

# 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 11/01/2007

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

Item Page	Application No Officer	Parish/Ward Recommendation Ward Councillors
<b>1</b>	S/2006/2217	FISHERTON/BEM V
3 - 5	Mr W Simmonds	REFUSAL
<b>SV 2:00</b>	BEMERTON ST JOHN C E AIDED PRIMARY SCHOOL LOWER ROAD SALISBURY	Cllr Ms Mallory Cllr Walsh
<b>2</b>	S/2006/2230	ST PAUL
6 - 9	Mr R Hughes	APPROVED WITH CONDITIONS
	32 MIDDLETON ROAD SALISBURY	Cllr Fear Cllr Clegg
<b>3</b>	S/2006/2125	BEMERTON
10 - 12	Charlie Bruce-White	APPROVED WITH CONDITIONS
<b>SV 2:30</b>	486 DEVIZES ROAD SALISBURY	Cllr Mrs Evans Cllr Vincent Cllr Osment

# Part 1

## Applications recommended for Refusal

1

Application Number:	S/2006/2217		
Applicant/ Agent:	DIOCESAN SURVEYOR		
Location:	BEMERTON ST JOHN C E AIDED PRIMARY SCHOOL LOWER ROAD SALISBURY SP2 9NW		
Proposal:	ERECT NURSERY/AFTER HOURS CLUB BUILDING		
Parish/ Ward:	FISHERTON/BEM V		
Conservation Area:	LB Grade:		
Date Valid:	26 October 2006	Expiry Date:	21 December 2006
Case Officer:	Mr W Simmonds	Contact Number:	01722 434541

### REASON FOR REPORT TO MEMBERS

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

the interest shown in the application

### SITE AND ITS SURROUNDINGS

The application site forms a rectangular area of land of approximately 600 square metres to the west of the existing St Johns Primary School buildings. The site is currently used as a nature area/garden, being predominantly laid to lawn with a central path derived partly of paving stones and partly consolidated loose materials. The existing boundaries consist principally of hedges and shrub borders. The site is immediately adjacent to an area designated as of High Ecological Value and a part of the Landscape Setting of Salisbury and Wilton.

### THE PROPOSAL

The application proposes the erection of a new building to provide facilities for a nursery and after hours club building. The proposed building has a floor area of approximately 165 square metres, and has approximate dimensions of 9.7m width, 17.7m length and 5.7m height (to the ridge). Access to the building would be via existing school entrances off Lower Road and through the existing school site.

### PLANNING HISTORY

90/848	Erection of sectional timber craft/art room following Demolition of existing store shed	AC	01.08.90
96/1001	Proposed replacement of existing timber framed school Buildings with new single building	AC	14.08.96
98/1976	Proposed extension to form CDT area	AC	21.01.99
01/888	Proposal to form CDT area	AC	24.07.01
03/1328	Alteration to provide new office, hall and ancillary works	AC	26.09.03
03/2299	To remove condition 3 from planning approval S/2003/1328 involving changes to the improved design.	AC	23.12.03

04/97	Extension to form covered area	AC	04.03.04
05/1873	Extension of boundary fence in breach of Cond 3 to S/03/2299	AC	10.11.05

### CONSULTATIONS

WCC Highways - No Highway objection, subject to the implementation of a Green Travel Plan  
WCC Archaeology - No issues to raise on the application  
SDC Building Control - No adverse comments

### REPRESENTATIONS

Advertisement No  
Site Notice displayed Yes  
Departure No  
Neighbour notification Yes  
Third Party responses Yes – Details as follows:  
Three letters and one email (including two letters from one author) of objection, reasons for objection include concerns in respect of increased noise and activity, increase in traffic and congestion, inappropriate ‘backland’ siting of the proposed building, increase in the hours that the school site will be used will result in more noise disturbance to nearby residents, overdevelopment of the site, and the potential for impact on any protected species which may be present in the pond on the site.  
One letter was received from the business partners of Bemerton Eagles Out of School and Holiday Clubs in support of the application.  
The school provided five letters from parents requesting provision is made for their child(ren) at the proposed new nursery.  
Wiltshire Wildlife Trust requesting a protected species survey of the site, and that any hedgerow removal is undertaken outside of the bird breeding season.  
A letter was received from Wiltshire Fire & Rescue Service with advice about fire appliance/fire fighting access and water supplies for fire fighting. This letter raises no specific objection or other comment particular to the application, but requests that the comments receive due consideration.  
Ward Member response Yes – Application called to CAC by Cllr Walsh

