

Schedule of Planning Applications for Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

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

**LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE
FOLLOWING COMMITTEE
CITY AREA – 05TH FEBRUARY 2009**

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

Item Page	Application No Officer	Parish/Ward Recommendation Ward Councillors
1	S/2008/1810	FISHERTON/BEM V
4-8	Mr T Wippell	REFUSAL
	GERARD KELLY ARCHITECTS UNIT 1 SUSSEX HOUSE SALISBURY SP2 7QA CHANGE OF USE OF UNIT 1 FROM LIGHT INDUSTRIAL (B1) TO CHURCH AND ASSOCIATED CAFÉ USE.	FISHERTON & BEMERTON VILLAGE COUNCILLOR ROBERTS COUNCILLOR WALSH
2	S/2008/2070	FISHERTON/BEM V
9-13	Mrs B Jones	REFUSAL
SV 16:00	MR SIMON RUTTER PHILLIP RROCTOR ASSOCIATES KENNET LODGE 51 WILTON ROAD SALISBURY SP2 7EP CHANGE OF USE FROM BOARDING HOUSE TO D1 USE WITH CARETAKERS FLAT, DEMOLISH REAR WING (BENNET HOUSE) AND ERECT REPLACEMENT FOR TWO FLOATS, FIRST FLOOR REAR EXTENSION, FORMATION OF CAR PARK, REMOVE FRONT BOUNDARY WALL, INTERNAL AND EXTERNAL ALTERATIONS.	FISHERTON & BEMERTON VILLAGE COUNCILLOR ROBERTS COUNCILLOR WALSH
3	S/2008/2071	FISHERTON/BEM V
14-17	Mrs B Jones	REFUSAL
SV 16:00	MR SIMON RUTTER PHILLIP RROCTOR ASSOCIATES KENNET LODGE 51 WILTON ROAD SALISBURY SP2 7EP CHANGE OF USE FROM BOARDING HOUSE TO D1 USE WITH CARETAKERS FLAT, DEMOLISH REAR WING (BENNET HOUSE) AND ERECT REPLACEMENT FOR TWO FLOATS, FIRST FLOOR REAR EXTENSION, FORMATION OF CAR PARK, REMOVE FRONT BOUNDARY WALL, INTERNAL AND EXTERNAL ALTERATIONS.	FISHERTON & BEMERTON VILLAGE COUNCILLOR ROBERTS COUNCILLOR WALSH

4	S/2008/1679	ST PAUL
18-23	Charlie Bruce-White	APPROVED WITH CONDITIONS
	MR S MAKIN 8 JAMES STREET / 36 SIDNEY STRET SALIBURY SP2 7AL PROPOSED 1 BED DWELLING	ST PAUL WARD COUNCILLOR CLEGG COUNCILLOR FEAR

Part 1

Applications recommended for Refusal

1

Application Number:	S/2008/1810		
Applicant/ Agent:	GERARD KELLY ARCHITECTS		
Location:	UNIT 1 SUSSEX HOUSE NEWTON ROAD SALISBURY SP2 7QA		
Proposal:	CHANGE OF USE OF UNIT 1 FROM LIGHT INDUSTRIAL (B1) TO CHURCH AND ASSOCIATED CAFÉ USE.		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:			
Date Valid:	23 October 2008	LB Grade:	
Case Officer:	Mr T Wippell	Expiry Date:	18 December 2008
		Contact Number:	01722 434554

REASON FOR REPORT TO MEMBERS

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

- The controversial nature of the application.

SITE AND ITS SURROUNDINGS

Sussex House is an industrial building which has been divided into 4 units, situated at the end of Newton Road in Churchfields industrial estate. Unit 1 consists of a two-storey office towards the front, a warehouse section at the rear and off-street parking provision for 12 vehicles on an adjacent hardstanding. The unit possesses B1/ B2 use and currently lies vacant.

THE PROPOSAL

The proposal is for a change of use of Unit 1 from industrial (Class B1/ B2) to a Church (Class D1) with associated café and office space. The Church will be relocated from its current meeting place of St Mark's School, where there have been complaints from local residents over amplified music.

The applicant expects the Church to create 3.5 full-time jobs. Off-street parking will be provided for 12 vehicles.

PLANNING HISTORY

None relevant to this application

CONSULTATIONS

Environmental Health- No adverse comments

Highways- The allocated parking spaces for this unit is 12 spaces, whilst the maximum recommended parking level for places of worship of this size is 75. Although the proposed change of use is likely to encourage vehicles to park on Newton Road, in my view the main use will be on Sundays and in the evening, where there will be less vehicles associated with industrial use needing parking. Therefore I recommend that no highway objection be raised.

