

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 PLANNING COMMITTEE 20 JULY 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 Page	Application No Officer	Parish/Ward Recommendation Ward Councillors
1	S/2006/1027	ST PAUL
	Miss A Rountree	REFUSAL
3 - 4	DENNIS MARSH HOUSE WESTMINSTER ROAD SALISBURY SP2 7DG METAL FIRE ESCAPE AND FORMATION OF PORCH	CLLR FEAR CLLR CLEGG
2	S/2006/1161	BEMERTON
	Mr T Wippell	APPROVED WITH CONDITIONS
5 - 6	407 DEVIZES ROAD SALISBURY SP2 9GN STOREROOM	CLLR MRS EVANS CLLR VINCENT CLLR OSMENT
3	S/2006/0947	FISHERTON/BEM VILLAGE
	Miss L Flindell	APPROVED WITH CONDITIONS
7 - 9	175 WILTON ROAD SALISBURY SP2 7JQ CONSTRUCTION OF CAR PARKING BAYS WITH ACCESS FROM GRAMSHAW ROAD. (AMENDMENT TO PLANNING APPLICATION 01/432)	CLLR MS MALLORY CLLR WALSH
4	S/2006/1109	ST MARTIN & MIL
	Mr T Wippell	APPROVED WITH CONDITIONS
10 - 12	11 WATER LANE SALISBURY SP2 7TE REAR CONSERVATORY	CLLR HOWARTH CLLR TOMES
5	S/2006/0870	ST PAUL
	Mr R Hughes	APPROVED WITH CONDITIONS
13 - 19	31 MIDDLETON ROAD SALISBURY SP2 7AY DEMOLITION OF 1 DWELLING AND EXISTING COMMERCIAL UNIT AND ERECTION OF 12 NO.1 BEDROOM APARTMENTS WITH ON-SITE PARKING	CLLR FEAR CLLR CLEGG

Part 1

Applications recommended for Refusal

1

Application Number:	S/2006/1027		
Applicant/ Agent:	D N BURCH CONSULTANT		
Location:	DENNIS MARSH HOUSE WESTMINSTER ROAD SALISBURY SP2 7DG		
Proposal:	METAL FIRE ESCAPE AND FORMATION OF PORCH		
Parish/ Ward	ST PAUL		
Conservation Area:			
Date Valid:	22 May 2006	LB Grade:	17 July 2006
Case Officer:	Miss A Rountree	Contact Number:	01722 434312

REASON FOR REPORT TO MEMBERS

Councillor Clegg has requested that this item be determined by Committee due to:
the prominent nature of the site

SITE AND ITS SURROUNDINGS

Dennis Marsh House, Westminster Road is a pebbledash building with concave felt roof situated within the housing policy boundary of Salisbury.

THE PROPOSAL

Permission is sought for a glazed porch to the south-west elevation of the property and a fire escape to the north-west elevation.

The porch will measure 3.5 metres by 3 metres with a slightly mono pitched roof rising to a height of 1.7 metres.
The steel fire escape will be 3.87 metres tall incorporating mesh covered balustrade 1 metre in height.

PLANNING HISTORY

00/605	Disabled Ramp	A	24/05/03
03/462	New Troop Room	AC	16/04/03

CONSULTATIONS

Environmental Health Officer - No Observations

REPRESENTATIONS

Advertisement	- No
Site Notice displayed	- Yes Expired 22/06/06
Departure	- No
Neighbour notification	- Yes Expired 12/06/06
Third Party responses	- No

MAIN ISSUES

Scale & Design
Impact on Neighbour

POLICY CONTEXT

Adopted SDLP G2 & D3

PLANNING CONSIDERATIONS

Scale & Design

The proposed porch is in keeping with the design and scale of the building and will relate satisfactorily to it in terms of materials. The fire escape is located to the rear of the property and although partially visible from Westminster Road is not considered detrimental to the surrounding visual amenity.

Impact on Neighbour

The porch will have no negative impact on residential amenity but the fire escape overlooks the garden of the property to the north-west at an oblique angle. The agent was asked to amend the application by erecting screens to prevent such overlooking but has declined to do so and the impact cannot be mitigated by enforceable conditions. There is also concern that a metal fire escape such as this could cause noise disturbance when used although this could be mitigated by a noise attenuation condition. The agent states that the occupants of the property are happy with the proposal but the planning process has to give consideration to future occupants of the dwelling rather than just current occupants.

CONCLUSION

There is no objection to the proposed porch but it is considered that the fire escape will be detrimental to the residential amenity of the adjacent dwelling in terms of overlooking and noise disturbance. Therefore the proposal is contrary to policy G2 of the adopted SDLP.

