

# 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*

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

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING  
COMMITTEE  
CITY AREA – 14/09/2006

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

<b>Item Page</b>	<b>Application No Officer</b>	<b>Parish/Ward Recommendation Ward Councillors</b>
<b>1</b>	S/2006/1559	ST MARK & STRAT
3 - 6	Mrs B Jones	REFUSAL
<b>SV</b>	MR AND MRS G ROBINS SITE ADJACENT 91 CASTLE ROAD SALISBURY	Councillor Nettle Councillor Paisey Councillor Mrs Warrander
<b>2</b>	S/2006/1427	ST ED & MILFORD
7 - 10	Miss L Flindell	APPROVED WITH CONDITIONS
	MRS OCONNOR 34 MANOR ROAD SALISBURY	Councillor Mrs Chettleburgh Councillor Sample
<b>3</b>	S/2006/1437	ST MARTIN & MIL
11- 25	Mr S Llewelyn	APPROVE SUBJECT TO S106
	PARSONS & JOYCE CONTRACTORS LTD WESTERN CHALLENGE HOUSING GROUP LTD ST MARTINS CHURCH HALL EYRES WAY SALISBURY	Councillor Howarth Councillor Tomes
<b>4</b>	S/2006/1418	FISHERTON/BEM V
26 - 29	Charlie Bruce-White	APPROVED WITH CONDITIONS
<b>SV</b>	MR AND MRS SYMS 177-181 WILTON ROAD SALISBURY	Councillor Ms Mallory Councillor Walsh
<b>5</b>	S/2006/1598	BEMERTON
30 - 41	Mr R Hughes	APPROVE SUBJECT TO S106
	PARSONS AND JOYCE LTD C/O THE LUKEN BECK PARTNERSHIP LTD LAND TO THE REAR OF 45 QUEEN ALEXANDRA ROAD, SALISBURY	Councillor Mrs Evans Councillor Vincent Councillor Osment

# Part 1

## Applications recommended for Refusal

1

Application Number:	S/2006/1559		
Applicant/ Agent:	SPACE DESIGN SOLUTIONS LTD		
Location:	SITE ADJACENT 91 CASTLE ROAD SALISBURY SP1 3RW		
Proposal:	PROPOSED TWO STOREY DWELLING		
Parish/ Ward	ST MARK & STRAT		
Conservation Area:		LB Grade:	
Date Valid:	1 August 2006	Expiry Date	26 September 2006
Case Officer:	Mrs B Jones	Contact Number:	01722 434388

### REASON FOR REPORT TO MEMBERS

Councillors Paisey and Nettle have requested that this item be determined by Committee due to the controversial nature of and local interest in the application

### SITE AND ITS SURROUNDINGS

The site forms the rear garden of a dwelling which fronts castle Road, with a side frontage to Queensberry Road. The site lies within the Housing Policy Boundary for Salisbury, in an Area of Special Archaeological Significance and Water Source Catchment Area.

The area is characterised by mature housing, which is predominantly arranged in two storey semi detached pairs. Some dwellings have been extended and altered, to provide accommodation in the roof, including 91 Castle Road itself. Whilst Fairstowe relates to 97 Castle Road in a similar way to the proposal in relation to No 89, the main difference is that Fairstowe is a modest dormer bungalow and is separated from the rear garden of No 97 by approx 7m.

### THE PROPOSAL

The applicant is proposing a two storey dwelling, with access from Queensberry Road. An existing fir tree would be removed for parking and turning provision and the existing 1.7m staggered boundary wall fronting the road would be part lowered and also part raised to a maximum of 2.5m for a length of about 9m to the north west of the new house.

### PLANNING HISTORY

S/1981/630 O/L erection of bungalow and construction of new access. R **Appeal Dismissed on grounds of impact on neighbouring properties (See Appendix 1)**

S/1989/695 O/L erection of pair of semi detached dwellings with garages and new access  
WD (This application included an objection from current applicant, on the grounds that the site was the subject of a restrictive covenant which prevented anything more than a garage being erected)

S/1995/1672 Construction of double garage and utility	AC
S/1999/496 Single storey rear extension	AC
S/06/569 Proposed new dwelling	R currently at appeal

### CONSULTATIONS

WCC Highways	- No objection subject to conditions
Wessex Water Authority	- Points of connection and any easements to be agreed.

## REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expiry 31/8/06
Departure	No	
Neighbour notification	Yes	Expiry 23/8/06
Third Party responses	Yes	

**16 letters of support** (including one from applicant) on the following grounds: would fit in well and fill large gap, off road parking a benefit, modest, would improve streetscene, comparable with 3 Queensberry Road, plot size comparable with others, house would be obscured by boundary hedge and trees, distance between boundary hedge and new dwelling is not an issue, only one bed window would be openable, height of first storey windows comparable with Fairstowe's dormers, would not adversely affect neighbours, would break up plain wall, housing shortage, would balance road, good design on brownfield site, roof less dominant than previous scheme, lowering boundary wall is improvement, would not be cramped.

**5 letters of objection** (including one representing 6 properties) on the following grounds: would affect private garden, plenty of three/four beds in Salisbury, would dwarf low rise bungalow, loss of light, overlooking, loss of character, loss of outlook, would shatter privacy of garden for No 89, damage to hedge owned by No 89 and pressure for to fell due to proximity of ground floor windows, additional buildings on boundary of No 89, added congestion, garden would be too small for size of property, plot too small, loss of balance in street, plot lacks sufficient depth and width, precedent, pressure for dormers and roof additions, disproportionately large for garden, over dominant, protrudes in front of existing building lines, out of character with 30s style, contrary to G2, D2 and H16, amendments are insignificant, zig zag wall uncharacteristic, loss of skyline, over dominant second storey, loss of rear garden for No 91, incorrect orientation, tandem, backland development, proximity to No 89's garden, obscured windows cannot be enforced, disruption during construction, loss of tree.

## MAIN ISSUES

Principle and Planning History  
Scale, Design and Neighbouring Amenity  
Trees and Highway Safety  
Public Open Space

**POLICY CONTEXT** : Adopted SDLP G2, C6, D2, H16, TR11, R2 and PPG13.

## PLANNING CONSIDERATIONS

### 1. Principle and Planning History

Policy H16 states that infill development will normally be permitted within the Salisbury Housing Policy Boundary, subject to three criteria, relating to tandem/backland development, loss of important open spaces and the design policies of the local plan. The proposed site would represent the subdivision of an existing residential curtilage, and the new dwelling would be orientated towards and accessed from Queensberry Road. The development would therefore be neither backland nor tandem development. Whilst the *principle* of residential development would be acceptable on the site, the development would need to be in accordance with Policy D2 to satisfy Policy H16.

A previous application for two dwellings on the site was withdrawn in 1989. However, an outline application for a bungalow on the plot immediately between the application site and No 91 was refused, and dismissed on appeal (see **Appendix 1**). The Inspector considered that as the proposed bungalow would, "inevitably be close to the southern boundary of the appeal site, it would directly overlook the rear garden of No 89 Castle Road and impinge on the amenities enjoyed by the occupants of that dwelling to an unacceptable degree." Members are therefore advised to consider the Inspector's conclusions on the impact of a bungalow close to the boundary, when considering the impact of the proposed two storey house.

## 2. Scale, Design and Neighbouring Amenity

### Plot and Siting

The proposed dwelling would be sited within a rectangular plot, created by the subdivision of No 91 Castle Road. Due to this subdivision, the depth of the plot would measure approx 13m from the back of pavement to the centre of the boundary hedge owned by No 89. The proposed dwelling would be positioned just 2m from the centre of the hedge and two ground floor kitchen windows would be on this south facing elevation. There is concern that the proximity of the dwelling (and these kitchen windows) to the neighbours hedge (approx 2m tall on submitted plans) would give rise to pressure to fell it due to lack of light reaching the south facing windows, and the proximity of the development *could* also affect the hedge's ongoing health.

Due to the size and shape of the plot, the dwelling would not have a rear garden, but the amenity space would be provided to the west. This positioning has prompted the desire to raise the existing boundary wall from pavement level from 1.7m approx to a maximum of 2.5m in height for a length of about 9m. This impact is likely to appear incongruous within the streetscene, and is necessitated only by desire for privacy to the garden positioned on the side of the dwelling.

A third concern relating to the size and shape of the plot is the proposed building line for the new dwelling. Whilst the new dwelling would be level with the side elevation of No 91 Castle Road, it would be almost 2m forward of the semi detached pairs (Nos 2-4) in Queensberry Road. Policy D2 seeks to ensure that proposals respect or enhance the character of appearance of an area, in terms of the building line, scale, heights and massing of adjoining buildings and characteristic building plot widths. The appeal inspector considered the outline scheme had a much smaller plot than the majority of dwellings in Queensberry Road. However, he did not attach great weight as he felt that Fairstowe and No 1 Queensberry Road stood in plots not significantly larger than the appeal site. He felt that the character would be little altered if a bungalow was constructed on the site. However, the proposed two storey dwelling would be sited forward of the existing building line in Queensberry Road, and Members may take the view that this would cause visual disharmony.

### Design and Neighbouring Amenities

The applicant is proposing to lower existing site levels and the resultant ridge of the dwelling would be about 7.5m maximum above pavement level (previous scheme was about 8.5m). The adjacent property (No 2) has a ridge height of about 9.5m from pavement level. Whilst the overall height of the dwelling in terms of streetscene, design, bulk, height and appearance in relation to Nos 2 and 4 would be acceptable, the dwelling would also be situated opposite a modest dormer bungalow, and there would be a ridge height difference of about 2m between the two houses. The proposed first floor windows of the new dwelling would be about level with the dormer of Fairstowe, and this relationship is now considered to be acceptable, given the separation of about 20m.

