

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

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE  
CITY AREA 07/08/2008

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>
1	S/2007/2182	FISHERTON/BEM V
Pages 4 – 28	Mr A Bidwell	APPROVE SUBJECT TO S106
	CLOVELLY HOTEL 17-19 MILL ROAD SALISBURY  ERECTION OF PART 2 AND 1/2 AND PART 3 STOREY BUILDING COMPRISING 35 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETER WITH OWNERS LOUNGE GUEST SUITE AND ESTATE MANAGERS OFFICE ACCESS AND PARKING PROVISIONS (EXISTING HOTEL AND DWELLINGS TO BE DEMOLISHED)	CLLR ROBERTS CLLR WALSH
2	S/2008/0955	EAST HARNHAM
Pages 29 – 34	Charlie Bruce-White	APPROVE WITH CONDITIONS
SV 17:00	CHEYNE COTTAGE 166 COOMBE ROAD SALISBURY  NEW 3 BEDROOM DWELLING ON SITE OF EXISTING GARAGE TO REAR OF CHEYNE COTTAGE. ACCESS FROM CECIL AVENUE	CLLR MS HILL CLLR MS MCKEOWN

**Part 1**  
**Applications recommended for Refusal**

No Refusals

# Part 2

## Applications recommended for Approval

1

Application Number:	S/2007/2182		
Applicant/ Agent:	MR JOHN MONTGOMMERY		
Location:	CLOVELLY HOTEL 17-19 MILL ROAD SALISBURY SP2 7RT		
Proposal:	ERECTION OF PART 2 AND 1/2 AND PART 3 STOREY BUILDING COMPRISING 35 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETHER WITH OWNERS LOUNGE GUEST SUITE AND ESTATE MANAGERS OFFICE ACCESS AND PARKING PROVISIONS (EXISTING HOTEL AND DWELLINGS TO BE DEMOLISHED)		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	25 October 2007	Expiry Date	25 January 2008
Case Officer:	Mr A Bidwell	Contact Number:	01722 434381

### **REASON FOR REPORT TO MEMBERS**

**Please note: The previous report to CAC(P) on 12 June 2008 is attached to this report at appendix 1**

This item was deferred at June City Area Committee in order that further clarification/details can be submitted in relation to the following:

1. Members sought further clarification on the affordable housing issue
2. Members felt that absence of a crossing on Mill Road presented a highway safety issue for future residents of the site
3. Members sought clarification on how the existing views of Cathedral would be protected from the Station
4. Members sought clarification on the sustainability credentials of the development
5. Members requested that provision was made for cycle storage
6. Members requested that an officer from Wiltshire County Council Highways Department attends the meeting when this item is reconsidered

This report is intended to supplement the previous officer report as attached, and to up date members on additional information and advice received, including the points for deferment.

### **SITE AND ITS SURROUNDINGS**

See previous officer report attached

### **THE PROPOSAL**

See previous officer report attached

### **PLANNING HISTORY**

See previous officer report attached

## CONSULTATIONS

See previous officer report attached. The following consultation responses have been received following the June 2008 meeting:

WCC Highways - "...a crossing near the mini roundabout at the Churchfields Road/ Mill Road is unnecessary and unwarranted. Crossing numbers are likely to be low and would not meeting the criteria for a formal crossing. In addition, an alternative route via the north side of South Western Road and the existing zebra crossing is available as a route into the City Centre. Furthermore, it would be difficult to physically locate a crossing and the associated zig zag controlled zone within the space available and achieve visibility requirements to ensure a safe crossing".

(officer note: following the above response, officers discussed the above stance with County, and the following additional response was received)

".....I confirm that I have spoken to Dave Thomas and Allan Creedy (my line manager) and it is considered that it is unnecessary to send an officer to further explain the Highway Authority's position on the introduction of an additional pedestrian crossing facility on Mill Road. The position of this Authority was explained in the email from Dave Thomas dated 24th June, .....with safety and technical grounds being cited for the position taken. If it were considered by Members that a crossing facility should be provided, this Authority could not support this decision and your Members should consider whether the development should not proceed. This Authority has, of course, supported the proposal with conditions and it should be noted that the current site use already generates pedestrian traffic and no reports of road safety hazards have been received by this Authority at this location over the years the hotel has operated.

I have however information regarding investigations by this Authority on a new pedestrian crossing facility on Churchfields Road located at or near the pedestrian access point to the Railway Station car park. These investigations are in their early stages and follow requests from the general public. The current position is as stated below:-

Requests have been received for a possible crossing facility in the location shown. This is currently being investigated. A decision will be taken as to whether or not a facility should be installed by considering if:

- a) The pedestrian levels can justify it
- b) It is technically feasible
- c) It is generally supported in consultation

The plan is attached to the following email and involves an area for investigation some 200 metres or more from the junction with Mill Road (to be shown to members at the relevant committee).

Furthermore, WCC have added the following:

*"I confirm that I have visited the site and fully concur the views of the Joint Transportation Team Manager that it is unnecessary and unwarranted to place a zebra crossing near the Churchfield Road/Mill Road mini-roundabout. I also noted that as all traffic was moving slowly into and away from the mini-roundabout that pedestrians can cross with safety at the mini roundabout and that dropped kerbs have been provided on all three legs of the junction to facilitate the movement of pedestrians.*

*Please note that this Authority has requested a condition that the existing footways fronting the development should be widened to 2m - I would add that the footways should be reinstated where they are not currently constructed to the current Highway Authority specification in accordance with further details that should be submitted for the approval of the LPA and the works completed in accordance with the approved drawings before first occupation of the development.*

*As part of the approval process, I would recommend that a dropped kerb crossing point is also provided at or near the mid-point of the section of footway along Mill Road between the Fisherton mini and the Churchfield mini - this position is considered to be the optimum position for pedestrians to cross this section of Mill Road where visibility of on-coming vehicles is good and all vehicles are moving away from the mini roundabouts at relatively slow speed. An additional condition to this effect is therefore further recommended".*

Environment Agency - No objection subject to conditions related to surface water drainage works, and water efficiency

Natural England - No concerns, but highlight the possibility of bats being present in the buildings, and of ground contamination.

## **REPRESENTATIONS**

See previous officer report attached. The following representation responses have been received following the June 2008 meeting:

Third Party responses 2 letters, stating that:

1. Development will cut out light to adjacent dwellings
2. Development should be moved at least 8 metres away
3. The proposal is premature as site is earmarked in Salisbury Vision document
4. There is an electricity sub station on site
5. Due to level differences, there is a proposed window level with the adjacent car park and the associated exhaust fumes
6. The development of the site may cause difficulties with the future use of the station car park
7. The pollution from the surrounding area will be detrimental to future occupiers
8. The development will compound existing parking and delivery problems in the area
9. The road system is busy and will be difficult to navigate for the elderly, particularly the blind corner.
10. the development of so many old persons flats is not required in salisbury

## **MAIN ISSUES**

See previous officer report attached

## **POLICY CONTEXT**

See previous officer report attached

## **PLANNING CONSIDERATIONS**

See previous officer report attached. The following additional considerations seek to specifically address the matters of deferral, and should be read in conjunction with the considerations highlighted in the attached original report.

### **1.Affordable Housing Issue**

Following the June 2008 City Area meeting and deferral, the applicants submitted additional justification for the affordable housing provision being subject of an off site commuted sum, rather than being built out on the application site, as would normally be the case.

The Council's consultant has provided further advice on this matter, the main points of which can be summarised thus:

#### a) On site provision

Whilst it might seem possible in theory to provide a percentage of affordable housing on site, the applicant has claimed that the provision of affordable housing on site would significantly affect the viability of the scheme. The Council's consultant has highlighted a number of issues with providing affordable housing on the same site as private sheltered housing which can be summarised as follows:

i) Members should note that unlike vacant Greenfield or brownfield sites, the existing planning application site contains existing occupied buildings, namely the residential dwellings and the hotel use. Such situation means that the purchase price of the site will be high, and the developer will be unlikely to be able to negotiate a lower price in the same way they may be able to do with a vacant site, particularly given that the existing residential occupiers have a choice of either not selling, or holding out for a higher price. Ultimately, the higher the price of the site, the less able the developer is to provide other planning gains such as affordable housing.

ii) In order to make sheltered housing schemes viable and to support communal services, the Council's consultant has indicated that in his experience, it appears that around 30 dwellings needs to be provided to make such an operation viable. Consequently, if the application site were to accommodate both private and social housing but separated, the site would need to be capable of providing (for example) a block of approx

30 private sheltered flats, and a block of approx 30 affordable sheltered flats, therefore requiring somewhere in the region of approx 60 dwellings be provided on this site. In officers opinion, such a proposal would be likely to raise a number of concerns, and it is noted that a previous scheme for 42 dwellings has already been rejected by officers.(S/07/722 refers).

iii) Management issues and tensions – The needs of private and affordable housing provision on this site can be very different, and on a small site such as this one, are quite likely to be incompatible even if a suitable physical design could be accommodated, and the tensions could well be “two way”. Planning Inspectors considering appeals have picked up on this issue and the relevant they attach to it in considering the adequacy of a financial contributions approach. It is generally accepted that general needs rented affordable tenure is incompatible within such schemes.