RECCOMENDATION REFUSAL

Reason for Refusal:

Although acceptable in visual terms the proposed fire escape staircase is judged to have a detrimental impact on the residential amenity of the adjacent dwelling to the north west by virtue of the span of vision from the top of the stairs allowing the users to look into the garden of the adjacent property and the possibility of noise disturbance from its use. As such the proposal is contrary to policy G2 of the Adopted Salisbury District Local Plan.

Part 2

Applications recommended for Approval

2

Application Number:	S/2006/1161		
Applicant/ Agent:	MR KEITH THOMAS		
Location:	407 DEVIZES ROAD	SALISBURY SP2 9EN	
Proposal:	STOREROOM		
Parish/ Ward	BEMERTON		
Conservation Area:		LB Grade:	
Date Valid:	7 June 2006	Expiry Date	2 August 2006
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

REASON FOR REPORT TO MEMBERS

This item is to be determined by Committee due to:

- The applicant being a council employee.

SITE AND ITS SURROUNDINGS

407 Devizes Road is a modern terraced dwelling in an established residential area of Salisbury. An outbuilding/garden store has been constructed to the front of the property, which is screened from the Devizes Road by a garage block.

THE PROPOSAL

The proposal is to construct a 2.3 metre high extension to link the outbuilding with the main dwelling. A window and door will face into the applicant's garden, with a blank elevation facing the neighbouring property. There are no current plans to link the main dwelling with the outbuilding via internal doors.

It is important to note that planning permission is only required because the proposal would exceed the property's permitted development allowance of 70 cubic metres (previous extensions and buildings over 10 cubic metres within 5 metres of the original property count against this).

RELEVANT PLANNING HISTORY None relevant

REPRESENTATIONS

Advertisement	No
Site Notice displayed	No
Departure	No
Neighbour notification	Yes- Expiry Date 29/06/06

Third Party Representations:	None
Consultations:	None
Policy Context:	G2, D3, H16

PLANNING CONSIDERATIONS

The description of the application has been altered from 'Conservatory' to Storeroom', to better illustrate the nature of the development. Members should be aware that although the description has changed, it was not considered necessary to re-advertise the application or re-notify neighbours as the plans have remained as existing. The neighbour most affected (at No. 409 Devizes Road) was spoken to during the site visit.

Visual Amenity

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies. There will be minimal impact on the character of the dwelling, and the proposal is considered acceptable in design terms.

Impact on Residential Amenity

Although the extension will be within close proximity to the neighbouring property, overshadowing will not be increased to a significant degree to warrant refusal, as the height of the flat-roofed extension has been limited to 2.3 metres. During the site visit, the Case-Officer spoke to the adjoining landowner at No. 409 Devizes Road, who raised no objections provided that the extension's height matches with the submitted plans.

No windows will face towards the neighbouring property. This should be conditioned.

There have been no objections to the scheme, and it is considered that residential amenity will be preserved.

CONCLUSION

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies.

RECOMMENDATION: APPROVE WITH CONDITIONS:**REASONS FOR APPROVAL:**

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies.

Conditions and Reasons:

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 (0004 AMENDED)

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building. (D01A)

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

3. There shall be no windows inserted in the north-western elevation of the extension hereby permitted (D16A).

Reason: To ensure adequate privacy for the occupants of neighbouring premises

INFORMATIVE:

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

- | | | |
|-----|---|----------------------------------|
| G2 | - | General Criteria for Development |
| D3 | - | Good Design |
| H16 | - | Housing Policy Boundary |

Application Number:	S/2006/0947		
Applicant/ Agent:	MR G AYMES		
Location:	175 WILTON ROAD SALISBURY SP2 7JQ		
Proposal:	CONSTRUCTION OF 6 CAR PARKING BAYS WITH ACCESS FROM GRAMSHAW ROAD (AMMENDMENT TO PLANNING APPLICATION 01/0432)		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:		LB Grade:	
Date Valid:	9 May 2006	Expiry Date	4 July 2006
Case Officer:	Miss L Flindell	Contact Number:	

REASON FOR REPORT TO MEMBERS

Councillor Walsh 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 property is located on the corner with Wilton Road and Gramshaw Road. The property is divided into seven bedsits and has an elongated communal rear garden with wall to Gramshaw Road and close boarded fence to the rear and east boundaries of the site with the adjacent properties.

THE PROPOSAL

Planning permission was granted under S/2001/432 for the erection of a single garage and four parking spaces in the rear garden with dropped kerb and access from Gramshaw Road. This application is to accommodate 6 parking spaces without the garage.