The east and west elevation would not include any first floor windows, which is considered acceptable, and could be reinforced through a condition. However, the four proposed south first floor windows would be glazed with obscured glass, with one casement being openable for means of escape from Bed 3, which would reduce any benefit of it being obscured and enable overlooking to take place into No 89. No 89 has a long garden with an open aspect along its length. The occupiers have erected a summer house on the eastern boundary, adjacent to the application site, and a temporary swimming pool is sited approximately half way along the garden. The occupiers clearly use the entire length of their garden, which has not been subdivided or compartmentalised in any way. The proposal to obscure the glazing of the windows facing No 89 is considered to be unrealistic, as whilst conditions could be imposed to ensure windows were fixed and obscured, it is likely that future occupiers would want openable and unobscured south facing windows. Such a condition may be difficult to enforce. It is therefore considered that as *at least* one of the bedroom windows would be openable, the development would potentially give rise to an unacceptable degree of direct overlooking and also the *perception* of being overlooked into the garden and habitable rooms of No 89 and obliquely, into the rear of No 2 Queensberry Road, contrary to Policy G2. In at least one past appeal (S/2004/447) an Inspector has recognised that methods to obscure windows are in fact,

“A recognition of the intrusive effect that a window can have on living conditions of an adjacent occupier.” It is also considered that given the open layout of the garden of No 89, and proximity of the two storey dwelling to the boundary, the proposal would also have an undesirable impact in terms of bulk and dominance, to the detriment of the occupiers.

### 3. Public Open Space, Trees and Highways

The applicant has previously returned a signed Section 106 Agreement, in respect of payment for the provision of public open space. The site is not considered to contain any trees worthy of protection and no objection is raised to the loss of the fir. The Highway Authority has raised no objection, subject to conditions.

### CONCLUSION

In conclusion, the relationship between the south facing first floor windows, the narrowness of the plot, and the proximity of the new dwelling with the boundary of No 89 Castle Road, it is considered that a new two storey dwelling in this location would be harmful to existing amenities, contrary to Policies to Policy G2, H16 and D2.

### RECOMMENDATION:

**REFUSE** for the following reasons:

1. The proposed dwelling would have a narrow plot, resulting from the sub division of the garden of 91 Castle Road Road. The proposed three storey dwelling would be sited close to the rear boundaries of adjoining properties including 89 Castle Road. The first floor windows of the south elevation would be glazed with obscure glass, and would be 2m from the centre of the boundary hedge of No 89. The window for bedroom 3 would open to provide a means of escape, which would reduce the benefit of obscuring and enable an unacceptable degree of actual overlooking into the habitable rooms, garden and garden facilities of No 89 and obliquely into the plot of No 2 Queensberry Road. Future occupiers are realistically likely to want the south facing windows to be openable and unobscured and two of the windows form the only means of ventilation and light for a bathroom and ensuite. Therefore, it is considered that the windows, are likely to give rise to an unacceptable degree of actual overlooking into the garden of No 89 Castle Road. Coupled with the bulk of the building (about 7.5m to ridge) close to the boundary with the garden of No 89 Castle Road there would also be a detrimental impact in terms of bulk and dominance, and also the *perception* of overlooking and intrusion from the first floor windows close to the boundary, to the detriment of the occupiers of No 89 Castle Road. The construction of a dwelling of the design proposed on this narrow site would therefore result in a cramped form of development, which would be out of keeping with the spacious character and layout of development in the immediate area, to the detriment of neighbouring amenity. The development would therefore be contrary to Policies D2, G2 and H16 of the adopted Salisbury District Local Plan, which seek to ensure that new residential development respects and enhances the existing character of the area, without detrimentally affecting neighbouring amenities.
2. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Local Plan, as appropriate provision towards public recreational open space has not been made

And contrary to the following policy/policies of the adopted Salisbury District Local Plan:

<b>Policy</b>	<b>Purpose</b>
G2	General principles for development
D2	Design
H16	Housing Policy Boundary
R2	Public Open Space

### INFORMATIVE:

It should be noted that the reason given above relating to Policy R2 of the Adopted Replacement Salisbury District Local Plan could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement, or if appropriate by condition, in accordance with the standard requirement for recreational public open space.

## Part 2

### Applications recommended for Approval

2

Application Number:	S/2006/1427		
Applicant/ Agent:	MR S P MANKIN		
Location:	34 MANOR ROAD SALISBURY SP1 1JS		
Proposal:	CHANGE OF USE TO RESIDENTIAL CARE FOR 3 ADULTS		
Parish/ Ward	ST ED & MILFORD		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	7 July 2006	Expiry Date	1 September 2006
Case Officer:	Miss L Flindell	Contact Number:	01722 434377

#### REASON FOR REPORT TO MEMBERS

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

#### SITE AND ITS SURROUNDINGS

34 Manor Road is a two storey detached property. Manor Road has a varied character, which includes detached single residences, flats, residential care homes and Salisbury Driving Test Centre.

#### THE PROPOSAL

To change the use of a single residential dwelling to residential care for 3 adults.

#### PLANNING HISTORY

None

#### CONSULTATIONS

WCC Highways - No highway objection is raised

Housing & Health Officer - No observations

#### REPRESENTATIONS

Advertisement Yes, expiry date 10<sup>th</sup> August 2006

Site Notice displayed Yes, expiry date 10<sup>th</sup> August 2006

Departure No

Neighbour notification Yes, expiry date 2<sup>nd</sup> August 2006

Third Party responses Yes, four letters of objection/concern, summarised as follows:

Gradual change to residential character of area with high concentration of existing care and nursing homes in the immediate area. Change of use will make Manor Road more commercial and less residential which will change the character of the conservation area.

Application initially is for 3 elderly people to be housed, concerned over potential problems from alternative unsuitable people being housed in an area with young families and elderly people – Residents should be restricted to infirm elderly only and a temporary consent may be

appropriate which could be renewed (if no adverse impacts occur) in order to protect the wellbeing and safety of all residents in Manor Road.

Increase in traffic due to additional staff and visitors - Potential conflict with other users of public highway – driving test centre, on street residents and public parking, school traffic, regular bus route, two large elderly care homes and a home for disabled children. Increased pressure on on-street parking (staff from Tower House already park in the drive of 34 Manor Road despite having 6 off street parking spaces). Creation of additional parking to the front or rear of 34 Manor Road should be restricted to preserve the environment.

Application states no changes internally or externally, although the property has already been extended and garage converted to bedroom without planning permission – further extensions should be restricted.

## **MAIN ISSUES**

Principle, Impact on residential amenities, Impact on road network

## **POLICY CONTEXT**

Adopted Salisbury District Local Plan policies G2 (General), PS1 & PS2 (Community Facilities), TR11 (off street car parking provision), D3 (Design of extensions) R3 (Recreational Open Space)

## **PLANNING CONSIDERATIONS**

### **1. Principle**

Policy PS1 of the Adopted Salisbury District Local Plan, allows health and social service development provided such development is located within or adjoining a settlement. Policy PS2 allows the change of use of existing buildings to rest or nursing homes subject to the buildings being detached, having adequate garden space and located close to shops, community facilities and bus routes. Policy G2 of the Local Plan requires that developments do not place an undue burden on existing or proposed facilities and services, the existing or proposed local road network or other infrastructure. This policy also ensures that developments do not cause any significant adverse impacts on the amenities of neighbouring properties.

### **2. Impact on residential amenities**

The applicant has various properties nearby which cater for elderly people in residential care, including Tower House, 43 Manor Road, opposite the site and other residential care homes in Bourne Avenue (Nos 8, 10 and 12). The proposal is related to existing uses nearby and is effectively an annex. No staff will be resident on site, but carers from the other care home premises will visit once or twice a day.

Objections have been received on the grounds that the proposed change of use will alter the character of Manor Road. It is not considered that the proposed change of use will be out of character with the surrounding development which varies from single residences to flats, and there are three residential care homes (No 43, 35 and 22), the driving test centre is also located on Manor Road.

The property is considered suitable for conversion, being detached (less likely to raise issues of direct noise disturbance to adjoining properties) and with a large garden (essential, both as a visual amenity to the residents and as a convenient private open space for sitting out).

### **3. Other concerns**

Local residents have referred to the property being extended/alterd without the benefit of planning permission being first obtained. This was subject to an enforcement investigation earlier this year. The conversion of the garage into a bedroom itself did not require planning permission, although the garage has been extended in a manner that results in part of the resultant building being forward of the forward most part of the original dwelling facing the

highway that bounds the property, which would have required planning permission. However it was considered that these unauthorised alterations were not causing any material harm in planning terms and no further enforcement action was proposed at the time. The owner was however advised that this did not prejudice any enforcement action that the Council might consider appropriate in the future and that it would be in her best interest to seek to regularise the matter by way of submitting a retrospective planning application.

The agent has confirmed that no internal or external changes are proposed, although the submitted floor plans show the dwelling as extended. It is considered that the extension which projects beyond the front wall of the dwelling with hipped roof over is appropriate to the overall appearance of the existing dwelling in accordance with policy D3.

#### **4. Impact on road network**

Local residents have raised concern that the proposal will cause an increase in the amount of traffic and the proposal does not provide parking, which could have potential highway safety impacts.

The Salisbury District Local Plan, adopted June 2003 refers to maximum car parking standards, which are applied having regard to the accessibility of individual development sites to alternative modes of transport with the intention to reduce on-site parking provision to a level consistent with the need to minimise car use. Appendix V of the Local Plan refers to maximum car parking standards of 1 car parking space per 4 beds and one car parking space per two staff for nursing homes.