Furthermore, the Council's Housing officer has confirmed that he has discussed on site provision with suitable Social Housing operators, and they would not wish to take on a scheme for affordable housing as would be proposed. This is obviously a material consideration of significant weight.

#### b) Off site provision

Members should note that whilst national guidance in the form of PPS3 does indeed indicate that the presumption should be for on site affordable housing provision, the guidance does not rule out off site provision, and states at paragraph 29 that:

“.....where it can be robustly justified, off site provision or a financial contribution in lieu of on site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area”

Based on the above issues and concerns, the Council consultants have stated that:

“...In our experience, and weighing up the type of scheme and Clovelly Hotel site characteristics, this is a scenario where a financial contribution would normally be fully justifiable, and we consider it an appropriate route here”.

The Consultants have also highlighted a number of positive reasons for considering a financial contribution route, which enables commuted sums to be used as follows:

- Direct funding of priority needs locations and/or housing types
- Provide a flexible funding resource which could be used to support development or improvements to/renewal of affordable housing stock/reuse of empty property on Council or Housing Association partners owned land
- Purchase of suitable existing property integrated into the community
- Providing forward funding for schemes, in advance of grant certainty, or plugging funding gaps

As on site provision of affordable housing does not seem either financial viable, or viable from other planning viewpoints, it is officers advice that this particular proposal can be considered as “exceptional” circumstance as outlined in the SPG. As a result, in accordance with the current guidance provided in the Council's affordable housing SPG, a financial contribution can be requested of the developer, in order to provide affordable housing on another site, and this can be secured via a suitable S106 agreement.

Whilst the value and level of financial contribution to be requested from the developer is normally a matter dealt with by officers as part of the normal S106 negotiations, as this is an exceptional case, officers can advise members that the applicant's revised financial offer has been assessed by the Council's consultant, and they have indicated that whilst the (revised) amount offered by the applicant is not in their opinion “fully adequate”, they indicate that it is “approaching an appropriate level”. They also indicate that a significantly larger financial sum than that offered so far would be likely to make the scheme unviable. The Council's consultant suggests that a modest increase in the financial sum being offered would be unlikely to affect the viability of the scheme.

The amount offered by the applicant is, according to the Council's consultant, the effective equivalent of the provision of 8 2/3 bed family (affordable) housing on site, which equates to approx 23 percent affordable housing provision.

However, depending on exactly what type of affordable housing provision is secured with such monies (ie if 1 and 2 bed dwellings are proposed similar to the current housing scheme), and subject to the final amount actually secured by officers as part of negotiations, it should be possible to secure a financial sum which would be the equivalent of providing between 25 to 30 percent affordable housing, in line with existing Council policy.

Based on the consultants expert advice, it is therefore officers advice that in this exceptional case, members accept a financial payment in lieu of the provision of affordable housing on site. This matter can be secured via a suitably worded S106 agreement and it suggested that Members delegate this matter to officers to negotiate a suitable commuted payment, in accordance with the advice of our consultant and SDC Housing, which will achieve the equivalent of at least 25 percent affordable housing provision.

## **2. Highway safety issue**

WCC Highways has indicated that a crossing near the mini roundabout at the Churchfields Road/ Mill Road is unnecessary and unwarranted. Crossing numbers are likely to be low and would not meeting the criteria for a formal crossing. In addition, an alternative route via the north side of South Western Road and the existing zebra crossing is available as a route into the City Centre. Furthermore, it would be difficult to physically locate a crossing and the associated zig zag controlled zone within the space available and achieve visibility requirements to ensure a safe crossing.

The County has therefore reiterated its point that the scheme can be approved, subject to the provision on additional dropped kerbs, and the widening of the existing footway to 2 metres.

Officers therefore reiterate their advice, that subject to suitable conditions, the development scheme proposal would be acceptable in highway terms. Given the above advice of the County Council, it is officers opinion that even if members insisted that a new crossing be created, it seems unlikely that such a facility would be provided.

## **3. Protection of existing views of Cathedral from the Station**

Additional graphic information is expected, and will be presented at the relevant committee meeting.

## **4. Sustainability/Design issues**

The applicant has highlighted the following sustainable credentials of the scheme:

- a) Construction and passive design strategies will provide up to a 15 percent improvement in thermal performance over the Building Regulations
- b) Apartments will be provided with mechanical ventilation with heat recovery
- c) Communal areas will be heated by energy efficient air to water heat pumps
- d) Thermal insulation standards will be higher than required by the building regulations
- e) Good daylighting is provided to all living spaces and low energy lighting to communal areas
- f) Small capacity toilets with water saving dual flush mode
- g) Shower restrictors minimizing water flow
- h) Class A appliances to communal areas
- i) Optimal use of brownfield land
- j) Accessibility of location reduces reliance on cars
- k) Retired occupants are non commuters which will support local business
- l) Sustainable drainage used
- m) Use of renewable sources in construction
- n) Collective nature of the housing will reduce need for multiple trips to site from carers, and will make recycling easier

The most up to date advice on sustainable design issues is contained within the climate change supplement to PPS1. In officers opinion, whilst the scheme before members does not explicitly contain sustainable design features such as solar panel/pv cells or similar, the list above does in officers opinion reflect the "key objectives" list contained within PPS1, particularly when the highly sustainable location is considered, together with the relatively sustainable orientation of the building. In officers opinion, it would therefore be difficult to defend a reason for refusal based on this issue.

## **5. Cycle storage**

The applicants have highlighted that an area for cycle storage provision has been included in the scheme.



### **Issues raised by Natural England**

The possible contamination of the site has already been addressed by the submission of a suitable contamination survey and the imposition of a suitable contamination condition, as referred to by the previous officer report.

Whilst Natural England has raised the possibility of bats being present in the structures to be demolished, this is not based on a site visit or any empirical evidence. In officers opinion, whilst it cannot be discounted, the probability of there being bats present in the existing buildings seems somewhat remote, given the current active use of the properties, and the nature of the location of the buildings. None of the comments or objections received from third parties has indicated that there may be a likelihood of bats roosting or otherwise present in the immediate vicinity. The case officer has similarly made no mention of bats being present on site.

As a result, it is considered in this particular instance, this issue can be dealt with separately through other non-planning legislation and an appropriate Informative.

### **Issues raised by Environment Agency**

Suitable conditions are suggested below.

### **Issues raised by additional third party letters**

The issues raised are similar to those expressed by other third parties as part of the previous officer report, and the issues raised are largely dealt with by the previous officer report. With regards concerns related to the impact on the adjacent station car park, the proposal does not seek to alter the existing retaining structure along this boundary, and therefore it is difficult to see how the scheme as suggested might have an affect on the adjacent land. This is considered to be a private matter between the owners of the adjacent railway land and the developers. Regards the concerns expressed regards the proximity of parked/idling cars adjacent to the new residential development, it is noted that the Council's EHO has not raised concerns regards this particular matter, and that for the most part the development would be located well away from the adjacent car park, apart from along its northern edge. It is considered that any possible detriment caused to future amenity from parked cars in this location would be difficult to substantiate, given that for the most part, any cars in the location will be parked, and not idling. Regards the comments related to the electricity substation, officers do not understand why this would be an issue, as it is not unusual for developments to be constructed around such facilities, or involve the relocation of such facilities, and again, the Council's EHO has not objected on such grounds.

### **CONCLUSION**

Officers advice remains as previously stated, as supplemented above. The following suggested conditions reflect those already suggested in the attached officer report, and cover the additional information submitted up to the completion of this report. Members should note that Conditions 13-16 as previously suggested have been amalgamated for ease of reference, and condition 20 has been added to reflect highways advice.

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

The proposal will result in an extensive large scale residential development located on a key brownfield site in the city central area of Salisbury, in general accordance with the aims of national planning policy. The Town and Country Planning assessments of all relevant material planning considerations and the component parts of the application (including all of the appended information submitted and the plans) has resulted in a conclusion that the proposal is justified, is well designed appropriately scaled development that would preserve and enhance the character and appearance of this important city centre conservation area location. Subject to suitable conditions, it is considered that the amenities of future occupiers would not be so adversely affected as to warrant refusal.