PLANNING HISTORY

S/2001/432 Full application – construction of single garage and four car parking bays with access from Gramshaw Road, 175 Wilton Road, Salisbury – Approved with conditions 29th May 2001

CONSULTATIONS

WCC Highways - Recommend no highway objection be raised subject to the following condition: The parking area 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.

Highways Agency – Please note that the A36 is a virtually de-trunked route. The Highways Agency will still comment, advise and direct on planning applications. However it is appropriate that the inheriting highway authority should comment and advise on non-safety matters. We confirm that the Highways Agency has not received any non-safety comments or advice from WCC. We have no comments to make on this application. The Highways Agency does not propose to give a direction restricting the grant of planning permission

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes, expiry date 8 th June 2006
Departure	No
Neighbour notification	Yes, expiry date 31 st May 2006
Third Party responses	Yes, five letters of objection summarised as follows:

Gramshaw Road is a narrow cul-de-sac with 16 houses and parking is limited to one side of the road, residents already have extreme difficulties with parking and residents of Wilton Road use the road for parking.

Requests for the inclusion of Gramshaw Road in residents parking restriction scheme has been rejected on the grounds of limited amount of parking space available in comparison with the number of residents

Proposal will result in loss of 3-6 on-street car parking spaces (30-40%)

Loss of on-street car parking spaces will disadvantage occupiers of dwellings in Gramshaw Road and have a negative impact on property values

Increase in traffic using Gramshaw Road will cause danger in gaining access and exiting to and from the busy A36 Wilton Road trunk road.

Proposal will increase hazard to pedestrians (loss of footpath)

Loss of on-street car parking spaces will force residents to park in Wilton Road and subsequent danger to pedestrians and local residents

Only people to benefit will be casual tenants and an absentee landlord to the detriment of long standing local resident/tax payers

Plan does not show new dwelling (Gramshaw House) built in 2003 between No 1 Gramshaw Road and 175 Wilton Road which has double yellow line section outside which further restricts parking availability for residents

MAIN ISSUES

Impact on parking/highway safety

POLICY CONTEXT

Adopted Salisbury District Local Plan, G2 (General)

PLANNING CONSIDERATIONS

Planning permission was granted in 2001 for the construction of a single garage and four car-parking bays with access from Gramshaw Road.

Gramshaw Road is of restricted width and vehicles are only able to park on one side of the road. Furthermore most of the terraced dwellings in the road have no off street parking facilities and therefore have to park on the road.

The new access at 16m wide (as scaled from the proposed plans) will restrict the on-street parking facilities available to residents. Working on the basis of Local Plan guidelines and dimension, end to end style parking would require a minimum length of 6 metres in order to enable adequate vehicular movements. As a consequence, in this instance, the creation of the new access of approximately 16 metres in length would theoretically result in the loss of two to three on street car parking spaces.

Objections have been raised to the application (summarised above) including on the grounds that the proposal will result in the loss of on-street car parking spaces.

The revised proposal will provide six off street car parking spaces and will not result in any additional loss of road space for the existing parking in Gramshaw Road than the 2001 consent, in fact the width of road frontage (dropped kerb) will be reduced from 18m (as scaled from the 2001 approved plans) to 16m (as scaled from the proposed plans).

Reference has been made to parking requirements increasing since the 2001 consent. However, the 2001 consent was judged against Salisbury District Local Plan Adopted March 1996. Appendix V referred to minimum parking standards where a total of 1.5 spaces were required per flat.

The current Local Plan was adopted in June 2003. Appendix V refers to car parking standards of 2 spaces per flat plus one per five flats. However, these are maximum car parking standards with the intention to reduce on-site parking provision to a level consistent with the need to minimise car use. The standards are applied having regard to the accessibility of individual

development sites to alternative modes of transport. Gramshaw Road is in an accessible location with a public bus route along Wilton Road.

Whilst the parking problems in Gramshaw Road are recognised, it must be noted that Gramshaw Road forms part of the public highway, and there are no private rights for residents who live in the road to park on the site.

The revised proposal provides an additional off street car parking space for the residents of 175 Wilton Road who may otherwise park in Wilton Road or Gramshaw Road. At a loss of 2-3 on-street parking spaces, it is considered that the proposal would represent an improvement in the parking situation on Wilton and Gramshaw Road by taking up to 6 cars of the adjacent streets, and thereby resulting in the creation of three or four additional parking spaces.

Wiltshire County Council Highways Department have raised no highway safety objections to the proposal and as such it is not considered that the proposal will have an adverse impact on highway safety.

