

# 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 COMMITTEE 27<sup>th</sup> SEPTEMBER 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

<b>Item Page</b>	<b>Application No Officer Site Address Proposal</b>	<b>Parish/Ward Recommendation Ward Councillors</b>
1.	S/2007/1505	ST MARK & STRAT
SV 4.30pm	Mr T Wippell	REFUSAL
3-7	LAND AT 91 CASTLE ROAD SALISBURY SP1 3RW  NEW CHALET BUNGALOW WITH 3 DORMER WINDOWS TO FRONT ELEVATION & OFF STREET PARKING	CLLR CURR CLLR ROBERTSON CLLR THORPE
2.	S/2007/1588	ST PAUL
	Charlie Bruce-White	APPROVED WITH CONDITIONS
8-9	MR BYRNE 3 GEORGE STREET SALISBURY SP2 7BA  CONVERT 3 BED HOUSE INTO 2NO 1 BED FLATS	CLLR CLEGG CLLR FEAR

# Part 1

## Applications recommended for Refusal

1

Application Number:	S/2007/1505		
Applicant/ Agent:	D E JAY		
Location:	LAND AT 91 CASTLE ROAD SALISBURY SP1 3RW		
Proposal:	NEW CHALET BUNGALOW WITH 3 DORMER WINDOWS TO FRONT ELEVATION & OFF STREET PARKING		
Parish/ Ward	ST MARK & STRAT		
Conservation Area:	LB Grade:		
Date Valid:	23 July 2007	Expiry Date	17 September 2007
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

### REASON FOR REPORT TO MEMBERS

Councillors Curr & Thorpe 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, and immediately opposite the site is a chalet bungalow (Fairstone) which faces Queensbury Road. Some dwellings have been extended and altered, to provide accommodation in the roof, including 91 Castle Road itself.

### THE PROPOSAL

The applicant is proposing a chalet bungalow with three dormer windows facing the road, with access from Queensberry Road. There are to be no windows on the rear elevation of the dwelling. An existing fir tree would be removed for parking 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 Appeal
Dismissed		
S/06/1559 Proposed two storey dwelling	R	Appeal Dismissed

## 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 03/09/07
Departure	No	
Neighbour notification	Yes	Expiry 16/08/07
Third Party responses	Yes	

**50 letters of support** 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, 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.

**108 letters of objection** (including one representing a set of consolidated objections) on the following grounds: would affect private garden, plenty of three/four beds in Salisbury, would dwarf low rise bungalow, loss of light, overlooking to front and side, loss of character, loss of outlook, would overbear 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, out of character with 30s style, contrary to G2, D2 and H16, amendments are insignificant, loss of skyline, overdominant roof span, loss of rear garden for No 91, incorrect orientation, tandem, backland development, proximity to No 89's garden, proximity to No 2 Queensbury Road garden), overlooking to front, overlooking from gable end windows, disruption during construction, loss of tree.

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

## MAIN ISSUES

Planning History/ Differences between the schemes  
Principle of Development  
Impact on Character of Area  
Impact on Neighbouring Amenity  
Public Open Space, Trees and Highways

## PLANNING CONSIDERATIONS

Planning History/ Differences between the schemes  
A previous appeal for a two-storey house was dismissed in 2006, with the Inspector's stating the following reasons for rejection (summarised):

The two-storey dwelling would dominate and overlook the rear of 89 Castle Road and would impinge upon the residential amenities currently enjoyed by its occupants to an unacceptable extent.

The two-storey dwelling would be sited only some 2m from the common boundary and would appear overbearing when viewed from either the rear garden or the rear rooms of the adjoining property.

The windows in the upper part of the two-storey dwelling would directly overlook the rear garden of 89 Castle Road (even with obscure-glazing, this impact would be unacceptable)

Due to the narrow depth of the appeal plot, the development would have resulted in a cramped form of development wholly out of character with the spacious setting which is a feature of the area.