### MAIN ISSUES

Impact on neighbour amenity  
Impact on protected species/nature conservation  
Scale, design and materials  
Impact on surrounding landscape  
Highway safety

### POLICY CONTEXT

Policies G2 (General Criteria for Development), D2 (Design), C7 (Landscape Setting of Salisbury & Wilton), C11 & C12 (Nature Conservation) & TR1 (Transportation)

### PLANNING CONSIDERATIONS

The proposed building, having a floor area of approximately 165 square metres, and approximate dimensions of 9.7m width, 17.7m length and 5.7m height (to the ridge), represents a large new building within a relatively small parcel of land.

The proposed building would be in close proximity to four existing dwellinghouses in Lower Road. The northern boundary of the site consists of a hedge of approximately 1.6m height and adjoins the garden of number 134 Lower Road and the northern elevation of the proposed building (being approximately 2.3m from the boundary with the garden of number 134) would be approximately 12m from the nearest facing wall of number 134. The nearest facing wall of

number 134 is closer to the site than shown on the submitted plans by reason of an extension that is not shown on the application documentation.

The north elevation of the proposed building has three windows serving an office, a staff room and a kitchen, a single side door and the main double doors which serve as the principle access to the building, these being set back from the north facing wall and set within a covered decking porch area. An access path is proposed running approximately parallel with, and approximately 1.5m from the northern boundary of the site, providing access to the main doors and continuing along the north side of the building to the area of land to the east. Also proposed to the immediate west of the building is a fenced outdoor play area of approximately 170 square metres, serving the proposed new building.

The effect of the proposed new building, together with access path and outside play area will be to introduce additional activities significantly closer to existing dwellings and domestic gardens. It is considered likely that, by the nature of the proposed use of the building and land, the formerly low key school nature garden area will become a busy children's nursery and out of hours school club with significant levels of activity, comings and goings and outdoor play/break time sessions from before 8 am to beyond the time of cessation of the formal school day. The proposed development, by reason of the introduction of additional activity, noise and potential disturbance within close proximity of neighbouring dwellings, would be detrimental to the amenity of existing residential occupiers.

Wiltshire Wildlife Trust has indicated that Great crested newts (protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended)) may be present in the pond. The impact on a protected species is a material consideration in the planning decision and an ecological (protected species) survey has been requested of the applicant.

The relationship between the scale and mass of the proposed building and the scale of the site area and proximity to adjacent residential buildings and uses is considered to represent an overdevelopment of the site which would fail to respect or enhance the character and appearance of the area. The erection of a large new building within a relatively small and narrow strip of land immediately adjacent to an existing domestic garden is considered incompatible with the built form, residential use and character of the land adjoining the site.

## **RECOMMENDATION**

**Refuse:** For the following reasons:

1. The relationship between the scale and mass of the proposed building and the scale of the site area and its proximity to adjacent residential buildings and uses is considered to represent an overdevelopment of the site which would fail to respect or enhance the character and appearance of the area. The erection of a large new building within a relatively small and narrow strip of land immediately adjacent to an existing domestic garden is considered incompatible with the built form, residential use and character of the land adjoining the site, contrary to Policy D2 of the adopted Salisbury District Local Plan.
2. The proposed new building, together with the proposed access path and outside play area will introduce additional activities within close proximity to existing dwellings and domestic gardens. It is considered likely that, by the nature of the proposed use of the building and land, the formerly low key school nature garden area, in becoming a children's nursery and out of hours school club with the potential for significant levels of activity, is likely to result in noise and disturbance within close proximity of neighbouring dwellings to the detriment of the amenities of existing residential occupiers, contrary to Policy G2 of the adopted Salisbury District Local Plan.
3. The applicant has failed to demonstrate that the proposed development would not have an adverse impact on protected species, contrary to Policy C12 of the adopted Salisbury District Local Plan.