CONCLUSION

Whilst two or three on street car parking spaces would be lost, the proposal would result in the creation of six off street car parking spaces, thereby resulting in a net gain of three or four additional parking spaces. This is an improvement on the 2001 application which provided five off street car parking spaces.

RECOMMENDATION: APPROVE WITH CONDITIONS

REASON FOR APPROVAL:

Whilst two or three on street car parking spaces would be lost, the proposal would result in the creation of six off street car parking spaces, thereby resulting in a net gain of three or four additional parking spaces. This is an improvement on the 2001 application which provided five off street car parking spaces.

And subject to the following conditions

Conditions and Reasons:

- (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 work shall start on site until details of the surfacing of the new hardstanding 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 highway safety.

- (3) The six parking spaces hereby permitted shall be used solely as off street parking for the existing property (known as 175 Wilton Road) and shall not be sold, leased, rented or otherwise disposed of separately, nor shall be used for any commercial or business purposes whatsoever unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To secure the retention of adequate off-street car parking provision.

INFORMATIVES: - POLICY

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G2 (general)

Application Number:	S/2006/1109		
Applicant/ Agent:	DEVELOPMENT PARTNERSHIPS LTD		
Location:	11 WATER LANE SALISBURY SP2 7TE		
Proposal:	REAR CONSERVATORY		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	1 June 2006	Expiry Date	27 July 2006
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

REASON FOR REPORT TO MEMBERS

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

- Impact on Conservation Area

SITE AND ITS SURROUNDINGS

11 Water Lane is a terraced Victorian property within the Conservation Area of Salisbury. To the rear, a small courtyard backs onto East Street, with a public right of way running alongside the boundary. Although the site is in many ways secluded, the courtyard is partially visible from the wider streetscene, and highly visible from the public footpath/alleyway.

A number of dwellings in the area have already been extended to the rear, including the adjacent property, which has a UPVC conservatory.

THE PROPOSAL

The proposal is to add a conservatory to the rear of the property, adjoining the neighbouring boundaries on either side. The conservatory will extend 2 metres further back than the building line of the original terrace. The conservatory will be constructed with glass and UPVC.

The applicant has confirmed that the conservatory will not overhang or interfere with either of the adjoining boundaries.

RELEVANT PLANNING HISTORY

None relevant

REPRESENTATIONS

Advertisement - No
 Site Notice displayed - Yes
 Departure - No
 Neighbour notification - Yes

Third Party Representations: One letter received, objecting to the proposal due to the ownership of the land, the design of the conservatory which protrudes beyond the 'building line' of the Victorian dwellings, the siting of the conservatory over a sewer, the loss of a brick archway on the boundary, and the overall design.

Consultations: Conservation- No comment

Policy Context: G2, D3, H16, CN8, CN11

PLANNING CONSIDERATIONS

Impact on Conservation Area

Although the site is in many ways secluded, the conservatory will be obliquely visible from East Street and directly visible from the public right of way/alleyway running alongside the site. As such, it is important that the development does not detract from the character of the Conservation Area.

It is considered that the conservatory is an appropriate form of development, with the form, scale, design and materials in keeping with the character of the wider area in accordance with Local Plan Policy CN8:

'Designation of a Conservation Area does not preclude the possibility of new development, but it is expected to be of a standard high enough to maintain or enhance the quality of the Conservation Area, be sensitive to its character and appearance, and be in accordance with other relevant policies in this plan'

The materials of the conservatory are to be white UPVC, and therefore more noticeable in relation to the existing redbrick dwelling.

However, as the proposal will be partially screened from East Street by the neighbouring boundary wall, only the roof of the conservatory is likely to be visible from the wider street scene. Therefore, the development would not be overly prominent within the wider residential area, and in the officer's opinion, would not harm the character of the Conservation Area to a significant degree to warrant refusal.

Affect on neighbour amenity

Although the extension will adjoin the neighbouring boundaries, overshadowing is not considered to significantly increase from current levels. The existing layout of the dwellings already results in restricted sunlight levels to the rear gardens, and with this in mind, it is considered that the new single storey proposal will not increase overshadowing to a significant degree from current levels to warrant refusal.

The new conservatory will be single storey, and screened by high boundary walls. Overlooking will not increase.

Referring to the neighbouring objection letter, building control have confirmed that the pipes underneath the proposed conservatory are not part of a public sewer, and therefore the applicant is entitled to construct the development without the need for Building Regs or Planning Permission. Any harm caused to the sewer during construction of the development, or any future maintenance issues should be dealt with as a civil matter.