Furthermore, for the reasons provided in the officer report, this is considered to be an exceptional case where the provision of a commuted sum towards the future provision of off site affordable housing has been justified, and is considered acceptable, and in accordance with the Council's affordable housing supplementary guidance. Such provision can be negotiated and secured via a suitable legal agreement.

In highway terms, the proposal is considered acceptable, subject to the widening of the existing footways and provision of suitable dropped kerbing, which can be secured via a suitable legal agreement. Highway safety may therefore be improved by this proposal.

Subject to suitable conditions and a legal agreement the proposal is therefore considered acceptable.

**And subject to all parties entering into a Section 106 Agreement for the provision of the following:**

**(i) An appropriate commuted sum towards the future provision of off site affordable housing provision in accordance with the Council's adopted affordable housing SPG and policy; and**

**(ii) An appropriate financial contribution towards the provision and maintenance of outdoor recreation provision in accordance with policy R3 of the Adopted Local Plan;**

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 development shall be carried out in strict accordance with the covering letter dated 18/03/08 received 20/03/08 and the amended plans No: 07034\_PO7 Revision A, received 20/03/08.

Reason: For the avoidance of doubt as to the approved plans and details.

- (3) No development shall commenced, a schedule and sample panel of materials and finishes (to include natural slate and matching bricks), to be used for the external wall[s] and roof[s] of the development hereby approved 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 secure a harmonious form development

- (4) No development shall commence until large scale detailed drawings of the windows (1:5 scale) and external doors (1:10) scale have been submitted to and approved in writing by the LPA

Reason: In the interest of visual amenity

- (5) No development shall commenced until Large scale details of the Eaves (not less than 1:10) Juliet Balcony/ Railings (not less than 1:5) have been submitted to and approved in writing by the Local planning Authority.

Reason; In the interest of visual amenity

- (6) No development shall commence until full details of Rainwater goods in terms of exact position, type and colour and materials have been agreed in writing by the Local planning Authority.

Reason: In the interest of visual amenity.

- (7) No deliveries of building materials, operation of plant or construction work shall take place outside the following hours:

Monday to Friday: 08:00 hrs to 19:00 hrs

Saturday: 08:00 hrs to 13:00 hrs

Sunday and Bank Holidays: No work.

Reason: In the interests of neighbouring amenities

- (8) There shall be no installation of any air conditioning plant, extraction systems, boilers, flues or similar equipment on the development hereby approved, unless otherwise agreed by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of neighbouring and visual amenities of the Conservation Area.

- (9) No development shall commence until details of waste management which shall include the submission of a waste audit identifying the provision of facilities for the recycling of waste within the development have been submitted to and approval in writing by the Local Planning Authority. The details shall include:

facilities for the public to recycle/ compost waste (bring systems); and/ or facilities within individual or groups of properties or premises for the source separation and storage of different types of waste for recycling and/ or composting.

The development shall thereafter be carried out in accordance with the approved details and the provision of facilities thereafter retained.

Reason: In the interests of sustainable development.

- (10) No development shall commence until details of the finished floor levels of the proposed buildings have been agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local planning Authority.

Reason: To ensure the exact finished floor levels of the buildings.

- (11) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g.) furniture, equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.

Reason: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

- (12) No development shall commence until measures have been submitted to and approved in writing by the Local Planning Authority to prevent mud being deposited on the public highway by vehicles leaving the site and must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the road.

Reason: In the interest of the cleanliness and safety of the surrounding highway network / public highway.

- (13) No development shall commence until details of the means of achieving satisfactory foul and surface water drainage of the buildings and site, including details of all points of connection to existing infrastructure and /or, water courses where applicable, and details of flow rates / calculations, and measures for the protection of any existing watercourses and water infrastructure within the site, has been approved in writing by the LPA.

Reason: In the interest of the water environment and existing infrastructure.

- (14) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interest of the water and energy efficiency of the development.

- (15) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the dwellings in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to secure the satisfactory treatment of the boundaries in the interests of visual amenity/securing adequate standards of privacy for occupants of the proposed development and/or neighbouring premises.

- (16) The units of accommodation hereby approved shall not be first occupied until the mitigations / recommendations on pages 10 and 11 of the report by Sound Advice Acoustics Ltd, entitled "Environmental Noise Assessment" have been carried out in their entirety to the satisfaction of the LPA.

Reason: In the interest of Environmental Health.

- (17) No development shall take place on the site until the applicants, or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved in writing by the LPA.

*Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.*

Reason: In the interest of securing an appropriate scheme of archaeological investigation for the site.

- (18) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

- (19) The development shall not be occupied until the parking and turning areas have been provided within the site in accordance with the details shown on the approved plans. The parking and turning areas shall thereafter be retained for the purposes of parking and turning only and shall be kept clear of obstruction at all times.

Reason: In the interest of the use of the parking and turning areas and highway safety.

- (20) No development shall commence until plans have been submitted to and approved in writing by the Local Planning Authority indicating that the footway forming the boundary of the site with Churchfields Road and Mill Road is widened along its entire length to a width of 2 metres, together with the provision of dropped kerbing. No part of the development shall be first occupied until the widened footway has been constructed in its entirety in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway and pedestrian safety.

**Informatives:**

(1) The applicants attention is drawn to the comments of the "Wiltshire Fire & Rescue Service" in their letter dated 7<sup>th</sup> November 2007, regarding fire safety.

(2) The applicants attention is drawn to the comments of Network Rail in their letter dated 23<sup>rd</sup> November 2007.

(3) the applicants attention is drawn to the comments and the identified requirements of WCC Archaeology set out in their letter dated 6 November 2007.

(4) Regards water efficiency and pollution prevention measures, the applicants/developers should visit the environment agency website.

(5) The applicants/developers should note the concerns of Natural England regards the possible presence of bats in the buildings to be demolished on site. It is advised that this permission does not absolve the developer of the requirements laid out in other non planning legislation regards protected species.

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

(See previous officer report)

Application Number:	S/2007/2182		
Applicant/ Agent:	MR JOHN MONTGOMERY		
Location:	CLOVELLY HOTEL 17-19 MILL ROAD SALISBURY SP2 7RT		
Proposal:	ERECTION OF PART 2 AND 1/2 AND PART 3 STOREY BUILDING COMPRISING 35 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETHER WITH OWNERS LOUNGE GUEST SUITE AND ESTATE MANAGERS OFFICE ACCESS AND PARKING PROVISIONS (EXISTING HOTEL AND DWELLINGS TO BE DEMOLISHED)		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	25 October 2007	Expiry Date	25 January 2008
Case Officer:	Mr A Bidwell	Contact Number:	01722 434381

### Reason for report to members

This application was called to committee by Councillor Roberts and Councillor Walsh due to the significant local interest in the application.

### SITE AND ITS SURROUNDINGS

The site of the Clovelly Hotel is located on the corner plot of Mill Road and Churchfields Road within the Conservation Area. The site adjoins the car parking area at the front of the Railway Station and is surrounded by predominantly residential development and mixed business uses.

### THE PROPOSAL

This application will result in the erection of part 2 ½ and part 3 storey building comprising of 35 category II Sheltered apartments for older people, together with owners lounge, guest suite and Estate Managers office with access and parking provisions.

### PLANNING HISTORY

Application ref No: S/2007/0722

The erection of part 2 ½ and part 3 storey building comprising of 42 category II Sheltered apartments for older people, together with owners lounge, guest suite and managers office with access and parking. Refused 25<sup>th</sup> June 2007.

Application ref No: S/2007/0724

Demolition of Hotel, Two Dwellings and Double Garage. Refused 25<sup>th</sup> June 2007.

### REPRESENTATIONS

Advertisement	Yes	expired 29/11/07
Site Notice displayed	Yes	expired 29/11/07
Departure	No	
Neighbour notification	Yes	expired 22/11/07

Third Party responses Yes 14 Neighbour letters have been received raising the following issues and concerns:

- Churchfields / surrounding roads are extremely busy already and more traffic would exacerbate the problem.
- Hotel site predates the railway

- Attention should be paid to Victorian Salisbury
- Sitting out areas are inadequate for residents
- A useful part of the cities Hotel accommodation will be lost
- The hotel forms part of the original streetscape of Fisherton Anger
- Salisbury Vision seeks more hotel space
- Car parking provision is inadequate and congested.
- Development would face on to a heavily congested road
- Heavy traffic from Churchfields would make it impossible for residents to venture out
- Residence will experience noise and pollution.
- This proposal layout and design is a definite improvement on previous
- Access and Exit are still areas of concern
- Application is fine but there should be pedestrian crossing
- Existing buildings should be developed not demolished
- Houses for the young are needed not the old
- Development would provide an ideal location next to the railway station, Cathedral and places of entertainment
- Area is extremely busy and crossing road is difficult
- Hotel building is much older than it looks and should be retained
- Density is still high
- Wrong environment for type of development
- The design may be good but not on this site
- Loss of hotel would not benefit city
- Façade is not in keeping with cons area
- Landscaping is barely adequate
- Design is generic and not old English village
- This is the only hotel close to the railway station
- Three storey building will reverberate noise
- The site is an Island surrounded by busy roads

#### **MAIN ISSUES**

The main planning issues in this case are:

Principle of development  
Loss of Employment / Hotel Use / Justification

Context / Design and Materials / Noise and Disturbance / Vehicular access / Highway safety

Report on SAC / SSSI

Affordable Housing

Compliance with relevant planning policy and material planning considerations.