Whilst no details of car parking have been submitted with the application, the applicant has estimated that the vehicular traffic flow to the site during a normal working day will be one carer once or twice a day.

There is an existing paved driveway providing space for at least 1 car parked in front of the converted garage. Manor Road is in Zone C Salisbury residents parking zone, which also allows 2 hours general parking Mondays to Saturdays between 9am to 5pm (no return within 4 hours). The site is also in an accessible location, with Number 72 bus route to the city centre and the nearest local shop in Kelsey Road is approximately 300m walking distance.

It is not considered that the proposal to house 3 adults and a visiting carer once or twice a day will result in any significant increase in traffic over and above its current use as a three bedroom single residential dwelling, and will not exacerbate parking problems or become a significant hazard to road safety. Wiltshire County Council Highways have raised no objections to the proposal and as such it is not considered that the proposal will have an adverse impact on highway safety.

#### **CONCLUSION**

It is considered that the proposal is appropriate to its surrounding area, and will not have any significant impact on highway safety.

#### **RECOMMENDATION: APPROVE**

##### **REASON FOR APPROVAL:**

It is considered that the proposal is appropriate to its surrounding area, and will not have any significant impact on highway safety.

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. The premises shall be used as a residential care home only and for no other purposes (including any other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating any alternative kinds of residential institutions which could have an adverse effect upon the amenity of neighbouring dwellings.

3. The maximum number of residents in care shall not exceed 3 at any one time.

**Reason:** In order that the Local Planning Authority may retain planning control over the use of the premises.

**INFORMATIVE: - POLICY**

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:G2 (General), D3 (Design), PS1 & PS2 (Community Facilities)

Application Number:	S/2006/1437		
Applicant/ Agent:	C CRAWLEY		
Location:	ST MARTINS CHURCH HALL EYRES WAY SALISBURY SP1 2TF		
Proposal:	DEMOLITION OF EXISTING CHURCH HALL AND ERECTION OF 10 NO 2 BEDROOM APARTMENTS WITH ASSOCIATED PARKING		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	LB Grade:		
Date Valid:	12 July 2006	Expiry Date:	6 September 2006
Case Officer:	Mr S Llewelyn	Contact Number:	01722 434659

### REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers due to the previous planning history of the site

### SITE AND ITS SURROUNDINGS

This is the site of St Martin's Church Hall that is located on the eastern side of Eyres Way within a residential estate, known as the Friary, which lies to the south eastern side of the City Centre. The site backs onto the ring road (A36 Churchill Way South) to the east. The site is roughly L-shaped and measures approximately 0.15 hectares in area and is, at present, occupied by St Martin's Church Hall and its associated vehicular access and car parking area.

The existing building is finished in a buff coloured brick and is of an elongated form that extends back into the site and is two-storeys in height to the front and rear elevations and has a pitched roof form. The side elevations of the building are recessed at the first floor level about halfway along its length with flat roof, single storey sections at ground floor level at these points.

There is an existing tarmac vehicular access from Eyres Way that runs adjacent to the northern boundary of the site and leads to a parking area that is located towards the rear of the site and to the northern side of the existing building wrapping around the eastern elevation of the adjacent block of flats at Nos20-30 Eyres Way.

There is fairly dense and mature tree and landscape screening to the eastern boundary of the site to the A36, as well as tree screening to the boundary between the parking area and the adjacent flats at Nos20-30 Eyres Way. There is also landscape screening to the southern boundary of the site with Nos2-16 Eyres Way, as well as to the front of the existing building. The site is subject to a Tree Preservation Order. Post and rail fencing demarcate all the boundaries of the site.

Within the immediate vicinity of the appeal site, the surrounding area is of a predominantly residential character. Immediately to the south of the site is a terrace of two-storey almshouses, known as Nos2-16 Eyres Way, with parking provision to the front. This terrace of properties extends back into the site and is angled within the plot in relation to their frontage with Eyres Way. To the north of the site is a three-storey block of flats, Nos20-30 Eyres Way, which has a pitched roof form and a rendered finish. These flats are separated from the northern boundary of the site by a grassed amenity area that is enclosed by post and rail fencing. The principal elevation of these flats faces across this amenity space towards the appeal site with a narrow blank gabled elevation fronting onto Eyres Way. The development on the eastern side of Eyres Way, that includes the existing church hall and appeal site, is set in relatively large and well landscaped/treed plots that provides a spacious and sylvan character to this side of the street scene.

The opposite side of Eyres Way, to the west of the site, is more densely developed and consists of two-storey terraced dwellings of a more traditional appearance and domestic scale that are set back from Eyres Way by fairly shallow front gardens and that provide a more suburban character to the street scene.

## THE PROPOSAL

This application is a revised scheme to that refused under reference S/2005/2344 and seeks planning permission to demolish the existing church hall and to erect a block of 10no 2-bed apartments. The proposal also includes associated parking provision (a total of 10 spaces) to be accessed from Eyres Way, the provision of a cycle store accommodating a total of 10 cycle spaces and a bin store for general refuse and recyclable waste. It is proposed that all of the apartments will be provided for affordable housing subject to grant funding being secured.

## PLANNING HISTORY

S/2004/0056 An earlier application seeking outline planning permission to demolish the existing church hall and to erect 12 x 2-bed and 2 x 1-bed apartments (14 in total) with associated parking provision (detailed approval sought for siting and means of access) was withdrawn in May 2004.

S/2004/1736 Outline planning permission was subsequently refused to demolish the existing church hall building and to erect a block of 10 flats with associated parking provision (detailed approval sought for siting and means of access). This application was refused for the following reasons:

- “1. The proposed development would be contrary to Policies D1 and D2 (i) of the Adopted Replacement Salisbury District Local Plan (June 2003) that seek to ensure that development is acceptable in the context of the character and appearance of the area. In this instance, the proposed development by virtue of the overall size and forward siting of the proposed building footprint in conjunction with the resultant scale and massing of building to provide the proposed level of accommodation would constitute an intrusive form of development that would be harmful to the street scene and character of the area and would represent an overdevelopment of the site.
2. The proposed development fails to make provision towards recreational open space contrary to the requirements of Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003). As such, it would put an additional demand on existing recreational facilities and would set a precedent that would make it difficult for the Council to implement this policy effectively in the future”.

*An appeal was lodged against this refusal of outline planning permission but was dismissed by the Planning Inspectorate in July 2005.*

S/2005/2344 Most recently, full planning permission was refused for a scheme to demolish the existing church hall building and to erect a block of 10no 2-bed flats (all to be provided for affordable housing) with associated parking provision and landscaping. This application was refused for the following reasons:

- “1. The proposed development would be contrary to Policies D1, D2 (i) and G2 (vi) of the Adopted Salisbury District Local Plan that seek to ensure that development is acceptable in the context of the character and appearance of the area and preserves the amenities of the neighbouring residents. In this instance, the proposed development by virtue of the overall scale and massing of the building, the size of the building footprint and its forward siting within the site would represent an overdevelopment of the site that would constitute an intrusive form of development to the detriment of the street scene and character and appearance of the area and would be harmful to the residential amenities of the occupants of the neighbouring properties.
2. The proposed development fails to make provision towards recreational open space contrary to the requirements of Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003). As such, it would put an additional demand on existing recreational facilities and would set a precedent that would make it difficult for the Council to implement this policy effectively in the future”.

*An appeal has been lodged against this refusal of planning permission.*

## CONSULTATIONS

WCC Highways: No objection.

Highways Agency: The A36 is a virtually de-trunked route. It is appropriate that the inheriting highway authority should comment and advise on all non-safety matters. The Highways Agency has not received any non-safety comments or advice from Wiltshire County Council. Therefore, there are no comments to make on this application.

Waste/Recycling Officer: No objection.

WCC Library/ Museum: No objection, subject to the imposition of a condition requiring that an archaeological watching brief be undertaken during the initial stages of construction.

Environmental Health: No objection.

Arboricultural Officer: No objection, subject to the imposition of conditions.

## REPRESENTATIONS

Advertisement	Yes - expired 17/08/06
Site Notice displayed	Yes - expired 17/08/06
Departure	No
Neighbour notification	Yes - expires 04/08/06
Third Party responses	Yes

Three letters of representation have been received in response to this application that raise the following concerns/objections to the proposed development:

The development of this site with 10 flats represents an overdevelopment of the site;  
The proposed level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity;  
The proposed development will generate additional traffic movements that will be detrimental to highway safety;  
There are no amenity areas for children to play so they play in the road that will be dangerous given the extra volume of traffic that will be generated; and  
The loss of trees that contribute to the visual amenities of the area and reduce the traffic noise from the adjacent A36 would be unacceptable.

## POLICY CONTEXT

The following policies of the Adopted Salisbury District Local Plan (June 2003) are relevant to the current proposal:

G1, G2, G4, D1, D2, D6, H8, H25, CN11, CN17, CN21, CN23, TR11, TR14 and R2.