Boundary Treatment

After receiving a query from the neighbouring property regarding the boundary treatment of the scheme, amended plans have been submitted indicating that none of the extension and guttering will overhang the boundary. It was also confirmed that the wall that currently forms the southern boundary is to be rebuilt, subject to agreement with the neighbours under the party wall act.

In planning terms, it is considered that the amended plans and submitted letter have addressed the Local Planning Authorities concerns over the boundary treatment for the development. As it has been confirmed that the extension will be built solely on the applicant's land and will not overhang the neighbouring land, any further impact of the extension on the boundary should be regarded as a civil matter between the applicant and the neighbour.

A small archway feature in the neighbouring boundary wall (referred to in the neighbours objection letter) will no-longer receive light if the development is approved. However, it must be noted that although the development will adjoin the boundary wall, the archway itself will not be bricked-up. The design feature will remain visible from the neighbouring side, and the loss of light though the archway will not affect residential amenity.

Despite the inclusion of incorrect plans (with the archway in the boundary wall not shown), the elevation drawings are considered sufficient in detail to ensure the proposal would be enforceable in planning terms.

Conclusion

The conservatory would be of a small scale, and any harm caused to surrounding neighbour or visual amenity is not considered to be significant enough to warrant refusal.

RECOMMENDATION: APPROVE WITH CONDITIONS

Reason for Approval:

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies.

Conditions and Reasons:

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 (0004 AMENDED)

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building. (D01A)

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

3. This development shall be in accordance with the submitted drawings deposited with the Local Planning Authority on 01/06/06, as amended by the drawing received on 27/06/06 (confirming the boundary details of the development) unless otherwise agreed in writing by the Local Planning Authority. (B03A)

Reason: For the avoidance of doubt.

INFORMATIVE:

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

G2	-	General Criteria for Development
D3	-	Good Design
H16	-	Housing Policy Boundary
CN8	-	Preserving or enhancing Conservation Areas
CN11	-	New development in Conservation Area

PARTY WALL ACT

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

It is strongly advised that the applicant speak to the neighbours and try to reach some form of accommodation with them. Clearly if the foundations for the new building have to go on their property then you will need their consent.

Application Number:	S/2006/0870		
Applicant/ Agent:	BARCLAY & PHILLIPS LTD		
Location:	31 MIDDLETON ROAD SALISBURY SP2 7AY		
Proposal:	DEMOLITION OF 1 DWELLING AND EXISTING COMMERCIAL UNIT AND ERECTION OF 12 NO. 1 BEDROOM APPARTMENTS WITH ON-SITE PARKING		
Parish/ Ward	ST PAUL		
Conservation Area:		LB Grade:	
Date Valid:	21 April 2006	Expiry Date	16 June 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

REASON FOR REPORT TO MEMBERS

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

- The prominent nature of the site
- The interest shown in the application
- The controversial nature of the application

SITE AND ITS SURROUNDINGS

The site is located at the northern end of Middleton Road, which currently contains a dwelling, some garages, and a workshop unit. The site abuts the River Avon to the east, and the existing gasometer site to the north. There is commercial uses to the south and on the western side of Middleton Road facing the site.

THE PROPOSAL

It is proposed to demolish the existing buildings on the site, and erect a development containing 12 one bed flats on three levels. 10 Parking spaces are planned between the development and the public highway. Between the new building and the northern boundary wall with the gasometer site is proposed a modest garden/amenity space for residents, which also contains room for a large refuse/recycling area and cycle storage.

A Flood Risk Assessment, Design Statement, Sustainability Assessment, and Ecological Survey has been submitted as part of the application. A signed unilateral agreement has also been submitted regards a commuted sum being paid towards the provision of off site open space.

PLANNING HISTORY

S/01/821 - Erection of terrace of 6 three storey dwellings and parking. Refused for the following reasons:

1. The proposal would result in the creation of six, family sized dwellings within the northern section of Middleton Road, which is of a predominantly commercial character, and which already suffers from traffic congestion as a result of on-street parking. Taking into consideration the noise and smell nuisance likely to be generated by the adjacent commercial uses; the conflict between residential and commercial uses and traffic which would be likely to occur, and the lack of suitable on site parking and amenity space, it is considered that the development would result in a generally poor living environment for any future occupiers. Consequently, based on the information submitted, it is considered that the development as proposed would have a detrimental impact on the amenities enjoyed by future occupiers of the dwellings.

Therefore, it is considered that the proposal would result in loss of an existing employment site, without any demonstrable resultant conservation or environmental benefits. The proposal would be contrary to policy G1 and policy E2 of the adopted Salisbury District Local Plan.