## **CONSULTATIONS**

### *Forward Planning:*

There are two important issues to resolve in this case are affordable housing and loss of tourist facility and employment.

The adopted local plan policy H25 requires sites providing this number of units to provide at least 25% affordable housing on the site, the councils adopted Supplementary Planning Guidance on affordable Housing updates this policy and requires up to 40% to be provided. In this instance the applicant has offered a commuted sum instead of on-site provision. The acceptability of the levels being offered is currently being negotiated via the council's housing department and if these negotiations come to a satisfactory conclusion this will remove any objection regarding affordable housing from the forward planning team.

The adopted local plan provides positive policies, which encourages the development of new tourist facilities, (T1) and promotes the construction of new hotels within or on the edge of settlements subject to their being no adverse impact on the vitality or viability of the city centre. The council's tourism strategy 'A Tourism Strategy for South Wiltshire' identifies through a study undertaken by Bournemouth University in 2005 that there is evidence to suggest a lack of supply in the budget and high quality leisure accommodation market relative to demand and that more bedspaces need to be provided. Although the local plan does not contain a policy that prevents the loss of hotel bedspaces it is its sentiment to positively encourage more bedspaces including quality bedspaces in the district, especially Salisbury City. The Good Practice guide for Planning for tourism suggests that tourist facilities should be 'located where they are accessible to visitors' and suggests that facilities should be located 'close to public transport interchanges and bus routes'. This site, which is currently used for a hotel, represents such a site which is in a central location within easy access to public transport. This site represents a sequentially preferable site and should be marketed as a site for a hotel before the use is lost to any other use. Until it can be shown that there is no demand for the site as a hotel use, planning permission should not be approved on the site.

As well as a tourist use the hotel also provides some employment and as such the application should also be looked at in respect to policy E16. This requires that on land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities, the only exception to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs. This therefore confirms that because of the tourist use, which currently employs a number of staff the site should be marketed in order to confirm whether it can be re-used for either a hotel or employment generating use prior to the site being released for housing development. Or the applicant needs to show that the site will provide a similar number of jobs.

### *Conservation:*

Very much welcome the reduced ridge heights across the whole scheme and the loss of the tower feature. This substantially reduces the sense of bulk of the whole scheme and its dominance in the street scene. The view of the cathedral should be improved by this too –



although I would very much like to see a cross section from the station door to the spire demonstrating that no harm is done.

*Design Forum:*

It was generally felt that the scheme was greatly improved from the previous scheme, and the architects should be commended for amending the scheme in light of the Planning Office's requirements. It was considered that good detailing was of paramount importance, and that given the design was traditional, traditional detailing and materials should be used. It was felt that good natural materials would work best with the design, and would age better, e.g. the use of natural slate on the roofs, and natural stone and brick for the boundary walls.

The accuracy of the perspective drawing showing the views of the Cathedral was questioned, and it was felt that sectional drawings would illustrate this in a more empirical way.

There was a potential concern regarding highway safety around the site.

*Libraries and Heritage/ Archaeology:*

The proposal lies within the probable extent of the settlement of Fisherton Anger which is recorded in the Domesday Book (1086) and therefore pre dates the city of Salisbury The settlement appears to have extended from the mill northwards along what is now Mill Road with the Church of St Clement s to the south The full extent of the settlement is not known Excavations in 1999 at 68 and 72 Mill Road opposite the above site identified medieval features in that location There is the potential to find settlement features of the medieval period at the above site

I therefore recommend that under the terms of PPG16 on archaeology and development that you require the applicant to carry out an archaeological evaluation of the site before the planning application is determined The purpose of this evaluation will establish the nature and extent of any archaeological features and the result of the evaluation will enable me to advise you of the impact of the full proposal

The archaeological evaluation would need to be in the form of a trench on the proposed location of each new building excavated by a professional archaeological contractor. The excavation work would be subject to a monitoring visit by myself and I would need to see a copy of the report following excavation

If the evaluation results are positive it may be necessary for me to recommend to you that further excavation will need to be specified by an appropriate planning condition to be carried out prior to development The cost of the evaluation report and subsequent excavation will of course fall to the applicant.

*Environmental Health:*

Clarify that the department is not pursuing issues with regard to contaminated land and air quality.

With regards to contaminated land, the department considers the risk of contaminated land to be minimal on the proposed site. This opinion has been reached by looking at the historic data base and information gathered on the contaminated land layer of our computer systems.

I would advise that this is by no means a guarantee that the site is free from contamination and should contamination be found at a later date, possibly through investigation under Part 2A of the Environmental Protection Act 1990 the applicant must be responsible for remediation in this regard.

I would advise that there is no plans at present to investigate the proposed site under Part 2A although this is not to say it will not be investigated in the future.

Regarding the "Sound Advice's" acoustic report, the report is acceptable, the proposed development appears to fall within Noise Exposure Category C of PPG24, as a result I would

like to see the recommendations for mitigation on pages 10 and 11 completed before the development is inhabited. I would recommend a condition to this effect should you be minded to grant planning permission.

#### *Economic Development:*

The commercial viability of the Clovelly Hotel is as much to do with the investment in the property and its marketing as its location. The site is within easy reach of Salisbury City Centre ( a well performing tourist designation and commercial centre) and has the advantage of being near the Railway Station and public transport routes and the ring roads. The councils tourism strategy published in 2006 indicated a need for more bed spaces in the budget and high quality accommodation market. This was based on a study by Bournemouth University in 2005. Although a few bed spaces have been lost since the publication of the strategy (including the Cathedral Hotel with 22 bedrooms. Stratford Lodge with 8 Bedrooms and Glen Lyn with 7 bedrooms and three other B&Bs with a total of 6 bedrooms), a number have been added in the city centre – most notably the City Lodge with 23 bedrooms and St Ann's House with 8 bedrooms. There has been a notable addition in the district with the provision of a 100 bedroom hotel at Solstice Park in Amesbury, some 8 miles from Salisbury. Although hotel owners have been complaining at the lack of demand from the leisure sector on weekends in the winter, the indications are that the demand is still very strong at other times of the week and year – although this is anecdotal evidence. Official occupancy level information is difficult to obtain – South West Tourism undertakes three regional occupancy surveys, collecting data for serviced accommodation, self catering and caravan and camping establishments. The latest data is broken down to a county level and doesn't say very much about Salisbury specifically. A planning application from Abode Hotels for a boutique style hotel at the Post Office in Castle Street indicates a willingness to invest in hotel provision in Salisbury, other applications from other hotels for expansion also indicates positive demand.

#### *Wessex Water:*

Confirm our Engineers comments on the proposals as follows

#### Foul Drainage

There is a public foul sewer in the vicinity of the site the foul sewerage system should have adequate capacity to serve the proposals Flow calculations to be submitted in due course

#### Surface Water Drainage

There is a public surface water sewer in the vicinity of the site The surface water system may not have the capacity to accommodate the proposed flows. Flow rates and calculations are to be submitted in due course so that capacity checks may be undertaken but it is anticipated that the maximum permissible rate of discharge from the site for a 1 in 30 year storm event will be 15 l/s Onsite attenuation may be required prior to discharge to the public sewerage system for all flows generated above this figure

The use of soakaways may be possible

#### Sewage Treatment

There is sewage treatment capacity available. There is adequate capacity at the terminal pumping station

#### Water Supply

There is a water main in the vicinity of the site. The area is supplied through Deans Farm Treatment Works Two options are available to supply this site but Wessex Waters preferred option through connection of the on site mains to Mill Road.