## MAIN ISSUES

1. Principle of Development
2. Visual Impact
3. Design
4. Residential Amenities
5. Noise Issues
6. Highway Issues
7. Impact on Trees/Landscaping
8. Archaeological Issues
9. Flood Risk
10. Provision of Recreational Facilities
11. Sustainable Development – Waste Audit and Provision for Recycling
12. Affordable Housing

## **PLANNING CONSIDERATIONS**

### **1. *Principle of Development***

The site lies within the Salisbury Housing Policy Boundary and the principle of infill residential development is therefore considered acceptable, subject to the proposed development complying with the other relevant policies of the Local Plan. Policies D1 and D2 that relate to the need to encourage good design provide a framework of design criteria against which to assess new development proposals in order to ensure high quality design outcomes and that proposals are compatible with or improve the character and appearance of the surrounding area

The proposed development, however, would result in the loss of the existing church hall facility that provides a community facility within the Friary Estate. Although Policy PS3 of the Adopted Salisbury District Local Plan that considers development proposals affecting community facilities is not directly applicable to this proposal given the location of the site within the Salisbury Central Area, it is nevertheless considered appropriate to give some deliberation to this matter.

With regards to this issue, the applicant has confirmed that the existing building is now vacant and is redundant except for the storage of some tables given that the function of the church hall has been transferred to part of the St Martin's Infant School. This replacement facility therefore remains within reasonable walking distance of the existing church hall building and the Friary Estate. Consequently, while it is acknowledged that the facility has been relocated away from the Friary Estate that is a little unfortunate it is considered that the existing user groups will not actually lose a facility altogether. Furthermore, there are numerous other church halls and community facilities that exist within Salisbury that are reasonably accessible given the proximity of the Friary Estate to the central core of the City. In light of the above, it is not considered that the loss of the existing church hall provides justification for an 'in principle' objection to the proposed development.

The acceptability of the proposed development, therefore, rests with the detailed considerations as set out below.

### **2. *Visual Impact***

This section of the street scene of Eyres Way is of a mixed character consisting of properties of varying forms, styles and designs, although it is predominantly characterised by properties in residential use. In this respect, the eastern side of Eyres Way is characterised by the residential developments of the group of two-storey almshouses (Nos2-16 Eyres Way) and the three-storey block of flats (Nos20-30) to either side of the application site, as well as the existing church hall building itself, that are all set in relatively large and well landscaped/treed plots that provides a spacious and sylvan character to this side of the street scene. The opposite side of Eyres Way, however, consists of a more dense form of development in the style of two-storey terraced dwellings of a more traditional appearance and domestic scale that provides a more urban character to the street scene.

In considering the visual impact of the development that is currently proposed on the street scene of Eyres Way and the character and appearance of the surrounding area the previous planning history of the site is of particular relevance. In determining an earlier application that sought outline planning permission for the redevelopment of this site by the demolition of the existing church hall building and erection of a block of 10 flats, Members concluded that the proposed development by virtue of the overall size and forward siting of the proposed building footprint in conjunction with the resultant scale and massing of the building that would be likely to be required to accommodate the proposed number of units would constitute an intrusive form of development that would be harmful to the street scene and character of the area and would represent an overdevelopment of the site. The plans submitted in support of this proposal indicated that the proposed building would occupy a largely similar footprint to that of the existing building, although it would project further forward within the site towards the boundary to Eyres Way. In this respect, it was proposed that the main body of the proposed block of flats would encroach approximately 2 metres beyond the forward building line of the existing church hall building, while it would extend about 4.5 metres further forward at its furthest extent to the tip of a V-shape projection to the front elevation.

An appeal was subsequently lodged against this refusal of outline planning permission and although it was ultimately dismissed, it is evident that this was essentially for technical reasons and the conclusions of the Appeal Inspector are therefore of particular relevance to this current application. In this respect, the Appeal Inspector was of the opinion that having regard to the size and context of the appeal site, including the siting and appearance of adjoining buildings that the overall size and forward siting of the building footprint in conjunction with the resultant scale and massing of the building need not cause the problems identified by the Local Planning Authority in its reason for refusal. The Appeal Inspector also commented that the design of the proposed building indicated on the illustrative plans would also have been acceptable had the design and external appearance not been reserved for subsequent approval, but given that the proposed footprint of the building including a number of V-shaped projections, in the absence of the same commitment to the final design it would be wrong to give outline permission for a building of this particularly detailed form. In conclusion, the Appeal Inspector stated, “...*whilst I do not consider the appeal scheme to raise any substantive issues of legitimate concern as regards to its impact on the character and appearance of the locality, the technical drawbacks are such that I must dismiss the appeal. A subsequent full application for permission rather than the hybrid submission in this appeal would, together with a fully completed Obligation, enable the Council to resolve the outstanding technical points*”.

Following the dismissal of this appeal, a revised proposal that sought full planning permission for the demolition of the existing church hall and the erection of a block of 10x2-bed flats was submitted. As with the earlier outline proposal, it was proposed that the building would be sited on a similar footprint to that of the existing building on the site although again the front elevation of the proposed building extended 4.0 metres in front of the forward building line of the existing church hall. It was also acknowledged that the overall scale and massing of the proposed building was greater than that of the existing building on the site both in terms of its overall width and height. In this respect, the ridge height to the front and rear sections of the proposed building at a height of 9.5 metres was about 1.3 metres higher than the ridge height of the existing building, while the ridge line over the central section of the proposed building stepped up by a further 1.1 metres. The proposed building also presented a wider built frontage to Eyres Way than the existing building with the front elevation of the proposed building being about 1.1 metres wider (10.3 metres wide as opposed to 9.2 metres), while the width of the proposed building also increased in width across the central section of the building to an overall width of 12.3 metres. Nevertheless, having regard to the context of the street scene, together with conclusions of the Appeal Inspector in the determination of the previous application, it was the opinion of Officer's that the proposed development was acceptable. However, as with the earlier application, Members determined that the proposed development by virtue of the overall scale and massing of the building, the size of the building footprint and its forward siting within the site would represent an overdevelopment of the site that would constitute an intrusive form of development to the detriment of the street scene and character and appearance of the area, as well as being harmful to the residential amenities of the occupants of the neighbouring properties.

With regards to the current application, it is evident that the proposed development remains fundamentally the same as that of the previous application with the exception that the overall depth of the building has been reduced by about 1.6 metres and it is of a marginally reduced overall width. In all other respects, the design and overall scale and massing of the proposed building remains unaltered. In considering the latest proposal, it is acknowledged that the reductions in the overall size of the building in themselves may not seem to be significant, while the proposed building would still be of a greater overall scale and massing than the existing building, both in terms of its overall width and height, and would project some 2.4 metres in front of the building line of the existing church hall that occupies the site. Importantly, however, as a result of these alterations the proposed building would be on an almost identical forward building line as the earlier outline proposal and would be of a similar overall scale and massing that the Appeal Inspector concluded raised no substantive issues of legitimate concern as regards to its impact on the character and appearance of the locality and that would have been acceptable but for technical issues. In this respect, while the proposed building would be of a slightly greater width across its front elevation compared to the earlier outline scheme, the ridge height of the front section of the proposed building would be almost 1.0 metre lower and although there is a step up in the ridge line over the central section of the building this is set well back on the building (some 8.5 metres behind the front elevation of the building).

In assessing the current proposal, it is also important to consider it in the context of the surrounding properties and the general street scene. In doing so, it is considered that the proposed building would be proportionate in the extent of its site coverage compared to the adjacent development at Nos2-16 and Nos20-30, and despite the forward encroachment of the proposed building in relation to that of the existing church hall it is considered that it would still respect the forward building line of the development on the eastern side of Eyres Way. In fact, the proposed building would be clearly set back behind a building line drawn between the forward-most sections of the adjacent almshouses and flat development to either side of the site. With regards to the overall scale and massing of the proposed building, it is acknowledged that it would be larger than the existing church hall and would have a more prominent presence within the street scene. Nevertheless, it is evident from the submitted street scene elevation that the proposed building would have a lower overall ridge height than the adjacent block of flats at Nos20-30 Eyres Way, while the eaves level has also been kept as low as possible, so that the proposed development would provide an effective transition between the domestic scale properties at Nos2-16 to the south of the site and the 3-storey block of flats at Nos20-30 to the north. Having regard to the conclusions of the Appeal Inspector and given the context of the street scene, it is therefore considered that the proposed development, together with ancillary parking, cycle storage, refuse/recycling provision and landscaping, can be reasonably accommodated within this site and without having an overbearing presence that would be detrimental to the character and appearance of the street scene and surrounding area.

### **3. Design**

With regards to design, as mentioned above, the proposed development is essentially the same as the previous application. The proposed building adopts a more traditional design approach rather than a modern contemporary style that would allow it to integrate satisfactorily with the existing development but at the same time also enhancing the quality of development in the immediate vicinity. While it is acknowledged that the proposed building is of a fairly large overall scale and massing, it is considered that the proposed design employs sufficient detailing to provide a good degree of articulation to the building that in turn serves to break up its overall massing. In this respect, the built form is made up of two storey elements to the front and rear of the building whilst stepping up to 2½ storeys over its central section and also having a wider footprint at this point. The proposed building also incorporates a reasonable degree of detailing through the use of porch canopies, window sills and headers, projecting bays and oriel windows all of which will add interest to the character and appearance of the building and aid to break up the overall massing. Furthermore, the submitted plans indicate the use of a variety of material finishes that will also serve to break up the mass of the building and could give it something of an arts and crafts feel depending upon the specific materials that are used. Consequently, it is considered that the proposed development would be of an acceptably high quality of design that would allow it to not only integrate comfortably, but also to enhance the visual character of this section of the street scene and the surrounding area. Furthermore, it is also considered that the proposed development would conform to the Government guidance contained in PPG3 that advocates that Local Planning Authorities should promote the more efficient use of urban land.

Finally, with regards to the issue of design and the impact of the proposed development on the character of the surrounding area, in accordance with Policy D6 of the Adopted Salisbury District Local Plan the overall ridge height of the proposed building would be significantly lower than the critical height of 12.2 metres so that the views of the Cathedral spire rising above the roofscape of the city would not be adversely affected.