## Part 2

### Applications recommended for Approval

2

Application Number:	S/2006/2230		
Applicant/ Agent:	MR A STOCKEN		
Location:	32 MIDDLETON ROAD SALISBURY SP2 7AY		
Proposal:	4 ONE BEDROOM FLATS AND 4 CAR PARK SPACES AND ALTERATION TO ROOF DESIGN		
Parish/ Ward	ST PAUL		
Conservation Area:		LB Grade:	
Date Valid:	27 October 2006	Expiry Date:	22 December 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

#### REASON FOR REPORT TO MEMBERS

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

#### SITE AND ITS SURROUNDINGS

The site is currently being developed by virtue of planning permission S/05/2123, which relates to the creation of 4 flats in a three storey building, with parking space.

#### THE PROPOSAL

The scheme being erected on site has not been carried out in accordance with the approved plans. In particular, it was found that there was insufficient head room for users of the stairs to access the third floor accommodation. It also appears that the roof trusses may not have been erected in accordance with the angles shown on the agreed plans.

As a result, the applicant has amended the shape of the design of the roof, to allow additional headroom. The overall height of the development and roof will also be altered from that of the current structure so that the height of the ridge would be the same as the ridge height of no.30 Middleton Road.

Two rooflights are proposed in the rear roofslope of the development.

#### PLANNING HISTORY

S/06/1815 & 1816 – These application related to alternative proposal to change the design of the roof to resolve the outstanding issues. Both applications were refused by City Area Committee recently, for the following reasons:

##### 32 MIDDLETON ROAD - S/06//1815

**The scheme as proposed, due to the poor design of the roof element, which includes a large flat roofed extension and a truncated pitch, would be unsympathetic to the character of the area, which is typified by Victorian housing of a modest scale and traditional design, with conventional pitched roofing of a lower height, and would set a dangerous precedent for the future redevelopment of other sites in the area. The proposal is therefore considered to be contrary to policy D2 of the Salisbury District Local Plan.**

City Area Committee 11/01/2007

## **32 MIDDLETON ROAD – S/06/1816**

The scheme as proposed, due to the poor design of the roof element, which includes a large flat roofed extension and a pitch roof up to 9.1m high, would be unsympathetic to the character of the area, which is typified by Victorian housing of a modest scale and traditional design, with conventional pitched roofing of a lower height, and would set a dangerous precedent for the future redevelopment of other sites in the area. The proposal is therefore considered to be contrary to policy D2 of the Salisbury District Local Plan.

The site benefits from planning permission S/05/2123, which has been commenced and is partially completed.

When considering this application, members should also take into account the other existing and proposed residential developments in Middleton Road, particularly applications S/06/0870 & S/05/0196 relating to 31 Middleton Road, and 27/29 Middleton Road.

### **CONSULTATIONS**

None of relevance to this particular application due to nature of changes, although SDC EHO indicated no objections, as did Wessex water.

### **REPRESENTATIONS**

Advertisement	No
Site Notice displayed	Yes. Expiry 21/11/06
Departure	No
Neighbour notification	Yes. Expiry 30/11/06
Third Party responses	No letters received regards this application.

### **MAIN ISSUES**

The impact on the proposed changes to the approved structures on the character of the area and surrounding residential amenity, and whether the scheme overcomes previous refusal reasons.

### **POLICY CONTEXT**

G2 D2 SDLP

### **PLANNING CONSIDERATIONS**

#### **Impact on character of area**

This revised proposal would involve the creation of a form of mansard roof to the rear, with a final ridge height for the completed block of flats of 8.15 metres. The applicants plans show the final ridge height as being the same height as the ridge height of No.30. (Officers confirm that No.30, the adjacent terraced property has a ridge height of 8.15m.).

Whilst the mansard style roof solution would not reflect the simpler pitched roofs of adjacent terraced properties, this design solution is considered to be visually superior to the previously suggested projecting flat roof dormer extension refused previously. Therefore, the revised scheme would have less impact on the character of the area than the previously refused scheme.