For the purposes of the application, the following main differences between this and the previous scheme are noted:

The eaves height of the dwelling has been reduced from 4.9 metres to 2.7 metres (approximately), with the roofslope sloping away from the boundary and angled at 45 degrees. However, the overall ridge height of the dwelling has only been reduced from 7.5 to 7.3 metres (approximately).

3 dormer windows face towards the road. There are to be no further first-floor windows in the dwelling (apart from a high-level cosmetic attic window in the gable ends).

The depth of the dwelling's footprint is comparable to the previous scheme, at approximately 8.0 metres.

The dwelling's roof span is similar to before in length, from 12.5 metres to 12.3 metres. However, the overall dwelling's overall footprint (including single-storey sections) has been increased in length from 12 metres to 18 metres.

As the turning area has been omitted from this scheme, the footprint of the dwelling has been elongated, and now comes within 1 metre of the site boundary with No. 2 Queensbury Road (as opposed to 5 metres in the previous scheme)

This new proposal has to be considered in the light of this previous appeal decision, and the differences between the two schemes critically examined.

#### Principle of Development

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.

#### Impact on Character of the Area

##### **Loss of Hedging**

The proposed dwelling would be positioned just 2m from the centre of the hedge and two ground floor kitchen windows and a utility room window 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. However, as replacement screening can be agreed by condition (either with fencing or vegetation), and hedging and fencing can be erected under Permitted Development Rights if the applicant or neighbour wishes, the removal of the hedge will not have a significant impact on the character of the area to warrant refusal.

##### **Increase Height of Walls to front elevation**

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 2.0m in height for a length of about 9m. The appeal Inspector in the recent appeal decision concluded that rising of the walls would not be harmful to the settings of the wider area, and as such, raising the height of the walls in this location does not carry significant weight as to warrant refusal on visual amenity grounds.

##### **Layout of Development**

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 Inspector in the dismissed appeal believed that due to the narrow depth of the appeal plot, the development

would have resulted in a cramped form of development wholly out of character with the spacious setting, which is a feature of the area.

It is noted that whilst the eaves height of the dwelling has been reduced from the previous schemes, the overall footprint of the proposal has actually been increased. It is considered that the scale of the development could easily have been reduced, with the current living space including an overly large kitchen, living room, utility room, dining room and sunroom, together with a large landing area, storage spaces and two bedrooms at first floor. Essentially, the layout of the development could have been designed in a way that would have resulted in a much smaller overall footprint, and hence a smaller building.

It is accepted that in comparison to other semi-properties in the area, a chalet bungalow in this location would be smaller in scale and design in terms of its built dimensions. However, this Authority have concerns that the narrow plot width and general size of the dwelling as proposed would result in a cramped form of development, which would be out of character with the surrounding area. The majority of the other properties in the vicinity have large rear gardens, and the estate is characterised by open and informal spaces, low-density housing and relatively large plot sizes. Although infilling has occurred within the surrounding area, the narrow plot depth (some 13m) is not a drawback to be found in other sites in the area, and as such, the introduction of a new dwelling in this site, perpendicular to the spacious gardens of 89 Castle Road, within approximately 2 metres of the boundary hedging, and with a relatively large footprint in comparison to plot size, would effectively result in a cramped form of development, and close the gap between plots to the detriment of the spacious character of the area.

Policy D2 requires proposals for infill development to respect or enhance the character of the appearance of the area. The scale, plot widths, building line and massing of the development should respect adjoining buildings, and it is therefore considered that a chalet bungalow as proposed in this location would be contrary to Policy D2 and therefore H16, for the reasons outlined above.

### **Impact on Neighbouring Amenities**

#### Overlooking

As the rear-facing first-floor windows from the previous application have been omitted from the scheme, it is considered that overlooking will not occur to an unacceptable level as to warrant refusal. Whilst the ground floor kitchen and utility room windows are close to the boundary, a 2m hedge screens the neighbouring property, and screening conditions can be conditioned if necessary. Overlooking to the front is not considered to occur to a significant degree.