### **4. Residential Amenities**

With regards to residential amenity, it is evident that the proposed block of flats would largely occupy a similar footprint to the existing building. As a result, even though it is acknowledged that the overall scale and massing of the proposed building would be greater than that of the existing church hall that currently occupies the site, it is considered that the proposed building would be sufficiently distanced from the neighbouring developments to either side so as not to cause any material loss of light or lead to an overbearing presence.

With regards to the issue of privacy, it is considered that the proposed development can be accommodated within this site without giving rise to a material loss of privacy to the neighbouring residents. In this regard, a gap of approximately 20 metres would be retained

between the main façade of the northern elevation of the proposed building and the principal front elevation of the adjacent block of flats at Nos20-30 Eyres Way that faces directly towards the site, while a more restricted gap of about 10 metres at its closest point is retained to the residential dwellings at Nos2-16 Eyres Way to the south of the site. With this in mind the internal layouts of the proposed flats have been purposely designed in such a manner that the principal windows serving the main habitable rooms (lounge/dining rooms and kitchens) are located to the front elevation facing Nos20-30 Eyres Way and the side elevations facing onto Eyres Way to the west and the A36 to the east where the separation distances involved to the neighbouring properties are sufficient so that no material loss of privacy would occur.

In relation to the neighbouring development at Nos2-16 Eyres Way, the arrangement of the fenestration to the southern elevation is more sensitive due to the closer proximity of the proposed development to these neighbouring properties. With this in mind, the internal layout of the proposed flats has been designed so that the more secondary accommodation (bedrooms and bathrooms) has been located on this side of the building, while the kitchens to the flats on this side of the building have also been designed so that they are open plan to the lounge/dining rooms thereby negating the need for further windows in the southern elevation to serve these kitchens and in turn reducing the level of both real and perceived overlooking that could occur. Importantly, the first floor windows in the central section of the building, that serve bedrooms, have been purposely designed to be V-shaped with the rear portion of these windows to be obscure glazed in an effort to minimise any potential overlooking of the adjacent properties at Nos2-16 Eyres Way. Although it is acknowledged that the resultant relationship is not ideal given that the presence of these windows could lead to concerns of perceived overlooking it is considered that this would not be so materially harmful as to justify refusal of this application by itself. Furthermore, this relationship is not uncommon between properties in an urban area such as this.

In assessing this application, it is also appropriate to consider the amenities of the future occupants of the proposed apartments in terms of the quality of the accommodation and environment that is proposed. In this regard, the level of light within some of the kitchens of the first and second floor flats may create living conditions that whilst not being ideal are also not considered to be unacceptable to an extent that would merit the refusal of this proposal. The site is also located immediately adjacent to the A36 (Churchill Way South) and therefore could potentially be subject to a significant level of noise from road traffic. This issue is discussed in more detail in the following section of this report, "Noise Issues", although it is concluded that subject to the implementation of appropriate mitigation measures an acceptable internal environment within the building can be provided.

## **5. Noise Issues**

The site lies immediately adjacent to the A36 (Churchill Way South) to the east and it is recognised that the amenities of the future occupants of the proposed development could potentially be subject to a significant level of noise and vibration from the road traffic. In support of the application, the applicant has therefore commissioned an acoustic survey to assess the impact of noise and vibration arising from traffic on Churchill Way South. At present, there is an existing tree and landscape screen adjacent to the eastern boundary of the site that serves as an important visual and acoustic barrier in providing some protection against the impacts of traffic noise from the A36. However, while it is proposed that this tree and landscape screen will be retained and reinforced, the results of the acoustic survey identify that the site is subject to significant levels of ambient noise and that typical noise levels on the site fall within noise exposure category 'C' as specified within PPG24. Noise exposure category 'C' advises that where residential development falls within this category that *"Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise"*.

In view of the guidance of PPG24, consideration must be given to whether appropriate mitigation measures can be incorporated into the design to provide an acceptable environment within the proposed apartments for the future occupants. In this respect, the report recommends the incorporation of specified acoustic performance for glazing to the sensitive windows of the development. However, it also advises that whichever level of glazing is provided it is of course the case that when the windows are opened, the acoustic performance of the windows will be

negated and it is therefore also proposed that the habitable rooms will be ventilated by acoustic trickle vents. In conclusion, the report identifies that by specifying an appropriate performance for the glazing and by providing attenuated forms of ventilation to the most sensitive rooms that it will be quite possible to ensure that the internal environment within the building is well within normal design standards for such residential use. The survey that has been undertaken also considered the existing ground vibration levels arising from the road traffic on the adjacent A36 (Churchill Way South). On this issue, the report concludes that the vibration values on site will be well within acceptable criterion, as defined in British Standard guidance, and that no additional measures will be required to address vibration on the site.

The Council's Environmental Health Officer has advised that the recommendations with regard to the acoustic performance of the glazing and attenuated ventilation detailed in the report are acceptable and no objection is raised to the proposed development. The implementation of these mitigation measures, however, will need to be secured by condition.

## **6. Highway Issues**

With regards to highway issues, and in particular parking provision, an objection has been received to the proposal on the grounds that the level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity. The latest Government guidance contained in PPG3 and PPG13, however, seeks to reduce the reliance on the car and advocates the provision of a maximum of 1.5 off-street parking spaces per dwelling on average throughout a development. In this instance, the proposal includes the provision of a total of 10 parking spaces for the 10 flats proposed which equates to a ratio of 1.0 parking space per unit. In addition, it is also proposed that this level of parking will be supplemented by the provision of a secure and covered cycle store accommodating a total of 10 cycle spaces, 1 per apartment. Given the sustainable location of the application site within the Salisbury Central Area and its close proximity to the facilities and services of the City Centre and the public transport links (bus routes and railway station) that are available within reasonable walking distance it is considered that this is an acceptable level of vehicle and cycle parking provision to serve the development.

In relation to other highway aspects of the proposal, it is proposed that the existing vehicular access from Eyres Way will be utilised to serve the development to which no highway objection is raised. Similarly, WCC Highways have not raised any concern to the capacity of the existing road infrastructure to support the volume of traffic movements that will be generated by the development or in respect of highway safety.

## **7. Impact on Trees/Landscaping**

As mentioned above, there is a fairly dense and mature tree/landscape screen adjacent to the eastern boundary of the site, while there are also trees located along the western boundary that separates the parking area within the site from the adjacent flats at Nos20-30 Eyres Way. In addition, there are also several trees located in close proximity to the southern boundary of the site, albeit these are actually located within the grounds of Nos2-16 Eyres Way. A Tree Preservation Order (TPO No.316) covers the trees within the application site.

In support of the application, an arboricultural impact appraisal has been submitted that identifies the constraints that the trees within the site impose on the proposed development. This report identifies that although the proposed building is within or close to the protection zones of several trees, subject to the provision of protective fencing and ground protection measures there should be no adverse effects on the retained trees from the demolition of the existing building or construction of the proposed development. The submitted arboricultural impact appraisal also identifies that the existing hard surfacing of the parking area is located within the protection zones of the trees adjacent to the eastern boundary but given that it is not to current standards it will be replaced. As such, it is identified that within these root protection zones the existing surfacing will be removed by hand and the replacement surfacing will have to be installed using a "no-dig" specification. As a result, there is no arboricultural objection to the proposed development subject to the implementation of appropriate protection measures that can be secured by a condition requiring the submission of an arboricultural method statement.

With regards to the proposed landscaping of the site, although the proposed development does not require the removal of any of the existing trees within or adjacent to the site to accommodate the proposed development it is proposed that the existing trees along the western boundary of the site with Nos20-30 Eyres Way (two Sycamores and a line of plum trees) will be removed. However, the arboricultural impact appraisal identifies that these trees have significant structural problems and poor long-term prospects or are not of any high amenity value. However, the contribution of these trees as a screen to this boundary between the site and the adjacent flats (Nos20-30 Eyres Way) is acknowledged and it is therefore proposed that suitable replacement trees are planted as part of the landscaping scheme for the site. It is also considered that the submitted landscape proposals provides a suitable planting scheme for the development, the implementation of which can be secured by condition.

#### **8. *Archaeological Issues***

The application site is located within the Area of Special Archaeological Interest and the County Archaeological Officer has advised that the site lies close to the ring road that is known to overlie the bank and ditch that formed the city defences further north. The exact location or extent of these defences, however, is not known at this location and it is possible that the construction of the proposed building may reveal information relating to them or the Franciscan Friary that is thought to lie to the west. In light of the fact that it is proposed to construct the new building in a similar location to the present building, it is therefore recommended that an archaeological watching brief be undertaken during the initial stages of construction. This would allow an archaeological contractor to identify and record any archaeological features that may be uncovered. This can be secured by condition.

#### **9. *Flood Risk***

The site lies partly within the 1 in 100 year indicative flood plain of the River Avon and as a result the Environment Agency has verbally advised that the finished floor levels of the proposed building should be set a minimum of 0.6 metres above the 1 in 100 year indicative flood level to mitigate against the risk of flooding, albeit that the proposed footprint of the building would only marginally encroach within the flood plain. The proposed development has been designed so that the finished floor levels of the building would be set at a height of 10.4 metres above local datum in accordance with the requirement of the Environment Agency. As such, there is no objection to the proposed development although it is considered appropriate to impose a condition relating to the finished floor levels.