When assessing the impact of the proposed roof design change on the character of the area, members must obviously assess the proposal against other developments in Middleton Road. In this regard, the current proposal must therefore be judged not just against the adjacent terraced dwellings immediately to the south of the site, but also against the recently completed development at 27/29 Middleton Road, which measures approximately 8.5 to 9m to the ridge of the roof. Furthermore, Members have also recently approved a scheme for 12 flats at 31

Middleton Road adjacent the gasometer, which is a three storey building, measuring 8.5 metres to ridge, which is designed with a much larger element of flat roof. Consequently, given that the submitted plans are indicating a ridge height apparently the same as adjacent terraced dwellings, and when compared to other more recent schemes in the same road, the proposal subject of this application is similar (if not less) in height. A refusal on this issue would therefore be difficult to support.

### **Impact on surrounding residential amenities**

Because the building is set back some approximately 5 metres from Middleton Road to allow for parking space and access to the building, and because of the height of the structure, the building (as approved and as built on site) is already a dominant feature as seen from the properties to the immediate west of the site. However, the siting of the building in this manner has been approved, and therefore members need to concentrate on the impact of the height and design of the roof on amenities as currently proposed, and the likely impacts of the proposed rooflights.

The scheme now for consideration proposed a final ridge height of approximately 8.15 metres. The applicant plans show that the final ridge height would be the same as the ridge height of the terraced dwellings next door.

This actually represents a reduction in ridge height of approximately 600mm compared to the approved scheme.

Whilst it has always been officers advice that a building on this site of 8.7 metres would not have such an adverse impact on surrounding amenities in terms of dominance or overshadowing as to warrant a refusal, it is considered that the reduction in height of the roof to 8.15m will help to ameliorate previously expressed neighbour concerns regards the impact of the building on their amenities.

Regards the two rooflights in the rear roofslope, these features are serving a bathroom and the stairwell. However, given the redesign and reduction in the pitching of the roof it may be possible for occupiers of the third storey flat to look west towards the rear facades of adjacent dwellings. As a result, it is recommended that obscure glazing be fitted to these windows, in order to limit the impacts on adjacent amenities in terms of loss of privacy.

### **CONCLUSION –REASON FOR APPROVAL**

It is considered that the proposed changes would result in a building lower in height terms than the approved scheme, and with very similar (if not less) impacts on amenities, thus appearing to overcome the previous concerns regards the impact of the building on adjacent amenities. Similarly, the design changes offered compared to the two previously refused schemes, together with the reduction in height of the roof, would seem to over come the previous local concerns regards the impact of the building on the character of the area.

**RECOMMENDATION: APPROVE:** for the following reasons

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

**REASON:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

2. The parking areas shown on the plans shall be marked out and provided on site before the development is first occupied.

**REASON:** In the interest of highway safety and parking space

3. There shall be no further windows inserted in building hereby permitted, including the roof slopes.



**REASON:** 0018 To ensure adequate privacy for the occupants of neighbouring premises.

4. No construction work shall take place outside the hours of 0700hrs to 1900hrs weekdays and 0700hrs to 1300 hrs on Saturdays. No work shall take place on Sundays or public holidays. (This condition does not apply to the internal fitting out of the building, provided the activity cannot be heard at the boundary of the site).

**REASON:** In the interest of amenity

5. Prior to occupation of the building, the rooflights in the west facing roofslope of the development shall be fitted with obscure glazing, details of which shall be submitted to the Local Planning Authority for approval in writing prior to the fitting of the glazing. The glazing as approved shall be retained in perpetuity thereafter.

**REASON:** 0018 To ensure adequate privacy for the occupants of neighbouring premises.

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

<b>Policy</b>	<b>Purpose</b>
G2 :	Impact on amenities
D2 :	Impact on character of area

Application Number:	S/2006/2125		
Applicant/ Agent:	MARIA RYNNE		
Location:	486 DEVIZES ROAD SALISBURY SP2 9LX		
Proposal:	SUB DIVIDE EXISTING DWELLING INTO 2 NO FLATS		
Parish/ Ward	BEMERTON		
Conservation Area:		LB Grade:	
Date Valid:	17 October 2006	Expiry Date:	12 December 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

### REASON FOR REPORT TO MEMBERS

Cllr Vincent has requested that the application be determined by committee, due to concerns expressed over parking provision.