#### Bulk and Dominance

The occupiers of No 89 Castle Road have erected a summerhouse on the eastern boundary, adjacent to the application site, and the occupiers clearly use the entire length of their garden, which has not been subdivided or compartmentalised in any way.

The proposed dwelling, although with a reduced eaves height, has virtually the same ridge height as the previous scheme (only 20cm less approximately), and would still come within 2 metres of the site boundary and residential properties, and would 'close in' the gardens of the adjacent property. Given the height of the scheme, this close-proximity is unacceptable, as the adjoining residents would feel 'hemmed-in' and their perception of privacy, (even with the omission of first-floor windows) would be adversely affected. The large expanse of roof-span, although sloping away from the boundary, would still be highly visible when viewed from the gardens of No 89 Castle Road, and given the dwelling's overall height and length, would still be oppressive and dominate the skyline from this perspective. As such, it is considered that the new dwelling is likely to over dominate and adversely impact neighbour amenity to a significant degree, with the loss of amenity significant enough to warrant refusal.

#### 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, whilst the applicant has made efforts to reduce the impact of the current scheme on neighbours, and overlooking has been significantly reduced, the narrowness of the plot and the close proximity of the new dwelling with the boundary of No 89 Castle Road remains unchanged. As such, despite the reduced eaves height of the dwelling from previous schemes, it is considered that a dwelling as proposed in this location would still be harmful to amenities, and will have a detrimental impact on the character of the area, contrary to Policies 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. The proposed dwelling would be sited close to the rear boundaries of adjoining properties including 89 Castle Road, and would be 2m from the centre of the boundary hedge of No 89. Coupled with the bulk of the building so close to the boundary with the garden of No 89 Castle Road, there would be a detrimental impact in terms of bulk and dominance, 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:

Policy G2	General principles for development
Policy D2	Design
Policy H16	Housing Policy Boundary
Policy 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/2007/1588		
Applicant/ Agent:	MR S P MANKIN		
Location:	3 GEORGE STREET SALISBURY SP2 7BA		
Proposal:	CONVERT 3 BED HOUSE INTO 2NO 1 BED FLATS		
Parish/ Ward	ST PAUL		
Conservation Area:		LB Grade:	
Date Valid:	6 August 2007	Expiry Date	1 October 2007
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

#### REASON FOR REPORT TO MEMBERS

Cllr Fear has called the application in due to local interest.

#### SITE AND ITS SURROUNDINGS

The site relates to a mid-terraced dwelling, situated on George Street, Salisbury.

#### THE PROPOSAL

It is proposed to sub-divide the existing dwelling to create 2 flats.

#### PLANNING HISTORY

04/1014	New 2 bed dwelling and construction of new access at 1 – 3 George Street
	R 28/06/04
04/2219	New dwelling and access with two parking spaces at 1 – 3 George Street
	R 18/11/04
06/1054	Subdivide 1 George Street to create 2 flats
	AC 13/07/06
07/1190	Convert existing outbuilding to one bed dwelling at 1 – 3 George Street
	R 07.08.07

#### CONSULTATIONS

WCC Highways Officer                      No objection

#### REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expiry.....06/09/07
Departure	No	
Neighbour notification	Yes	Expiry.....29/08/07
Third Party responses	1 letter expressing concern over on-street parking	

#### 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, 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.

### ***Highways implications***

Since the two flats would only be large enough for one bedroom each, and having regard to the site being situated within a controlled parking zone and within easy walking distance of public transport and other local facilities, no objection is raised to the level of parking provision for the proposed development. The WCC Highways Officer confirms that new development in the area will not be issued a parking permit, so there would not be a net increase in the total number of permits issued.

## **CONCLUSION**

The sub-division would be acceptable in principle, and would not have a significant impact in design, amenity or highway terms.

## **RECOMMENDATION: APPROVE**

### **Reason 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.

The reason for the above condition is listed below:

Reason 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.

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

Policy G1	Sustainable development
Policy G2	General Development Guidance
Policy H8	Salisbury Housing Policy Boundaries
Policy TR11	Parking provision
Policy R2	Provisions towards Recreational Open Space