#### **10. *Provision of Recreational Facilities***

In accordance with Policy R2 of the Adopted Salisbury District Local Plan the provision of recreation facilities must be considered for all proposals for new residential development. This proposal would involve the creation of 10no 2-bed apartments, although an existing 2-bed manager's flat would be lost as a result of the demolition of the existing building resulting in a net increase of 9no 2-bed apartments. A commuted payment of £10,975.05 towards the provision of off-site recreational facilities has therefore been calculated to be required pursuant to Policy R2. This can be secured via a Section 106 Agreement.

#### **11. *Sustainable Development – Waste Audit and Provision for Recycling***

In respect of the proposed development, Policies 10 (Waste Audit) and 14 (Provision for Recycling) of the Wiltshire and Swindon Waste Local Plan 2011 are of relevance. Both of these policies seek to ensure that, from the outset, new development is implemented with the principle of sustainable development at its core. In this respect Policy 10 seeks to implement this approach through the requirement of applicant's to submit a waste audit to establish the volume, tonnage and nature of materials likely to arise from site demolition, excavation, clearance, preparation, storage and construction, and where these can be re-used within the development or off-site. Policy 14, however, seeks to ensure that waste can be easily segregated by occupiers of new development for collection or transfer to local recycling facilities and seeks the provision of local/neighbourhood scale recycling facilities where these would be appropriate to the scale of development proposed as well as encouraging the provision of designed-in facilities that allow the separate storage of kitchen, garden wastes and recyclable materials such as paper, glass, plastic and cans.

In this instance, in accordance with Policy 10 the applicant has submitted a waste audit. This identifies that the materials of the existing building, such as roofing tiles, bricks and fixtures/fittings, that are in a suitable condition will be used for reclamation. All remaining brick rubble and excavated concrete will be taken to an appropriate landfill site where it cannot be used on the site for backfilling purposes or for the making of any temporary site entrances/roadways, while all other waste materials, such as wood, scrap metal, windows and internal fixtures/fittings, that cannot be retained on site will be sorted according to type and disposed of accordingly to appropriate recycling facilities. All materials leaving the site will be ticketed by the load and disposed of at licensed sites. With regards to the provision of recycling facilities within the development itself, the applicant has submitted a scheme of refuse/recycling provision that incorporates a communal refuse/recycle bin store within the site to accommodate 2x1100 litre capacity refuse bins, 2x1100 litre recycle bins for plastic bottles and cardboard together with 4x240 litre recycle bins for cans, paper, clear glass and mixed coloured glass. In addition, it is also proposed that each individual unit will be provided with a 55 litre kerbside box as a storage bin for the collection of recyclable materials within the apartments as well as a ventilated kitchen caddy. The submitted scheme also includes the provision of an individual 700 litre compost bin. WCC Waste Planning and the Council's Waste Minimisation and Recycling Officer have confirmed that the submitted proposals constitute an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development.

## **12. Affordable Housing**

In accordance with Policy H25 of the Adopted Salisbury District Local Plan (June 2003), in relation to a site in an urban area such as this, where there is a demonstrable lack of affordable housing to meet local needs the provision of an element of affordable housing will be sought on appropriate sites where the site is of a hectare or more in area or the development is for 25 or more dwellings. In this instance, neither the application site area nor the scale of the proposed development meets these thresholds and therefore in accordance with Policy H25 this current proposal does not represent a qualifying site for the provision of affordable housing.

Nevertheless, the applicants' propose that all of the apartments will be for affordable housing subject to grant funding being secured. This is obviously welcomed as it meets one of the key objectives of this Council in delivering more affordable housing. However, it should be noted that the applicant has confirmed in writing that Western Challenge Housing Association were unsuccessful in securing grant funding in respect of the previous application.

While the delivery of affordable housing provision through this development would be welcomed by the Local Planning Authority as it meets one of the key objectives of this Council in delivering more affordable houses, given that this development does not automatically require the provision of an element of affordable housing under the terms of Policy H25 and it is judged that it would be acceptable in respect of all other material considerations even if the development were proposed as open market housing, it is not therefore justified to require that it is secured for affordable housing in perpetuity through a Section 106 Agreement.

## **CONCLUSION**

The principle of the redevelopment of this site for residential purposes is acceptable in policy terms. It is considered that the submitted plans demonstrate that the redevelopment of this site with a block of 10 flats can be achieved in a built form that would be of an acceptable design, scale and massing and that would sit relatively comfortably in this street scene. The proposal also retains the existing trees and landscape planting both within and adjacent to the site or allows for suitable replacement planting which in turn will ensure that the proposed development respects and preserves the sylvan character that exists to this side of the street scene.

In respect of other issues, the proposed development has also been designed in such a manner that it is considered that it would not materially harm the amenities of the neighbouring properties in terms of its physical presence or as a result of a material loss of light or privacy. Furthermore, although the site is located adjacent to the A36 (Churchill Way South) and is subject to significant levels of ambient noise, the submitted acoustic and vibration report identifies that subject to appropriate attenuation measures, such as acoustic glazing and an

attenuated form of ventilation, that the internal environment within the building will be well within normal design standards for residential use.

With regards to highway matters, the proposed development will be served by an acceptable means of access, while it is also considered that there is an adequate level of on-site vehicle and cycle parking provision given the location of the site in close proximity to the city centre and the services/facilities that it offers. The applicant has also proposed an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development, while any issues relating to archaeology and flood risk can be suitably controlled by conditions requiring that an archaeological watching brief be undertaken during the initial stages of construction and details of the finished floor levels as mitigation against the risk of flooding.

The proposed development is freely offered by the applicant for 100% affordable housing, subject to grant funding being secured, which is obviously welcomed as it meets one of the key objectives of this Council in delivering more affordable housing. However, it should be noted that in this instance it is not justified to require that the development is secured for affordable housing in perpetuity through a Section 106 Agreement. Finally, the requisite contribution towards the provision of off-site recreational facilities in accordance with Policy R2, however, can be secured via a Section 106 Agreement.

In light of the above, it is concluded that the proposed development represents an acceptable form of development in accordance with the relevant policies of the Adopted Salisbury District Local Plan, but also in compliance with the Government's objectives as set out in PPG3 and PPG13 to make the more efficient use of urban land and to promote sustainable patterns of development.

## **RECOMMENDATION:**

### **APPROVE**

Subject to all relevant parties entering into a Section 106 Agreement under the Town and Country Planning Act 1990 relating to the payment of a commuted sum under the requirements of Policy R2 of the Adopted Salisbury District Local Plan (June 2003).

## **REASONS FOR APPROVAL**

It is considered that the submitted plans demonstrate that the redevelopment of this site with a block of 10 flats can be achieved in a built form that would be of an acceptable design, scale and massing and that would sit relatively comfortably in this street scene. The proposal also retains the existing trees and landscape planting both within and adjacent to the site which in turn will ensure that the proposed development respects and preserves the sylvan character that exists to this side of the street scene. The proposed development has also been designed in such a manner that it would not materially harm the amenities of the occupants of the neighbouring properties, while it would be served with an acceptable means of access and an adequate level of on-site vehicle and cycle parking provision.

In respect of other issues, subject to the implementation of appropriate mitigation measures the internal environment within the building will be well within normal design standards for residential use. The applicant has also proposed an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development. Although the site is located within an Area of Special Archaeological Interest and is partly within the 1 in 100 year indicative flood level of the River Avon, these issues can be controlled by the imposition of conditions requiring that an archaeological watching brief be undertaken during the initial stages of construction and details of the finished floor levels as mitigation against the risk of flooding. Finally, the requisite contribution towards the provision of off-site recreational facilities in accordance with Policy R2, however, can be secured via a Section 106 Agreement.

As such, it is considered that the proposed development complies with Policies G1, G2, G4, D1, D2, D6, H8, H25, CN11, CN17, CN21, CN23, TR11, TR14 and R2 of the Adopted Salisbury District Local Plan.

And subject to the following conditions:

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

**Reason** - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. Details and samples of all external facing and roofing materials to be used in the construction of the building hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

**Reason** - To ensure that the external appearance of the building is satisfactory.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, no further windows (other than those expressly authorised by this permission) shall be inserted in the south (rear) elevation (such expression to include the roof and wall) of the building hereby permitted, unless otherwise first agreed in writing by the Local Planning Authority.

**Reason** - To avoid loss of privacy to the neighbouring properties.

4. Both in the first instance and upon all subsequent occasions, the windows coloured ORANGE on the approved plan on the southern (rear) elevation of the building hereby permitted shall be glazed with obscure glass in a form sufficient to prevent external views and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening.

**Reason** - To protect the amenity and privacy of the adjoining properties.

5. Prior to the commencement of development, details/a plan indicating the positions, design, materials and type of boundary treatment to be erected have been submitted to, and approved in writing by, the Local Planning Authority. The erection of the approved boundary treatment shall be completed before the flats are first occupied. Development shall be carried out in accordance with the approved details, maintained for a period of five years and thereafter retained.

**Reason** - In the interests of visual amenity and privacy for the occupants of the neighbouring properties.

6. The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:
  - a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
  - b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
  - c) the scheme shall be properly maintained for a period of 5 years and any tree(s) and plant(s) (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
  - d) the whole scheme shall be subsequently retained.

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

7. No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

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

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

8. An Arboricultural Method Statement providing comprehensive details of construction works in relation to trees being retained on, or adjacent to, the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development, including site clearance, tree works, storage of materials or other preparatory work. All works shall subsequently be carried out in strict accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a specification for protective fencing to trees both on the site and adjoining sites during both demolition and construction phases which complies with the British Standard 5837:2005 and details of the timing for the erection of protective fencing and a plan indicating the alignment of the protective fencing. It shall also include a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005. The protective fencing shall not be removed or breached during demolition or construction without prior written approval by the Local Planning Authority, but shall remain in place for the entire development phase and until all equipment, machinery, and surplus materials have been removed from the site. Within the areas so fenced there shall be no development or development related activity of any description.