#### *Wiltshire County Highways:*

No highway objection in principle to this proposal having regard to the site being within easy walking distance of public transport and other local facilities this minimising the need for a private car. I do recommend however that in the interests of pedestrian safety the paved footway fronting the site be widened as part of the development to provide a minimum width of 2 metres. You may consider the requirements of Appendix VI of the Adopted Salisbury District Local Plan to be applicable here

*Salisbury Civic Society:*

While the proposals are a significant improvement on the previous version they will still create a range of bulky and prominent buildings and if approval is to be given for these it is essential that they should be constructed to the highest possible standards of detailing and materials. It is therefore of concern that no information appears to be provided about the intended materials for the development. In particular the use of plastic rather than timber windows would be visually disastrous on buildings of this scale and with this neo traditional design approach as well as being completely contrary to the principles of sustainability. The Society would object very strongly to any such choice of material.

The design of timber windows would itself need to be carefully considered to avoid the clumsy appearance often seen in modern examples.

If the scheme goes ahead we hope that the Council will be able to ensure that rigorous attention is given to this and other vital issues of detail which will be crucial in determining its success.

*Network Rail:*

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway or the stability of the adjoining Network Rail structures. In particular the demolition of buildings or other structures should be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail's land. Approval must be obtained from Network Rail's Outside Parties Engineer before construction commences.

Plant Scaffolding Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of failure it will not fall on to Network Rail land.

Excavations of footings

Network Rail will need to be consulted on any alterations to ground levels. It should be noted that Network Rail are concerned about excavations within 10m of the boundary with the operational railway and will need to be assured that the construction of foundations and footings will not impact on the stability of the railway. A full method statement must be supplied and agreed with Network Rail's Outside Party Engineer before consent can be granted.

Amenity

Network Rail is not aware whether any PPG24 noise and vibration assessment has been carried out for this location. Amenity will need to be addressed.

Drainage

Additional or increased flows of surface water must not be discharged onto Network Rail land nor into Network Rail's culverts or drains. In the interests of long term stability of the railway soakaways should not be constructed within 10m of the boundary with the operational railway.

Fencing

Given the proposed use of the site a 1.8m high fence should be constructed to avoid trespass and vandalism and provide acoustic insulation for the residential units

#### Site Layout

In order to ensure the new development unit can be constructed and maintained without encroachment onto the operational railway line all buildings and structures should be set back at least 2m from the boundary with the operational railway or at least 5m for overhead power lines

#### Landscaping

Details of landscaping along the railway corridor to be submitted to Network Rail who can provide advice on appropriate planting species as well as inappropriate planting

#### Party Wall Act 1996

Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on Network Rail and their tenants under the Party Wall etc Act 1996. Developers should consult with NRIL at an early stage of the preparation of details of their development on Party Wall matters

#### *Salisbury Campaign for Better Transport:*

This application differs very little from S 2007 0722 from earlier in the year. Our comments therefore differ very little from those made on 10 May 2007 on the earlier proposal

We note that the number of apartments has been reduced from 42 to 35 and the number of car parking spaces reduced from 19 to 12 and that the re design is claimed to meet all earlier criticisms. Nevertheless we maintain that this site is totally inappropriate for housing elderly people average age 78 in similar developments. The nearby roads carry heavy traffic particularly HGVs and their use even by able bodied pedestrians poses serious safety problems

The applicant's first task should have been to secure from WCC an undertaking to introduce pedestrian crossing facilities on Churchfields Road Mill Road and at the western end of South Western Approach. Without these the site cannot be considered as a serious proposal for its intended use

The main pedestrian entrance appears to have been moved to the junction of Churchfields Road and Mill Road a pollution black spot if ever there was one

#### *Wiltshire Fire and Rescue :*

No objections are raised to the proposal:

Recommend that the applicant is advised to consider the requirements for Fire-fighting Access, Water Supplies for Fire Fighting and Domestic sprinkler protection.

#### **POLICY CONTEXT**

G1, principles of sustainable development  
G2, criteria for development  
D1 extensive development  
D2 infill development  
CN8 conservation areas  
R3 outdoor recreation open space  
T1 Tourism facilities  
H24 residential development suitable for the elderly  
H25 affordable housing to meet local needs  
"Creating Places" SPG  
"Delivering Affordable housing in Salisbury District"

## PLANNING CONSIDERATIONS

### Principle of development

The Clovelly Hotel and the rest of the proposal site is located at the corner of Mill Street and Churchfields Road within the housing policy boundary and the Salisbury Conservation Area. In such areas the principle of development is acceptable and the assessment in this case is therefore based on the details of this proposal and the compliance of it with relevant planning policy both at a national and local level.

### Loss of Employment / Hotel Use / Justification:

This site is currently occupied principally by the existing Hotel and therefore is a tourism site. The above comments from Forward Planning suggest that this use should not be lost without justification in order that such facilities can meet the demand for them. This demand is based on the Tourism Strategy for south Wiltshire to which Forward Planning refer. However, members may be aware that the previous application that was refused, was subject to an appeal that was recently withdrawn by the applicants. During the compilation of the council's case in defence of the refusal, it became clear that the use of the strategy would not be materially weighty as evidence of demand. The main reasons for this are that the strategy was produced some years ago, in 2004 and has not been updated. It was also clear that the strategy did not indicate take up rates of tourist accommodation in Salisbury City. The only source of such information (produced by WCC) was broken down into districts and as such did not provide a clear demonstration of proof that demand exists for the City area itself.

In terms of loss of employment, the application is accompanied by a series of reports to support the proposal including a viability report that clearly sets out the lengths that the applicants have gone through to advertise the site for sale as a hotel business. This report includes an "Activity Report" including details of enquiries made, viewing appointments, Accounts sent and Offers made. It is considered that these reports represent a satisfactory demonstration that the business had been subject to appropriate levels of advertising and that the result of this is that the existing hotel is unviable. The report also concluded that the historic levels of employment at the hotel have in recent years been relatively low. The report explains that (amongst other things) the current owners had to let their managers go as the hotel was not providing enough income to cover their costs thus they could not be retained. Whilst it is acknowledged that the success of a business depends on many factors such as public interface, maintenance of the building etc, it is considered that in this case the application would not result in any significant deleterious impacts in terms of employment.

### Context / Design and Materials / Noise and Disturbance

In the applicants design and access statement the text refers to (amongst other things) the surrounding area as of a mixed use and character comprising domestic scale two storey housing, sheltered housing developments, 4 storey flats and two and 3 storey houses and flats. The statement considers that Churchfield Road is more domestic in character with a mix of two and three storey period properties.

It is considered that set against such an obvious eclectic characteristic any proposal to build on this highly visible and locationally important site, should be of the highest quality and should capture the eclectic varied characteristic of this area. The applicants state that the proposed building is well articulated both vertically and horizontally and is visually broken up into small component parts thereby respecting the varied pattern of individual properties forming the street frontage along Mill Road leading into the City centre. The applicant's statement goes on to say that the design takes reference from traditional detailing on many existing properties in the surrounding area and as such a traditional design approach has been adopted.

Proposed materials are considered to be in keeping with the surroundings and are proposed to be a mixture of brick, render elevations and slate and tiles for roofs and some tile hanging. Whilst these materials are appropriate it is considered that they must be very high quality and for example, Natural slate and clay tiles should be used. Details of materials to confirm high quality will be required by condition though it is hoped that agreement will be reached before the

determination of this proposal in accordance with the wishes of the conservation officers and the Design Forum. Members will be updated on this matter.

The applicants have also stated that in terms of layout the building is dictated by being both a corner site and L shaped site and by the desirability to close down the street frontage to a more appropriate minimal building line to Mill road and Churchfields Road. The applicants further state that it is also important that the layout takes account of the amenities of the occupants of the surrounding residential properties on the opposite side of Mill road and Churchfields road with regards to visual impact, preservation of light and avoidance of overlooking.

In terms of scale the applicants have considered that a terrace of large domestic and other mixed – use properties is in keeping with the surrounding Area and that the elevational and sectional drawings demonstrate how this approach to the overall design fits comfortably with the scale of the buildings in the surrounding area.

However, as this site lies at the junction of Churchfields and Mill Roads and is adjacent to Salisbury railway station. It is considered to be an important site and that any redevelopment proposal would form one of the first impressions to greet visitors to Salisbury arriving by train. Several buildings currently occupy the site, arguably the most important of which, in townscape terms, is the Clovelly Hotel. The importance of this site has been relayed persistently through several consultation responses from both neighboring properties and statutory consultees. The amended plans have sought to deal with these important issues resulting in a proposal that will result in a high standard of development exuding the qualities that are expected for developments on such an important site.

An application for the demolition of the Clovelly Hotel and two other residential properties has also been submitted alongside this proposal. This proposal will be approved as a delegated matter subject to members resolving to support this proposal.

It is noted that the applicants have raised the issue of the sustainable location of this site in relation to the railway station and the closeness of facilities provided by the town centre etc.

