05 All the communal parking courtyards hereby approved shall be completed and made available for residential parking purposes prior to the first occupation of any of the approved dwellings.

REASON: 0052 In the interests of highway safety.

06 The garaging associated with the dwellings hereby permitted shall not be converted to habitable accommodation.

REASON: In order to retain sufficient off street parking spaces on site in the interests of amenity and highway safety

07 Prior to development commencing on such features, details of all hardsurfacing shall be agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details prior to occupation of any of the dwellings.

REASON: In the interests of visual amenity

08 Prior to any other development commencing, the existing track access serving "Merryfield" and No. 1 Crestmount Drive (and hence current serving as an existing access to the application site), shall be permanently stopped up in accordance with a scheme to be agreed with the Local Planning Authority prior to works commencing. All construction and other traffic relating to the development hereby approved shall use the new vehicular access onto Queen Alexandra Road only.

REASON: 0052 In the interests of highway safety.

09 No work shall start on site in respect of the external appearance of the dwellings until large scale (approx 1:10) details of the architectural details and features of the dwellings (chimneys, porch canopies, windows, doors, and brick/tile hanging details) 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:0014 To secure a harmonious form of development.

10. Before any development commences, a Construction and Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Plan shall detail how existing boundaries, the general amenities of adjacent neighbours, and the wider highway network are to be protected during development works. The Plan shall include details on

vehicles/wheel washing, construction traffic routes, and location on site of construction plant/machinery and other associated apparatus. Development shall be carried out as agreed.

REASON: In the interests of the general amenity of the area

11 Construction works shall not be carried out outside the hours of 0800hrs to 1800hrs, with no work on Sundays or Public Holidays.

REASON: In the interests of amenity

12 The development shall be carried out in accordance with recommendations of the Haven Communication Flora and Fauna Report recommendations dated January 2006.

REASON: In order to protect any flora and fauna on the site

13 Prior to the first occupation of any of the dwellings hereby permitted, boundary treatment around the whole of the site perimeter shall be erected, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the boundary treatment being erected.

REASON: In the interests of general amenities

14 Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. The scheme shall make provision for and implementation of surface water run off limitation, and shall be implemented as agreed.

REASON: 0064 To ensure that the development is provided with a satisfactory means of surface water disposal.

INFORMATIVE

1. Wessex Water Authority has indicated that there are potential difficulties with the supply of water to this development, which will result in excessive velocities within the existing network. The supply network serving this area will require modelling.
2. And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

Policy G1	Purpose: Sustainable development
Policy G2	Purpose: Impact on amenities
Policy R2	Purpose: Provision of open space
Policy D1	Purpose: Overall design issues
Policy D2	Purpose: Infill development
Policy G4/G4	Purpose: Drainage issues
Policy H16	Purpose: Residential development