The Arboricultural Method Statement shall also include a full specification for the construction of any arboriculturally sensitive structures including a full specification for the method of construction of any areas using a "no-dig" construction and the extent of the areas to be constructed using this specification, the design of the building foundations of any structures or part(s) of structures that are located within tree protection zones, changes in levels, methods of demolition and construction, and the alignment of service and piping infrastructure i.e. water, gas, sewage, electricity etc. It shall also include the control of potentially harmful operations such as the use of fires, the storage of materials and site huts, concrete mixing and the movement of people or machinery across the site etc. The Arboricultural Method Statement shall include details of any works requiring arboricultural supervision to be carried out and details for the provision for the supervision and inspection of the tree protection measures, such as the frequency of the supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits.

The Arboricultural Method Statement shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

**Reason** - To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

9. The development hereby approved shall not be occupied until the access, turning space and vehicle and cycle parking as indicated on the approved plan have been constructed and laid out, and these shall thereafter be retained and kept available for those purposes at all times.

**Reason** - In the interests of highway safety.

10. Prior to the first occupation of the development hereby approved the vehicular access and parking area as indicated on the approved plan shall be properly constructed, consolidated and surfaced (not loose stone or gravel), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

**Reason** - In the interests of highway safety.

11. Prior to the commencement of development, a scheme for the provision and implementation of surface water run-off limitation shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details.

**Reason** - To prevent the increased risk of flooding.

12. Prior to the commencement of development, details of the proposed finished floor levels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason** - To protect the development from flooding.

13. No development shall take place until a programme of archaeological work has been secured and implemented in accordance with a written scheme of investigation to be submitted to, and approved in writing by, the Local Planning Authority.

**Reason** - The area is known to be of archaeological importance and it is important that any archaeological finds should be properly recorded and preserved.

14. The development shall be carried out in accordance with the measures detailed in the submitted waste audit that consists of a completed "Reclaiming Resources for the Community - A Development Guide" and FDS Demolition Ltd letter dated 30th November 2004, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

**Reason** – In the interests of sustainable development.

15. The development shall be carried out in accordance with the details of the scheme for the provision of refuse and recycling facilities as set out in the agent's e-mail dated 1st September 2006 and the agreed refuse and recycling facilities to be provided within the completed development shall be provided and made available for use prior to the first occupation of the flats hereby approved and thereafter retained, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

**Reason** – In the interests of sustainable development.

16. The development shall be carried out in accordance with the recommendations and remediation measures detailed in the submitted assessment of environmental noise and vibration prepared by Ian Sharland Limited and dated 25 November 2005, that include the provision of acoustic glazing and attenuated ventilation in the form of an acoustic trickle vent, unless otherwise first agreed in writing by the Local Planning Authority to any variation. The implemented scheme shall thereafter be retained.

**Reason** – In the interests of the amenities of the occupiers of the proposed development.

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

**Policy Purpose**

G1	General Principles of Sustainable Development
G2	General Criteria for Development
G4	Flood Risk
D1	Extensive Development
D2	Infill Development
D6	Salisbury Central Area
H8	Salisbury Housing Policy Boundary
H25	Affordable Housing
CN11	Views Into and Out of Conservation Areas
CN17	Protected Trees
CN21	Archaeology
CN23	Archaeology
TR11	Provision of Off-Street Parking
TR14	Provision of Cycle Parking Facilities
R2	Provision of Recreational Facilities

**Informative Notes:**

1. In compliance with Condition No11 above, the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483382 / Fax: 01258 455998.
2. In conjunction with Condition No12 above, the applicant is advised that the finished floor levels must be set a minimum of 600mm above the 1 in 100 year indicative flood level. This is equivalent to 400mm above the height of the threshold to the entrance on the southern side of the existing building.
3. The applicant is advised that according to Wessex Water records there is a 375mm public surface water sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width either side of its apparatus for the purposes of maintenance and repair. The applicant is therefore advised to contact Wessex Water (Tel:01225 526000) to ascertain whether diversion or protection works are required and if so, to agree any arrangements for the protection/diversion of this infrastructure.

Application Number:	S/2006/1418		
Applicant/ Agent:	T P TREICHEL		
Location:	177 - 181 WILTON ROAD SALISBURY SP2 7JY		
Proposal:	EXTEND AND CONVERT 177-181 WILTON ROAD TO 9 FLATS		
Parish/ Ward	FISHERTON/BEM VILLAGE		
Conservation Area:		LB Grade:	
Date Valid:	11 July 2006	Expiry Date	5 September 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

### REASON FOR REPORT TO MEMBERS

Cllr Walsh has requested that the application be determined by committee due to public interest and concerns over parking arrangements within Gramshaw Road.

### SITE AND ITS SURROUNDINGS

The site relates to three properties, 177-181 Wilton Road, which form the end of terrace on the south side of Wilton Road at its junction with Gramshaw Road. The use of these three properties are as follows:

- 177 – 5 bedroom house
- 179 – 5 bedroom house
- 181 – 3 bedroom house and 1 bedroom flat

The three properties are three storey and have basements.

### THE PROPOSAL

It is proposed to erect rear extension and to the create 9 flats from the enlarged properties. The division of flats would be as follows:

- 177 – 1 bed basement flat; 1 bed ground floor flat; 2 bed upper floors flat
- 179 – 1 bed basement flat; 1 bed ground floor flat; 2 bed upper floors flat
- 181 – 1 bed basement flat; 1 bed ground floor flat; 2 bed upper floors flat

The rear curtilages of the properties would be combined to create 6 off-street parking spaces.

### PLANNING HISTORY

03/2039 – Use of basement as flat (APP)

### CONSULTATIONS

WCC Highways Officer – No objection:

“I confirm that the parking provision for the proposals, at six spaces, although lower than the maximum requirement (11 spaces) still provide an improvement on the existing situation where no spaces are available for 3 large properties (where the maximum provision would be 7 spaces). On balance, therefore, I consider the parking allocation to be reasonable in this location adjacent to a main bus route into the city centre and an improvement on the existing situation. Only one on-street parking space in Gramshaw Road is lost as a consequence of the proposed single width access point, which again is considered acceptable in the circumstance that additional off-street parking is provided above and beyond that previously available (to the three existing dwellings).”

Highways Agency – No objection

Environmental Health – No objection

## REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expiry.....10/08/06
Departure	No	
Neighbour notification	Yes	Expiry.....02/08/06

Third Party responses                    3 letters of objection/concern. Reasons include:

Impact upon on-street parking (i.e. loss of spaces and increased pressure for spaces)

Concern over rubbish storage (i.e. should be out of site)

## MAIN ISSUES

1. The acceptability of the proposal given the policies of the Local Plan;
2. Character of the locality and amenity of the street scene;
3. Amenities of the occupiers of adjoining and near by property;
4. Highway considerations.

## POLICY CONTEXT

G1, G2, D3, H8, TR11, R2

## PLANNING CONSIDERATIONS

### *Principle of development*

The site is within the Housing Policy Boundary of Salisbury where the principle of new residential development is supported by policy H8 of the Local Plan.

### *Impact upon visual amenity*

Many of the terraces along this part of Wilton Road have been extended or altered on their rear elevations, often in a fairly insensitive manner. Indeed, there are large flat roofed extensions on two of the existing application properties.

The extensions proposed would extend across the entire width of the three properties and at three storey height. They would have pitched roofs, mostly following the roof pitches of the original properties. Brick and slate tiles would match the existing.

The creation of two stairwells and the staggered design adopted to limit the extension's impact upon 183 Wilton Road has produced a fairly complicated configuration to the rear of the properties. However, given the existing situation and the fact that the extensions relate to the rear elevation, it is not considered that they would cause such harm to the character of the area so as to warrant refusal.

One of the stairwells would have a false pitched roof, part of which would protrude above the "V" of the roofs of 177 and 179. Whilst not ideal, it is unlikely to be unduly prominent from the front elevation, unless viewed from straight on and from an elevated position.

The creation of the 6 off-street parking spaces would be visible from Gramshaw Road. At present, the boundary with Gramshaw Road comprises timber panel fencing with an opening onto an area of hard standing. Provided that appropriate boundary treatment to either side of the new vehicular access is agreed, it is not considered that the parking area would result in such a detrimental impact upon the character of the area so as to warrant refusal.

Two nearby residents have expressed concerns regarding the storage of rubbish, including the detrimental visual impact that this can have on the approach into Salisbury along Wilton Road. However, there is adequate space to the rear of the properties for such storage, which could be screened appropriate boundary walls/fencing.

### ***Impact upon neighbouring amenity***

The part of the rear extension closest to 183 Wilton Road has been staggered in order to reduce the extension's bulk closest to this neighbouring property, and this approach is considered to safeguard an acceptable degree of light and outlook.

Although balconies are proposed to four of the flats, these would be recessed between the two stairwells, and therefore overlooking would be little more significant than as existing.

### ***Highways implications***

One on-street parking space would be lost on Gramshaw Road as a result of the new off-street parking area. Bearing in mind that the existing 4 properties at 177-179 Wilton Road have no off-street parking at present, the Highways Officer considers the provision of 6 new spaces for the 9 flats as an improvement over the current situation. No objections are therefore raised on highway grounds.

### **CONCLUSION**

The extension and subdivision of 177-181 Wilton Road would be acceptable in principle, and would not have a significant impact in design, amenity or highway terms.