2. The proposal site is located within the flood plain of the adjacent river, which forms part of the Avon System SSSI/cSAC. Based on the information submitted, it is considered that the development as proposed would have a detrimental impact on the adjacent river system and increase the risk of flooding, contrary to Policy G1 (vi) and C12 of the adopted Salisbury District Local Plan.

3. The proposal would be contrary to policy R2 of the Salisbury District Local Plan, in that no provision has been made for public open space.

4. The proposed development due to its substantial bulk, scale, and overtly modern design and materials, would be unsympathetic and out of keeping with the character of the surrounding area, which is typified by modest low rise properties of a more domestic scale and character. Consequently, it is considered that the proposal is contrary to policy G1 (l) of the adopted Salisbury District Local Plan 1996, and draft policy D1 of the emerging Salisbury District Local Plan.

CONSULTATIONS

WCC Highways	- No objections to amended scheme subject to conditions
Housing & Health Officer	- No objections subject to conditions
Wessex Water Authority	- No objections
Environment Agency	- No objections subject to various conditions
HSE	- Holding letter sent. No final response received
English Nature	- No objections subject to works being carried out in accordance with the submitted method statement.
WCC Education	- No response (although it is understood from previous correspondence between applicant and County that no contribution is required for one bedroom flats).

REPRESENTATIONS

Advertisement	- Yes	Expiry 25/05/06
Site Notice displayed	- Yes	Expiry 25/05/06
Departure	- No	
Neighbour notification	- Yes	Expiry 18/5/06
Third Party responses	- One letter regards the original plans querying the lack of cycle parking provision.	

MAIN ISSUES

Principles
Impact on character of area
Impact on amenities
Impact on highway systems
Impact on river and water systems/contamination

POLICY CONTEXT

G1 G2 D1 D2 R2 E16 H16 C18

PPG3 PPG24

PLANNING CONSIDERATIONS

1. Principles

a) Previous refusal

The previously housing scheme proposed on this site subject of S/01/0821 is somewhat different from the scheme as currently proposed and submitted by different applicants, and in any case, the refusal of the previous scheme was issued in 2001, prior to the new Local Plan being adopted. Furthermore, since 2001, a number of sites in Middleton Road have been developed for residential development. Therefore, Members need to be careful when considering this

current scheme against the reasons for refusal issued in 2001, particularly the specific wording of those reasons, much of which may be specific to that previous proposal).

b) Loss of employment issues

This proposal would result in the loss of a commercial use, and therefore Members need to consider the application against the Council's loss of employment policies, primarily policy E16.

The applicants have supplied quite a bit of information regards the previous and existing use of the site, a summary of which is attached to this report. (SEE APPENDIX)

As a result of the evidence submitted, it would appear that there is little/limited demand for this commercial unit, and that its employment potential capabilities are somewhat limited by its size and location. It is therefore considered that the various criteria of policy E16 have been satisfied, and therefore, the scheme for residential development is considered not to be contrary to the aims of policy E16.

2. Impact on character of area

Whilst the wider residential area situated to the west of the site tends to have a fairly obvious character consisting of tight knit terraced dwellings, Middleton Road itself is of a mixed architectural character, with individual commercial and residential properties display a variety of forms and styles. When considered against the context of the large gasometer which visually dominates the area and the site, and of the contemporary architecture of the adjacent Waitrose site to the east, it is considered by officers that new development within Middleton Road could be influenced by this wider architectural vernacular, and does not necessarily need to adhere to the restricted vernacular displayed by the Victorian terraces.

With regards the design of the apartment block, it is considered that overall, the scheme takes some of its influences from the surrounding area, including the new development on the Eastern Sidings site. Whilst the design may not be to everyone's taste, and perhaps could be improved upon with regards to a proper pitched roof, in officers opinion, a refusal of design grounds may be difficult to support given the varied architectural context, and the general seclusion of the site. The roof plan of the scheme also indicates that solar panels are proposed on the flat roofed part of the scheme. This is a welcomed addition which may be affected by any change members may wish to see to the overall design of the scheme.

Officers draw members attention to the precise wording of reasons for refusal 4 of S/01/821, which seems to take exception to the "overtly modern design" of the suggested 2001 scheme. Clearly, this latest scheme has been design to try and overcome such concerns.

The same reason for refusal also indicates that the previous 3 storey townhouses proposed were considered to be "unsympathetic and out of keeping with the character of the surrounding area, which is typified by modest low rise properties of a more domestic scale". Whilst the refused scheme and current scheme would be of similar heights and similar bulking, Members should note that the scale and character of Middleton Road has altered since 2001, with the erection of the (effectively) three storey residential properties on two adjacent sites.