However, it was previously considered that Notwithstanding the relative sustainability afforded by the site's edge of town-centre location, the proposed scheme would have over-developed the site by reason of the extent of coverage of the site with buildings and the hard-surfaced parking area. The amended proposal has dealt with this issue by setting back (by approximately 16 metres from the carriageway edge) the elevation facing the corner of Churchfields Road and Mill Road providing space for the garden area, and by reducing the areas of hard-surfacing required for parking. These amendments are considered to have resulted in an acceptable and greatly improved relationship of built form to undeveloped / amenity space.

Previously it was considered that the shallowness of the units' plan-form mean that residents of the street-facing units would have no obvious relief from the constant heavy traffic using the immediate road network. This potential detrimental impact had been emphasized previously by reason of the environmental health comments concerns with noise and disturbance and air quality and pollution. These concerns have been dealt with through the revisions to design in the amended plans. This has resulted in the introduction of a garden area to the corner of the site providing a significant visual foil to the road frontage as well as a greening up of the whole scheme.

In addition the applicants have undertaken an Environmental Noise Assessment as is required by PPG 24 "Planning and Noise". This assessment in the form of a report indicates that the proposal has been assessed against the criteria set out in PPG24 and the results have indicated that the following noise level categories will apply for this proposal. Category C for daytime and category B for night time. As Category C requires a "commensurate level of protection against noise", the report has set out the construction details that will be required in order to comply with PPG 24, and the relevant BS standard. This includes for example, standards of window glazing and insulation for ceilings etc. The latest proposal will be required to comply with all the relevant noise reduction measures under Environmental Health legislation and building regulations. The latest proposal is significantly improved in these respects with the garden setting much of the proposed corner face of the building back off the roads at the junction. Thus it is considered that the concerns previously related to noise and disturbance, have been satisfactorily mitigated.

Initially, It was also considered that the heights of the buildings notwithstanding the comments with the applicants statement, will exude an over-baring characteristic that would itself have resulted in an unreasonable feeling of enclosure causing further detriment to both the residents of the building and immediate surrounding buildings. The amended plans have dealt with this issue by reducing ridge heights made possible by the reconfiguration of the roof layout to accommodate double ridges. This has resulted in a design that exudes a domestic characteristic and scale more appropriate in relation to immediate surrounding area.

#### Materials:

The amendments have also resulted in the proposed choice of materials with particular regard to the variety and range, general mix of materials including natural slate, brick, some render, and tiles. It is considered that the proposed materials will result in a visual enhancement relating well to the intrinsic characteristics of this conservation area location.

#### Scale / siting

The scale and siting of the building previously caused concern insofar as the external amenity area proposed to the rear of the property would be reduced to a minimum due to the deep plan form. It was considered that this would result in over-shadowing of the rear amenity area. Similarly, the units on the north and west side of the central corridors would suffer limited levels of natural day-lighting and the general over-deep plan-form and long window-less central corridors would require artificial lighting and heating and hence would be undesirable from a sustainability standpoint. Whilst the plan form has retained the central corridor the depth has in places, been reduced and fenestration has been improved overall. This coupled to the significant reductions in ridge heights and the scale of the proposal overall, will result in demonstrable improvement to the experience of using the building both internally and externally.

With regard to Policy R3 of the adopted SDLP, the applicants have not returned a signed complete Unilateral Undertaking / Section 106 Agreement to satisfy the requirements of this policy. However, this proposal would be the subject of a section 106 agreement whereby such contributions can be secured.

#### Vehicular Access / Highway Safety

The proposed plans illustrate an archway allowing vehicular access from Churchfields Road to the on-site parking spaces now reduced to 11 from the previous 19. However, the County Council highways authority have not raised objection in principle to this proposal having regard to the site being within easy walking distance of public transport and other local facilities thus minimizing the need for a private car. However, the comments also state that the requirements as set out in appendix VI of the adopted SDLP could be applied in this case. In addition the WCC Highways recommend that in the interest of pedestrian safety the paved footway fronting the site should be widened as part of the development to provide a minimum width of 2 metres. This improvement will also be required under the Section 106 agreement.

In relation to the reduced parking provision, It is evident from the plans that these requirements of appendix VI, will not be met but it is considered a matter of some debate as to whether they should be applied in this case. The sustainable location in easy reach of most necessary facilities and services would suggest that parking provision should not be a major part of this proposal. It is considered that the level of provision proposed is in line with the advice contained within PPG13. As such this issue would not provide a weighty material planning consideration that could be substantiated at appeal.

#### Report on SAC / SSSI

#### Need for Appropriate Assessment

Under the Habitat Regulations 1994, any development with the potential to affect a Special Area of Conservation and its designated species must be subject to strict scrutiny by the decision maker, in this case the LPA. The Authority should not permit any development which would have

an adverse effect on the integrity of the River Avon SAC, alone or in combination with other developments, unless certain rigorous tests are met.

Due to the location of this site both in relation to the River Avon "Special Area of Conservation", and as the site is surrounded by a densely developed urban area and as Wessex water have not objected to the proposal and Environmental Health do not consider that there is a demonstrable risk of contamination, It is considered that this proposal will not have a significant impact on the SAC. Therefore this proposal does not require an Appropriate Assessment.

#### **AFFORDABLE HOUSING:**

As part of this proposal the applicants have submitted a report "Viability Assessment" which seeks to explain the applicants rational regarding land valuation and other valuation assessments, and affordable housing provision. Members may be aware of the lengthy negotiations that have taken place over the preceding months as a consequence of the applicants approach to affordable housing provision proposing that an "off site" contribution is made in this case.

Whilst it is clear that this application will deliver affordable housing in accordance with the SPG, SDC employed a consultant to carry out an appraisal of the applications viability / affordable housing assessments. Whilst there are some areas in the report to be amended and expanded upon, it is considered that it is finely balanced as to whether an "off site" contribution is appropriate and justified in this case. Whilst the councils adopted SPG "Delivering Affordable Housing in Salisbury" is clear that off site may be appropriate in some cases, this is subject to the reasons for so doing being exceptional, it is considered that further details are needed before it can be established that this is an exceptional case and whether the viability study supports off site provision. Further analysis of the viability study will also establish the appropriate percentage of affordable housing.

#### **CONCLUSION**

It is considered that the proposal *as amended* and subject to the amended plans, will result in an extensive large scale beneficial development located on a key site in relation to the city central area of Salisbury. The Town and Country Planning assessments of all relevant material planning considerations and the component parts of the application (including all of the appended information submitted and the plans) has resulted in a conclusion that the proposal is justified, is well designed appropriately scaled development that would preserve and enhance the character and appearance of this important city centre conservation area location

#### **RECOMMENDATION: Approve Subject To the signing of a Section 106 Agreement to agree the following:**

- (1) An appropriate level of affordable housing provision or, contributions
- (II) A contribution for outdoor recreation provision in accordance with policy R3 of the Adopted Local Plan;

the amended application be approved for the following reason:

The proposal *as amended* and subject to the amended plans, will result in an extensive large scale beneficial development located on a key site in relation to the city central area of Salisbury. The Town and Country Planning assessments of all relevant material planning considerations and the component parts of the application (including all of the appended information submitted and the plans) has resulted in a conclusion that the proposal is justified, is well designed appropriately scaled development that would preserve and enhance the character and appearance of this important city centre conservation area location.

#### **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 development shall be carried out in strict accordance with the covering letter dated 18/03/08 received 20/03/08 and the amended plans No: 07034\_PO7 Revision A, received 20/03/08.

Reason: For the avoidance of doubt as to the approved plans and details.

- (3) No development shall commenced, a schedule and sample panel of materials and finishes (to include natural slate and matching bricks), to be used for the external wall[s] and roof[s] of the development hereby approved 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 secure a harmonious form development

- (4) No development shall commence until large scale detailed drawings of the windows (1:5 scale) and external doors (1:10) scale have been submitted to and approved in writing by the LPA

Reason: In the interest of visual amenity

- (5) No development shall commenced until Large scale details of the Eaves (not less than 1:10) Juliet Balcony/ Railings (not less than 1:5) have been submitted to and approved in writing by the Local planning Authority.

Reason; In the interest of visual amenity

- (6) No development shall commence until full details of Rainwater goods in terms of exact position, type and colour and materials have been agreed in writing by the Local planning Authority.

Reason: In the interest of visual amenity.

- (7) No deliveries of building materials, operation of plant or construction work shall take place outside the following hours:  
Monday to Friday: 08:00 hrs to 19:00 hrs  
Saturday: 08:00 hrs to 13:00 hrs  
Sunday and Bank Holidays: No work.