### SITE AND ITS SURROUNDINGS

The site relates to one of 5 terraced properties situated off Devizes Road, within the Housing Policy Boundary of Salisbury. The application dwelling, no.486, is an end-of-terrace with 5 bedrooms.

The terraces are situated approximately 15 metres back from the road, and stand on significantly lower ground. There is a forecourt area between the road and terraces, which is used to gain vehicular access to the properties.

The terraces appear to have been designed with an integral garage and one formal parking space to the front. Informal parking also occurs on other parts of the shared driveway area. The application dwelling has previously had its integral garage converted to habitable accommodation.

### THE PROPOSAL

It is proposed to sub-divide the existing dwelling to create two flats, comprising a 2 bed flat on the first floor and a 1 bed flat on the ground floor.

### PLANNING HISTORY

None relevant

### CONSULTATIONS

WCC Highways Officer – No objection, subject to the provision of 2 off street parking spaces.

Environmental Health – Recommend limited hours of construction condition.

### REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party responses	Yes – 5 letters of objection. Summary of reasons include:

Lack of parking  
 Additional noise  
 Fire hazard  
 Poor internal layout

## **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, H8, TR11, TR14, 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**

The development proposes no visible alterations to the exterior of the dwelling, and as such would not harm the visual amenity of the area.

### **Impact upon neighbouring amenity**

The development proposes no extension to the dwelling. Overlooking into the gardens of neighbouring dwellings would be no greater than existing. The Building Regulations would have regard to the party wall treatment which would mitigate any noise problems from the intensified use of the property. The Building Regulations would also have regard to matters of fire safety related to the proposed first floor kitchen.

The Environmental Health Officer has recommended that a restricted hours of operation condition be attached to any grant of consent. However, given that that works relate purely to internal alterations, the majority of which could be carried out without any planning consent, it is not considered that such a condition would adhere to the tests contained within Planning Circular 11/95 (i.e. that such a condition would be reasonable or enforceable).

### **Highways implications**

Guidance within PPG13 advises that parking standards be applied with regard to the accessibility of individual development sites to alternative modes of transport (walking, cycling and public transport), with the intention of reducing on-site parking provision to a level consistent with the need to minimise car use.

The WCC Highways Officer has recommended that the two flats be served by 2 off-street parking spaces between them, an allocation which reflects the site's good accessibility to public transport and local services.

The applicant has indicated two off-street parking spaces, including one immediately to the front of the property and one further up the forecourt area, also to the front of the property. Both spaces would be on land within the applicant's sole ownership and there would be adequate space to maintain right of way to the rear of the terraces.

There would be satisfactory storage space for bicycles within the rear garden and front porch, in accordance with policy TR14 of the Local Plan.

### **Conclusion**

The proposed development is not considered to have a detrimental impact upon visual or neighbour amenity, and the level of off-street parking proposed would accord with national and local planning policy.

**REASONS FOR APPROVAL:**

The sub-division 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.

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

2. The two parking spaces shown within the drawing received on 19/12/06 shall be made available for use prior to the occupation of the two flats hereby permitted, and thereafter shall not be used other than for the parking of vehicles or for the purpose of access.

**Reason:** In the interests of highways safety.

The reason for the above condition is listed below:

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

<b>Policy</b>	<b>Purpose</b>
G1	Sustainable development
G2	General Development Guidance
H8	Applications of Salisbury Housing Policy Boundary
TR11	Parking provision
TR14	Bicycle storage
R2	Provisions towards Recreational Open Space

**INFORMATIVE:**

The applicant is reminded that permitted development rights can only be exercised when a property is occupied as a single dwellinghouse, rather than as flats.

**Part 3**  
**Applications recommended for the Observations**  
**of the Area Committee**

No Observations