Consequently, the design of the scheme is considered acceptable in planning terms.

3. Impact on amenities

The previous 2001 refusal reason 1 raised concerns about the effect on amenities of future occupiers of the 6 town houses of adjacent commercial uses. This followed objections raised at that time by the Council's EHO.

With regards the current scheme, the residential dwellings now proposed would be located within very close proximity to adjacent commercial uses, similar to the previously refused scheme.

However, in this instance, the Environmental Health Officer has not raised any strong concerns regards this matter, stating simply "Whilst I have concerns about the impact the existing

business uses will have on the proposed dwellings by reason of noise and general disturbance the noise survey indicates that measured noise levels are in PPG24 Category B requiring that noise should be taken into account. The measured levels can be reduced inside the dwellings by the use of acoustic glazing that is specified in the report and on the plan. This glazing specification should be included as a condition to any approval”.

As a result of the above, it is considered that a refusal on the grounds of the impact on amenity of adjacent commercial uses would be difficult to support on appeal. Hence, officers recommend that any approval be subject to the conditions suggested by the EHO.

4. Impact on highway system

Due partly to the presence of the commercial enterprises, and partly due to its lack of a formal turning area, Middleton Road does appear to suffer from a significant amount of on street parking and awkward vehicular movements.

At the request of WCC Highways, cycle parking has been included in the scheme, and a turning area for vehicles added at the end of Middleton Road abutting the gasometer site. The parking area was also rearranged to provide 11 parking spaces, whilst also including adequate pedestrian access to the building.

WCC Highways is now happy with the revised scheme, subject to conditions. It has stated that the level of parking at 10 spaces for 12 one bed flats is considered acceptable in this location, close to the city centre, where residents can choose not to own/possess a car. The cycle parking proposed also mitigates the slight reduction in car parking in this instance.

In your officers opinion, the inclusion of an albeit small turning area will improve the general traffic situation/flows in Middleton Road, leading to a positive benefit for residents of the new development and other users of the roadway. The provision of 10 parking spaces for 12 one bed flats is consistent with the advice from central government regards the encouragement of more sustainable development and travel patterns, and is not contrary to Local Plan parking provision policy, which simply states maximum parking standards – it is generally accepted that sites close to the centre of the city where a range of sustainable transport options can be found can provide a reduced level of parking provision.

Members should also note that the previously refused 2001 scheme was not refused on highway grounds, and therefore members will need to consider the difference in impacts likely to be caused by a 12 unit 1 bedroom scheme as opposed to 6 dwellings with 3/4 bedrooms. Officers suggest that family dwellings would be more likely to generate vehicular traffic, and therefore the actual traffic impacts of this current scheme are likely to be no worse than those which may have been generated by the previously refused scheme. In fact, one bedroom units may well attract occupiers who do not own vehicles.

As a result, it is considered that a refusal on the grounds of the impact on highway safety and the highway system in general (in terms of the number of parking spaces provided and the likely traffic generated) would be difficult to support on appeal. Hence, officers recommend that any approval be subject to the conditions suggested by WCC.

5. Impact on river system and flooding

The existing buildings on site directly abut the river. Although the revised scheme moves the bulk of the apartments a few metres away, the existing river walling is to be retained. The river system is a designated Special Area of Conservation, and an SSSI.

The applicant has liaised with Environment Agency regards this scheme, and the EA are now happy with the proposal subject to a number of conditions, including floor levels being fixed at an agreed level above the flood level, and a scheme for surface water run-off limitation being agreed.

English Nature has also now indicated that it has no objections to the scheme following a discussion with the applicant's agent and the submission of a method statement which indicates how the river system is to be protected.

6. Contamination

As above, the EHO and EA have indicated that a suitable condition be attached to any consent relating to a contamination survey being undertaken.

CONCLUSION

The LPA is satisfied that the site has been suitably marketed, and that the requirements of policy E16 have been addressed.

The overall design/architectural approach is considered to be acceptable, given the varied design of the surrounding built form.

The amenities of future occupiers can be protected via conditions relating to the proposed glazing

The scheme will introduce a small turning area for vehicles adjacent to the gasometer site and therefore result in general highway improvements. The level of traffic generated will not be significant, and the parking provision is considered adequate given the sustainable location.

Flooding/contamination and river protection issues can be resolved via suitable conditions.