Reason: In the interests of neighbouring amenities

- (8) There shall be no installation of any air conditioning plant, extraction systems, boilers, flues or similar equipment on the development hereby approved, unless otherwise agreed by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of neighbouring and visual amenities of the Conservation Area.

- (9) No development shall commence until details of waste management which shall include the submission of a waste audit identifying the provision of facilities for the recycling of waste within the development have been submitted to and approval in writing by the Local Planning Authority. The details shall include:

facilities for the public to recycle/ compost waste (bring systems); and/ or facilities within individual or groups of properties or premises for the source separation and storage of different types of waste for recycling and/ or composting.

The development shall thereafter be carried out in accordance with the approved details and the provision of facilities thereafter retained.

Reason: In the interests of sustainable development.

- (10) No development shall commence until details of the finished floor levels of the proposed buildings have been agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local planning Authority.

Reason: To ensure the exact finished floor levels of the buildings.

- (11) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (eg). furniture, equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.

Reason: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

- (12) No development shall commence until measures have been submitted to and approved in writing by the Local Planning Authority to prevent mud being deposited on the public highway by vehicles leaving the site and must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the road.

Reason: In the interest of the cleanliness and safety of the surrounding highway network / public highway.

- (13) No development shall commence until details of the means of achieving satisfactory foul and surface water drainage of the site, including details of all points of connection to existing infrastructure and /or, water courses where applicable, and details of flow rates / calculations, and measures for the protection of any existing watercourses and water infrastructure within the site, has been approved in writing by the LPA.

Reason: In the interest of the water environment and existing infrastructure.

- (14) None of the dwellings shall be first occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of foul water drainage.

- (15) None of the dwellings shall be first occupied until all necessary works for the drainage of surface water from that building have been completed in accordance with details to be submitted to and approved by the Local Planning Authority.

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

- (16) No development shall commence until a scheme for the discharge of surface water from the buildings and the land has been approved by the Local Planning Authority. Development shall be carried out in accordance with the scheme so approved.

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

- (17) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interest of the water and energy efficiency of the development.

- (18) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the dwellings in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to secure the satisfactory treatment of the boundaries in the interests of visual amenity/securing adequate standards of privacy for occupants of the proposed development and/or neighbouring premises.

- (10) The units of accommodation hereby approved shall not be first occupied until the mitigations / recommendations on pages 10 and 11 of the report by Sound Advice Acoustics Ltd, entitled "Environmental Noise Assessment" have been carried out in their entirety to the satisfaction of the LPA.

Reason: In the interest of Environmental Health.

- (20) No development shall take place on the site until the applicants, or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved in writing by the LPA.

*Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.*

Reason: In the interest of securing an appropriate scheme of archaeological investigation for the site.

- (21) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

- (22) The development shall not be occupied until the parking and turning areas have been provided within the site in accordance with the details shown on the approved plans. The parking and turning areas shall thereafter be retained for the purposes of parking and turning only and shall be kept clear of obstruction at all times.

Reason: In the interest of the use of the parking and turning areas and highway safety.

#### **INFORMATIVES:**

- (1) The applicants attention is drawn to the comments of the "Wiltshire Fire & Rescue Service" in their letter dated 7<sup>th</sup> November 2007, regarding fire safety.

- (2) The applicants attention is drawn to the comments of Network Rail in their letter dated 3<sup>rd</sup> November 2007.
- (3) the applicants attention is drawn to the comments and the identified requirements of WCC Archaeology set out in their letter dated 6 November 2007.

Application Number:	S/2008/0955		
Applicant/ Agent:	MRS D MURRELL		
Location:	166 COOMBE ROAD SALISBURY SP2 8BN		
Proposal:	NEW 3 BEDROOM DWELLING ON SITE OF EXISTING GARAGE TO REAR OF CHEYNE COTTAGE. ACCESS FROM CECIL AVENUE		
Parish/ Ward	EAST HARNHAM		
Conservation Area:		LB Grade:	
Date Valid:	22 May 2008	Expiry Date	17 July 2008
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

### REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers due to the finely balanced nature of the recommendation.

### SITE AND ITS SURROUNDINGS

The site relates to land to the rear of 166 Coombe Road where there is a frontage onto Cecil Avenue. Presently 166 Coombe Road has no vehicular access at its front, and garaging is provided onto Cecil Avenue. Cecil Avenue is a residential street of mixed property styles, including bungalows and post war semi-detached dwellings, both with rendered and red brick finishes.

The site is within the Salisbury Housing Policy Boundary.

### THE PROPOSAL

It is proposed to demolish the existing garage and to erect a detached two storey dwelling, with accommodation in the roof slope and one on-site parking space.

### PLANNING HISTORY

07/1655	Create new vehicular access onto Coombe Road and new parking spaces	AC	03.10.07
---------	---	----	----------

### CONSULTATIONS

Highways Officer	Even on the basis that adequate parking spaces were provided to the existing dwellings (such as approved under S/2007/1655) a highway objection would still be maintained since it is considered that the proposed 3 bed dwelling requires a total of 2 off street parking spaces so as to avoid vehicles parking on the public highway with consequent risk of additional hazard to all users of the highway.
------------------	--

### REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes

Third Party responses	5 letters of objection. Reasons include:
-----------------------	--

- Overdevelopment / cramped appearance
- Zinc roof would be out of keeping
- Would exacerbate existing on street parking problems
- Loss of privacy
- Loss of light
- Inaccuracies within drawings
- Construction implications

## 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

- Local Plan policies G1, G2, D2, H8, TR11, TR14, R2
- Salisbury Design Guide: *Creating Places*
- PPS1: *Sustainable Development*; PPS3: *Housing*; PPG13: *Transport*

## PLANNING CONSIDERATIONS

### Principle of development

*“Policy H8 of the Local Plan states that, except as provided by other policies, residential development will be permitted within the Housing Policy Boundary of Salisbury.”*

Policy D2 of the Local Plan states that the design of the proposal should respect the character of the area, with particular regard to building lines, scale and height and plot widths. PPS3 promotes a more efficient use of land, while at the same time ensuring a high quality design and environment which contributes to the maintenance and creation of sustainable communities.

### Impact upon visual amenity

Given the small size of the plot, the main issue to consider is whether the proposed development would result in a cramped form of development that would be harmful to the character of the area.

Policy D2, which deals with design of infill developments, requires that plot widths are characteristic of the area.

The width of the plot where it fronts onto Cecil Avenue measures approximately 6 metres and this would undoubtedly be the narrowest plot on the street. It is not considered, however, that there is any particularly characteristic plot width to Cecil Avenue, which has a distinctly different pattern of development to Francis Way into which it merges some 30 metres to the west of the application site. To the opposite side of Cecil Avenue from the application site, a number of detached dwellings have developed in a more piecemeal manner than the semi-detached dwellings that are evident on Francis Way. Here there are half a dozen or so detached dwellings of varying orientation, height and style but all sited within close proximity to one another. It is therefore difficult to argue that infill development would be uncharacteristic in this area, particularly as the site is already a separate entity from adjacent development.

In terms of height and building line, it is also difficult to argue that the proposed dwelling would not relate well to its surroundings. However, it would be very closely associated with Buchanfield to the east, separated by a gap of approximately 1.2 metre, and Members will have to consider whether this proximity would lead to a “terracing” effect that would be detrimental to the character and appearance of the street scene, so as to make the proposal unacceptable. However, at the same time the proposed dwelling would have a distinctly different style which would help break up such a monotonous terracing effect with its neighbour. This style would be of a simple, contemporary nature, although more constrained to its public front elevation. A single storey element that is proposed to the front would protrude beyond the established building line, although no more so than the existing garage, and would provide an interesting treatment in terms of its glazing and timber finish.

A zinc roof was originally proposed and, although consistent with the dwelling’s contrasting contemporary style, it was considered that such a material would jar uncomfortably with its more traditional surroundings. Consequently amended plans indicating a natural slate roof have been submitted, which would compliment the proposed design whilst providing references to traditional materials of the area. To the rear elevation, the design would be of a bolder nature, with larger sections of glazing, zinc and timber cladding and a green roof to the single storey extension. Given that this elevation is not visible from public view points, it is not considered that such a modern treatment would be inappropriate.

In terms of the aims and objectives of PPS1 and PPS3, it is considered that the proposal would constitute an example of good practice, making efficient use of land in a developed urban area whilst providing an innovative and high quality proposal that is receptive to the restraints of the plot. Sustainable design features have been incorporated, such as the sedum roof, and the design and access statement advocates the highest code of sustainable homes. However, the information supplied on this is not particularly detailed and consequently it is considered appropriate to impose a planning condition requiring the agreement of appropriate energy and water efficiency measures in order to secure a high standard of sustainability.