### **REASONS FOR APPROVAL:**

Subject to the receipt of an appropriate commuted sum towards the provision of off site open space, the extension and subdivision of 177-181 Wilton Road would be acceptable in principle, and would not have a significant impact in design, amenity or highway terms.

### **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.
2. No development shall take place until samples of the materials to be used in the extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any screening, walls or fences thus approved shall be planted/erected prior to the occupation of the dwelling.
4. The parking spaces shall be marked out, and the parking spaces and manoeuvring area shall be surfaced in accordance with further details which shall be submitted for further written approval; and the parking spaces and manoeuvring area shall be provided in accordance with the approved details prior to the occupation of the development.

### **The reason for the above condition is listed below:**

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. As amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. In order to secure an adequate level of off-street parking spaces.

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

**Policy Purpose**

G1	Sustainable development
G2	General Development Guidance
D3	Extensions
H8	Salisbury Housing Policy Boundary
TR11	Off-street parking requirements
R2	Provisions towards Recreational Open Space

Application Number:	S/2006/1598		
Applicant/ Agent:	THE LUKEN BECK PARTNERSHIP LTD		
Location:	LAND TO THE REAR OF 45 QUEEN ALEXANDRA ROAD SALISBURY SP2 9LL		
Proposal:	ERECTION OF 31 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	BEMERTON		
Conservation Area:	LB Grade:		
Date Valid:	3 August 2006	Expiry Date	28 September 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

### 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 31 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 various supporting statements including:

A waste and recycling audit report  
Flora and fauna report  
Contamination reports  
A Flood risk assessment  
An Archaeological Desk Top study

### 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/06/ 0132 - Erection of 44 dwellings, access etc. Refused for the following reasons :

*"The development of the site as proposed due to a combination of the number of dwellings and the overall design and layout and the close proximity to adjacent dwellings and garden areas, would be unsympathetic to the character of the area, and would have an adverse impact on the amenities of occupiers of adjacent dwellings. The proposal would therefore be contrary to policies G2 (VI) and D1 & D2 of the Salisbury District Local Plan."*

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 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.

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.

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

## CONSULTATIONS

WCC Highways - The current submission shows a significant reduction in the number of dwellings and the layout of the houses in relation to the road has improved with minor concerns about the layout now removed. Parking level has also been improved and is acceptable. I confirm that traffic calming along Queen Alexandra Road would not be supported by this Authority. If you recall, I explained to Members at the City Area Committee on the previous submission that traffic speeds are generally lowered where parking takes place and the level of parking along Queen Alexandra Road is considered to be at an acceptable level where there are several opportunities for vehicles to park off street.

I therefore recommend that no highway objection be raised subject to the following:

The developer should enter into an Agreement to finance a package of measures to support sustainable transport as previously agreed. The previous package amounted to a maximum of £34,476 worth of contributions and it is recommended that the same calculations per household are applied to the current proposal, requiring a total package of £28,625. The package should be subject to a Section 106 Agreement.

Comments on transport are not changed from the previous comments for S/2006/132 dated 23/2/06.

Internal road layout is improved on previous scheme and I recommend the condition as previously:- Full engineering details of the road layout shall be submitted to include longitudinal sections, typical cross sections, road drainage, street lighting and construction specifications of materials and depths; and the details shall be submitted for the written approval of LPA prior to the start of development.

I have no details of the surface water drainage proposals.

Housing & Health Officer – No objections (previously) no response on this application.

Wessex Water Authority- No objections regards in principle 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 various conditions.

WCC Archaeology - Archaeological finds in area. Desk top study acceptable subject to condition.

SDC Housing - 35 percent affordable housing is provided as discussed.

## REPRESENTATIONS

Advertisement	Expiry 7/09/06
Site Notice displayed	Expiry 7/9 /06
Departure	No
Neighbour notification	Yes. Expiry 25/8/06
Third Party responses	40 letters 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  
Increased pollution  
No.45 should not be demolished

31 dwellings will affect educational facilities  
details submitted with the application are inaccurate

## **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)

The revised scheme obviously needs to be tested against the previously refused application for 44 dwellings. The following paragraphs address this point.

### **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 west .....Effectively 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 site 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.

Whilst any housing scheme on this site will be highly visible and prominent from the west 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 curtilages 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, and following the comments and criticisms of members of the city area committee regards the previous 44 dwelling scheme, the layout of the scheme is considered to be generally acceptable. It is considered that the scheme as revised is of a more spacious suburban layout, and of a much lower density than the previous application. (On this point, it is worth members noting that if the density were to drop any lower, then any approval this Council may wish to issue would have to be agreed by the Government Office of the South West, which checks that housing developments meet the density criteria outlined in PPG3).

As redesigned, it is considered that the scheme is similar to the urban development surrounding the site, and is considered acceptable in planning terms.

### **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 compared to the previously refused scheme for 44 dwellings.

a) Impact on houses in Penruddock Close

The proposed housing in the south western corner of the application site has been redesigned so that a low rise bungalow is located adjacent to the dwellings in Penruddock Close. Furthermore, the other dwellings along the western fringe of the site has been positioned a few metres further back from the western boundary than the previously refused scheme. Such a layout is considered an improvement as it is likely that the proposed dwellings would be less dominant when viewed from existing dwellings adjacent the western boundary of the site, although this arrangement does not eliminate overlooking issues entirely.

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, and will result in a slightly improved relationship with adjacent dwellings compared to the refused scheme for 44 houses.

With regards a separate amenity issue, residents immediately adjacent the western boundary of the site have unfortunately experienced some anti-social behaviour during the time the Merryfield part of the site has been vacant, in that local youths have allegedly been using the application site as a short cut from Queen Alexandra Road to Penruddock Close. As a result, adjacent residents understandable want a close boarded fence along part of the western boundary of the site.

However, the developer has voiced concerns about this, and in officers opinion, a large close boarded fence may not be desirable from either a visual point of view (particularly from the west), or from an arboricultural point of view (a solid structure may affect the growth and longevity of new and existing planting). As a result, in order to address the concerns of adjacent neighbours, the developer has however agreed to a chain link fence along the western boundary. This in officers opinion, would protect adjacent amenities, and be visually and arboriculturally more appropriate, as over time, the fence will become less prominent and the landscaping more so.

#### b) Impact on dwellings in Alexandra Close

The dwellings in Alexandra Close are a late 20<sup>th</sup> 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.

However, as before, this northern portion of the new development has at least been laid with a terrace 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. One particular change of note is the insertion of a low rise bungalow in the north eastern corner on the site in lieu of the previous two storey dwelling.

Otherwise given the orientation of the terrace, it is likely that there would be no significant overshadowing or dominance issues which would warrant refusal given the urban nature of the area, and this current scheme offers a slightly improved situation compared to the refused scheme.

#### 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.

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. Furthermore, this new scheme has been revised to reduce the amount of windows facing north in the first floor of the rear elevation of this terrace.

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, and the scheme would offer an improvement compared to the impact of the previously refused scheme.

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 suburban relationship. However, whereas the previously refused scheme would have introduced a "wall" of seemingly continuous development resulting from the orientation of the dwellings and the dense nature of the scheme, this less dense revised scheme would be less oppressive and more spacious. Whilst the reduction in general amenities, particularly to occupiers of houses to the east of the site, would still be of significance, this current scheme offers a general improvement compared to the previously refused scheme for 44 dwellings, due to the reduction in the number of dwellings and the subsequent gaps between the dwellings resulting in a reduction in the loss of privacy and a more spacious outlook.

As a result of this particular layout, it is considered that whilst dwellings in Queen Alexandra Road would not 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 given the distances between dwellings.

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. In officers opinion, given the deletion of the rear car parking court in this area, the revised scheme would still have much the same impact as the previously refused scheme, as distances between the new dwellings and adjacent rear garden areas have not increased since the previous 44 dwelling scheme.

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**

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, particularly as the previous refusal for 44 dwellings on the site makes no specific reference to the highway impact of that proposal.

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.

## **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. Given the high level of need in this area, SDC Housing is advising that up to 40 percent affordable housing should usually be the target.

In negotiations with SDC Housing, the applicants offered to provide 35 percent affordable housing on the site, which has been agreed. Members should however 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 accordance with the guidance given 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 adjacent to the western boundary, 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) 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, as the redevelopment of this currently open area is likely to significantly alter the character of the site and the existing level of amenities experienced by residents.

However, in principle, the use of the land for more intensive residential use is acceptable given current government guidance in PPG3. In design terms, the proposal is aesthetically and spacially more acceptable, and given that WCC Highways raise no objections to the proposal, a refusal of the current scheme on highway safety grounds would seem difficult to justify.

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 rest of the surrounding area.

Therefore, on balance, subject to various conditions to mitigate any impacts of the development, this proposal is acceptable in planning terms, and overcomes a number of previous concerns expressed as part of the reasons for refusal related to the 44 dwelling scheme.

**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:

- (a) provision is made on site for at least 35 percent affordable housing
- (b) provision is made on site for a suitable area of public open space
- (c) a financial contribution is made towards the maintenance of public open space
- (d) the development be carried out in accordance with the submitted recycling/waste audit strategy
- (e) a contribution towards a package of sustainable travel measures
- (f) a contribution towards off site community facilities

**THEN APPROVE**, subject to the following conditions:

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

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

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:**0014 To secure a harmonious form of development.

3. 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

4. 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

5. All the parking areas 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.

6. 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

7. 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

8. 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.

9. 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.

15. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. (X03A)

**Reason:** In order to secure an archaeological watching brief to take place during development.

## **INFORMATIVES**

- (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) Environment Agency comments

- (3) And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

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