RECOMMENDATION: SUBJECT TO THE PAYMENT OF A COMMUTED SUM TOWARDS THE PROVISION OF PUBLIC OPEN SPACE IN ACCORDANCE WITH POLICY R2 OF THE ADOPTED Salisbury District Local Plan, THEN

RECOMMENDATION: APPROVED WITH CONDITIONS

REASON FOR APPROVAL

1. The LPA is satisfied that the site has been suitably marketed, and that the requirements of policy E16 have been addressed.
2. The overall design/architectural approach is considered to be acceptable, given the varied design of the surrounding built form.
3. The amenities of future occupiers can be protected via conditions relating to the proposed glazing
4. The scheme will introduce a small turning area for vehicles adjacent to the gasometer site and therefore result in general highway improvements. The level of traffic generated will not be significant, and the parking provision is considered adequate given the sustainable location.
5. Flooding/contamination and river protection issues can be resolved via suitable conditions.

Conditions and Reasons:

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 (0004 AMENDED)

2. 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.

3. This development shall be in accordance with the submitted drawing[s]:

DWG 1084:001 REV G (Proposed plans and elevations)
DWG 1084:002 REV F (Proposed site layout & location plan)
DWG 1084:003 (Roof plan)
DWG 1084:SK 004 (method statement)
DWG 1084: SK005 (method statement)

unless otherwise agreed in writing by the Local Planning Authority. (B02A)

Reason: For the avoidance of doubt.

4. The 10 parking spaces, cycle parking, bin storage, and turning area shall be laid out and provided prior to the first occupation of the dwellings.

Reason: To ensure the development is adequate served by parking and other facilities in the interest of highway safety and sustainability.

5. Finished floor levels shall be set no lower than 48.50 metres above Ordnance Datum.

Reason: To protect the development from flooding.

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding.

7. The specification of the glazing used in the scheme shall be as specified in the submitted and approved Assessment of Environmental Noise report dated 29th March 2006.

Reason: In the interest of the amenity of future occupiers of the dwellings.

8. 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. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development.

9. Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority. The investigation must include:

A full desk top survey of historic data

A conceptual model of the site, identifying all potential and actual contaminants receptors and pathways (pollution linkages).

A risk assessment of the actual and potential pollution linkages identified

A remediation programme for contaminants identified. The remediation programme shall incorporate a validation protocol for the remediation work implemented, confirming that the site is suitable for the consented use. The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority prior to the habitation of the dwellings.

Reason: In order to ensure that any contaminants are suitably dealt with in the interest of amenity.

10. All development (including demolition works) shall be carried out in accordance with the agreed Method Statement which details how the river system is to be protected during construction (drawings 1084: SK 004 & SK 005).

Reason: In order to protect the adjacent river system in the interest of amenity.

11. The root system and canopy of the adjacent Willow Tree shall be protected during development in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to any works (including demolition) commencing on site. Development shall be carried out in accordance with the agreed protection scheme.

Reason: In the interests of amenity and longevity of an adjacent mature tree.

12. Before development commences, full details of the proposed solar panels shall be submitted to and agreed in writing by the Local Planning Authority. The solar panels shall be erected as agreed prior the first occupation of the scheme.

Reason: In order to produce a more sustainable development in accordance with the aims of government guidance and policy G1 of the Salisbury District Local Plan.

13. Prior to development commencing, full details of the additional turning space and margin to include the specification of materials and spot heights shall be submitted for further written approval of the LPA and the additional turning space and margins shall be constructed in accordance with the approved details prior to first occupation of the development.

Reason: In the interests of highway safety.

14. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the LPA prior to development commencing.

Reason: In the interests of highway safety.

INFORMATIVE: -

1. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Summerlock Stream, designated a main river. This consent is required before any development can go ahead in this area. Such consent is in addition to planning permission.
2. The existing 2.5m wide vehicular footway crossing area is part of the maintained public highway and shall be reconstructed in accordance with the Highway Authority specification and it may be necessary to include a cut off drain or similar to the rear of the highway to prevent the egress of surface water onto the public highway. Further details will therefore be sought as part of the planning consent. Application for reconstruction of the vehicular footway crossing area shall be made to Wiltshire County Council – (telephone 01225 71352 in the first instance). The additional turning space and margins should also be constructed to Highway Authority specification and can be offered for adoption by Wiltshire County Council through an appropriate Agreement. It is recommended that full carriageway construction specification is used as far as the mid-point of the existing carriageway, which is currently unmade at the termination of Middleton Road – the additional highway for adoption would then extend to the mid-point of the existing carriageway.
3. Wessex Water has indicated that its apparatus should be protected during construction. Please discuss these matters prior to any development commencing with Paul Hayward (01225) 526000.

Part 3
Applications recommended for the Observations
of the Area Committee

No Observations