Economic Dev- (Not withstanding the long term vision aims for Churchfields) we would seek to protect the existing employment uses. I am not sure that there are any uses on the estate which could not be broadly classed as employment, but certainly a church couldn't

be. As the estate stands at the moment, we would seek to protect all employment on the site, including this property.

Forward Planning

The proposal is for the change of use of unit 1 from light industrial (B1) to church (D1) and associated café use (A3). Although the applicant suggests the change of use to D1 - non residential institutions and leisure (which the latter in itself would fall under use class D2). The application is for a main worship and meeting space of approximately 245m², ancillary offices of 88m² and community café and separate offices at 88m². The applicant states that the precise need of the church is not yet fully determined pending a study of the precise need of the church as to its own office requirements. The applicant also suggests that the worship times involve amplified music, which the applicant suggests makes it difficult for the church to meet in primarily residential areas. This application should be taken as for a church (D1) with ancillary uses of offices and café.

Under Local Plan policy PS1 it appears that a place of worship and community facilities should be acceptable. However, the use of the unit is currently classes B1 (office) – 223m² and B8 (storage and distribution) – 279m². It is situated within an Employment area known as 'Churchfields Industrial Estate'. The Employment Land Review is key evidence that should be used to inform both the Local Development Framework and planning applications. This identifies Churchfields Industrial Estate as an employment site that is strategically important for south Wiltshire and as such it is strategically important in terms of economic development for the whole Salisbury economy not just the local area. It contains 180 businesses. The uses include manufacturing, transport, construction, wholesale, services and finance.

The key issue is therefore loss of employment land and as the site is outside of any Housing Policy Boundary the application should be assessed against policy E16 of the local plan. Although the applicant suggests that a similar number of jobs may be created there is little information provided about the jobs and the start up space. This is of concern as the jobs would be created from the ancillary uses. In addition the question has to be asked whether this is an 'acceptable alternative use'. As the site is predominantly traditional employment use it is the policy view that the use of the site as a church is not a suitable alternative use in this location and therefore is contrary to policy E16.

If alternatively the applicant is suggesting that there would be a loss of jobs, the site needs to be properly marketed as an employment generating use prior to any permission being approved.

In addition, the Employment Land Review identifies the Salisbury Vision as a key document to look at. The objectives of the vision are based on:

- Creating a better diversity
- A greater retail and cultural offer
- A more buoyant economy supported by higher skill levels
- More diverse housing
- Higher quality public realm and integrated transport
- A celebration of character

- An enhanced landscape and natural environment.

The applicant and landowner should also be made aware of the Salisbury Vision. This was consulted on widely and forms a key evidence document for the LDF. The Vision identifies Churchfields as a key regeneration project within the city and that the site should be identified as a residential led, mixed use scheme. The LPA is at an advanced stage in the preparation of its core strategy, which will include the allocation of key strategic employment and housing sites. Churchfields has been identified, both within the Issues and Options consultation and the Preferred Options consultation (Black book) and subsequent magazine as a residential led mixed use scheme. This now begins to gather some weight and should be considered.

Other policies that the application should be assessed against include G1 which requires, amongst other issues 'achieving an overall pattern of land uses which reduce the need to travel and support increase use of public transport, cycling and walking'. This is further supported by policy TR1. The applicant has made no attempt to try and address this issue. Indeed they even suggest that 'sufficient parking spaces for present and future church members are available on and around the site, again at precisely those times when church meetings would occur'. This implies that the majority of church goers would drive to the church. The applicant should make some attempt to support more sustainable modes of transport such as introducing bicycle parking or encouraging public transport. A travel plan should be requested if approved.

Forward Planning Recommendation:

In accordance with Section 54A of the Town and County Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused on the following basis:

- The use is contrary to E16 in this location, due to an inappropriate use on a traditional employment site.
- No attempt has been made to implement sustainable forms of transport.

If this application was approved firm conditions or informative should be applied to ensure the ancillary uses do not become the predominant use.

REPRESENTATIONS

Advertisement	Yes
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party responses	No

MAIN ISSUES

1. Principle
2. Loss of Employment
3. Highways Safety/ Traffic Generation

POLICY CONTEXT

Policies G1, G2, E16, TR1, PS1, PPS1- PPG13-	Salisbury District Local Plan Sustainable development Transport
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PLANNING CONSIDERATIONS

Principle

Local Plan Policy E16 states 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 exceptions 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.'

In recognition of the continuing demands to locate other activities within employment areas, proposals for other uses on employment sites will be considered where the alternative use is acceptable in principle and provides a similar number and range of job opportunities. Proposals involving the significant net loss of employment opportunities in a town or main settlement or the loss of an employment use that is important to the rural economy will be resisted. The Council will consider making exceptions to this only where there is clear evidence that 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.'