### **Highways implications**

Parking provision is the key issue in terms of highway implications, and is clearly sensitive with regards to local residents, who cite problems relating to on-street parking. The proposed development would both result in the loss of parking to the existing dwelling and generate demand for additional parking by the new one. It is relevant, however, that consent has been granted for a new vehicular access on Coombe Road for the existing dwelling and that it would therefore be reasonable to impose a planning condition to ensure that this dwelling has satisfactory parking arrangements, prior to any development on the application site commencing.

Regarding parking provision to the proposed dwelling, there would be one off-street space. Amended plans have been received to increase the length of this parking space from 4.5m to 5m, in accordance with Appendix V to the Local Plan, to ensure that vehicles would not overhang the footway. In terms of numbers of spaces, guidance contained within Appendix V recommends that for dwellings of up to 4 beds a maximum provision of 2 spaces should be required. The application of maximum parking standards derives from PPG13 which advocates a flexible approach to parking standards, in order to encourage developments to be less reliant on the private car where access to alternatives and local services and amenities are good. The Local Highways Authority consider that one parking space would be insufficient for a 3 bed dwelling, and that it would encourage parking on the highway to the detriment of the safety of existing users.

It is noted, however, that the site is situated within short walking distances of several bus stops on Coombe Road which have very frequent trips into the city centre and other employment centres, such as the District Hospital. Furthermore there are pedestrian routes into the city centre and other local shops and services which are within "reasonable walking distance" of the application site, as taken from guidance on walking contained within *Sustainable Settlements* and para.75 to PPS13. Consequently it is considered that the application site is an example of a sustainable location, as envisaged within PPG13, where reduced parking standards can be applied to promote sustainable travel options. Such a view was supported within a recent Planning Inspector's decision at nearby Bouverie Avenue, where a reduced standard of 2, rather than 3, off street parking spaces was deemed appropriate for several 5 bed dwellings (see para.14 to appended appeal decision).

Notwithstanding this interpretation, the fall back position is the "do nothing" scenario whereby the existing, quite substantial, dwelling benefits from only one parking space, and this comprises a garage which in many circumstances might be used for storage purposes only. Consequently it could be argued that the proposed situation would be neutral, if not better than existing, due to the new dwelling being lesser in size and benefiting from a dedicated off street parking space that can be conditioned to be only used as such.

It is also questionable how the proposed developed would prejudice highways safety. Cecil Avenue, at least at the time of site inspection, appeared to be a lightly traffic residential street, predominantly used by the occupants of dwellings immediately off it. On street parking, even during the day, was evident and it is doubtful whether one additional dwelling would result in a material harm to highways safety given the nature of the road. Control over illegal and dangerous parking already exists and can be enforced by the relevant authorities.

Consequently, on balance, it is considered that the proposed parking arrangements for the new dwelling would be acceptable in highway terms, subject to a planning condition requiring the existing dwelling to provide a scheme of alternative parking (similar if not the same to that already agreed within planning application S/2007/1655) prior to the commencement of development).

### **Neighbouring amenity**

The two storey bulk of the dwelling would be built in line with the side of the dwellings to either side, which have no significant windows within the facing side elevation, and would thus have limited impact upon their amenity. It is noted that the occupant of the nearside flat at Buchanfield has raised concerns over loss of light to their garden area. However, given that both the single and two storey elements of the proposed dwelling would be built in line with, and to similar heights to, the respective elements of this neighbouring property, it is not considered that loss of light would be significant.

Regarding privacy, it is not considered that cross street overlooking of dwellings that are approximately 20 metres away would be significant. Similarly, mutual overlooking between the rear of dwellings on Cecil Avenue and Coombe Road is an existing and established situation, and it is not considered that the proposed dwelling would be unusual in this respect. More harmful overlooking could possibly occur if the green roof to the single storey extension were used as a garden balcony. Consequently, it is considered appropriate to impose a condition that the flat roof should not be used for such purposes.

Residents have expressed concerns over potential disruption and inconvenience during construction works. Such issues are often inevitable, but since construction works are a temporary situation, they do not carry significant weight within the determination of planning applications. It would be within the control of the Local Planning Authority to restrict the hours of demolition/construction works, however, through a planning condition.

### **Policy R2**

The applicant has entered into a legal agreement and submitted the relevant financial contribution to meet recreational open space requirements.

### **Other matters**

Amended plans have been received during the course of the application, to incorporate revised survey information. The effect has been to more accurately define ownership on the eastern boundary with Buchanfield, and has marginally increased the spacing between the proposed dwelling and this neighbour. Having examined the site there is no reason to dispute the surveyed drawings. Furthermore, given the demarcation of the site area on the small scale map only it is not considered that the amended details are at odds with the declared ownership details of the site as indicated within the application form. For the avoidance of doubt it would be within the control of the Local Planning Authority to impose a condition requiring the footprint of the dwelling to be pegged out on site prior to construction.

### **CONCLUSION**

The issues regarding this proposal are not clear cut. However, on balance, the proposal is considered to accord with the aims and objectives of national and local planning policies by making efficient use of land in a sustainable and developed area, and could provide an innovative and well designed proposal that maintains existing environmental quality in accordance with the aims of PPS1: *Sustainable Development & Climate Change*. Subject to a condition requiring new parking to the existing dwelling, the proposal would be acceptable in highway terms given the sustainable location of the site.

### **REASONS FOR APPROVAL**

The issues regarding this proposal are not clear cut. However, on balance, the proposal is considered to accord with the aims and objectives of national and local planning policies by making efficient use of land in a sustainable and developed area, and could provide an innovative and well designed proposal that maintains existing environmental quality in accordance with the aims of PPS1: *Sustainable Development & Climate Change*. Subject to a condition requiring new parking to the existing dwelling, the proposal would be acceptable in highway terms given the sustainable location of the site.

### **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) This development shall be in accordance with the amended drawings deposited with the Local Planning Authority on 11/07/08, unless otherwise agreed in writing by the Local Planning Authority.
- 3) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place within the area of the application until the applicant, or their agents or successors in title, has secured the implementation of a parking scheme including new access onto Coombe Road for the existing dwelling (edged blue within the submitted site location plan). The agreed parking scheme and new access shall be made ready for use before any development to implement this planning consent takes place.
- 5) No development shall take place until details of the proposed means of enclosure for the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the first occupation of the dwelling.
- 6) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first occupation of the new dwellings.
- 7) No development shall take place until details of the new windows (including roof lights) and doors have been submitted to and approved in writing by the Local Planning Authority. Detailed sections and elevations of all new windows shall be submitted to at least 1:5 scale, and large scale elevations of all new doors shall be submitted to at least 1:10 scale. Drawings should include details of materials and finishes. Development shall be carried out in accordance with the approved details.
- 8) The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced. Development shall be carried out in accordance with the approved details.
- 9) The precise positioning of the proposed building[s] shall be pegged out on site and agreed in writing by the Local Planning Authority before development is commenced, and the building(s) shall be positioned as so agreed.
- 10) The flat/green roofed part of the dwelling hereby approved shall not be used as a balcony area or for any other purpose associated with the residential use of the dwelling other than for general maintenance purposes.
- 11) The proposed parking space shown within the submitted site layout plan shall be made available for use at all times for the purposes of car parking.
- 12) Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings nor the erection of any structures within the curtilages unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
- 13) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the buildings.
- 14) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved

measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

**The reasons for the above conditions are 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) For the avoidance of doubt.
- 3) To secure a harmonious form of development.
- 4) To ensure that the existing dwelling benefits from satisfactory parking arrangements.
- 5) In the interests of the visual amenity of the development.
- 6) In the interests of the visual amenity of the development.
- 7) In the interests of the visual amenity of the development.
- 8) To ensure the exact finished floor level[s] of the building[s].
- 9) For the avoidance of doubt.
- 10) In the interests of neighbouring amenity.
- 11) To ensure that the proposed dwelling benefits from satisfactory parking arrangements.
- 12) In the interests of visual and neighbouring amenity.
- 13) In the interests of visual and neighbouring amenity.
- 14) In the interests of the conservation of energy and water resources.

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

Policy G1	Sustainable development
Policy G2	General Development Guidance
Policy D2	Infill development
Policy H8	Salisbury Housing Policy Boundary
Policy TR11	Off-street parking provision
Policy TR14	Cycle parking provision
Policy R2	Provision for recreational open space

**INFORMATIVE:**

The applicant or developer should note that the requirements of condition 4 could be satisfied by implementing planning permission S/2007/1655 before any works are started to prepare the application site for the new dwelling.