Local Plan Policy PS1 states that: 'The development of health, social services, places of worship and community facilities will be permitted within or adjoining the settlements. Proposals to redevelop or enlarge existing facilities which are located outside settlements will be permitted where the proposed development would take place within the existing boundaries of the site.'

Planning Policy Statement 1 - Delivering sustainable development- This relates to the planning and delivery of sustainable communities, including sustainable economic development. The Government has outlined four aims for sustainable development, one of which is "the maintenance of high and stable levels of economic growth and employment."

Planning Policy Guidance 13 – Transport- This relates to the promotion of sustainable transport through the development of accessibility by public transport, walking and cycling to reduce the need to travel, particularly by car. It goes further to state that "development comprising jobs, shopping, leisure and services should not be designed and located on the assumption that the car will represent the only realistic means of access for the vast majority of people."

Planning Policy Guidance 4 - Industrial, commercial development and small firms- This looks at the locational factors involved for such developments and states that in certain areas land that was once used for industry, but which is now vacant or underused should be considered for redevelopment for other uses.

In support of the scheme, the applicant has stated that he expects to employ up to 3.5 staff in the coffee shop (opening 10am – 5pm), which is comparable to the amount of employment generated with the previous use. Evidence has also been submitted to show that there are numerous examples of vacant units within the Churchfields and Ashfield industrial estate (11 of which have been vacant for over 11 months).

The applicant also states that noise generation will no longer cause disruption to residential properties (due to the unit's distance away from residential properties), adequate parking is available for staff (with plenty of on-street parking provision for visitors), the unit is within walking distance to residential areas (which will reduce the need for car travel) and the community coffee shop will provide a valuable service for the local workforce.

Summary of Employment Issues

The main issue to consider in this application is whether approving the scheme would create a precedent which would result in the further loss of B1/ B2 uses throughout Churchfields (ie-lead to a 'domino effect'), and whether this would undermine the long-term suitability of the Industrial Estate. It must now be considered whether the applicant's justification into the benefits of the proposed use outweigh the loss of an industrial unit in this location.

By maintaining the current function of the unit with an industrial B1/B2 use, a much wider range of job opportunities could potentially be provided. Whilst it is acknowledged that there are a number of vacant units with the immediate area (and the '*credit crunch*' may limit further employment generation opportunities in the near future), and 2 jobs may be created in the coffee shop, it is considered more important to ensure that the long-term suitability of the property/ wider area is not undermined, and that the unit's strategic value and contribution to the local economy in the long term is maintained.

The Local Planning Authority recognises the need for different types of employment/ community facilities in the district. However, a strategic view of the site in the longer term needs to be taken and the cumulative effect of this change of use considered. Members should note that if the coffee shop were to 'fold' or was to become unviable in the future, the unit would be left without any form of employment generation, as the remaining Church use would not support alternative forms of employment.

When considering the applicant's justification into the scheme, it is judged that the benefits resulting from the change of use to Church/ Associated coffee shop should not be given such weight as to outweigh the loss of this industrial unit.

Overall it is considered that a change away from an industrial unit would result in the site having a less sustainable long-term use, and this could undermine the overall employment use of Churchfields Industrial Estate, and officers do not feel that enough evidence has been provided to support the view that change of use of the unit to a Church is the only suitable use for the site.

Highways Safety/ Sustainable Location

Sufficient off-street parking will be available for the change of use, and highways raise no objections to the scheme. It is considered that there will be no impact on highways safety with this development.

In terms of the locational qualities of the site, the Local Planning Authority has considered the location of the Church against the sustainability principles contained within Local Plan and National Guidance. It is judged that whilst the Church is sited away from the main City Centre (i.e.- away from sustainable transport links such as bus routes), due to the small-scale nature of the unit, and its location within walking distance of residential areas on the edge of the City, the additional traffic/ trips generated by the scheme will not necessarily be significant enough to warrant refusal.

Conclusion

On balance, and when considering the applicant's justification into the Change of Use, it is judged that the benefits resulting from the change of use to Church do not outweigh the loss of the site for industrial employment purposes.

RECOMMENDATION: Refuse

For the following reasons:

The change of use of this unit from B1/ B2 industrial to Church and associated coffee shop is considered to result in the loss of a unit within an important employment area of the City. Adequate provision for alternative long-term employment with a similar number of job provisions has not been made, and it is judged that the benefits resulting from the change of use to Church and associated coffee shop do not outweigh the loss of the site for industrial employment purposes. Consequently, the proposal is therefore contrary to Policy E16 of the adopted Salisbury District Local Plan.

Application Number:	S/2008/2070		
Applicant/ Agent:	MR SIMON RUTTER		
Location:	KENNET LODGE 51 WILTON ROAD SALISBURY SP2 7EP		
Proposal:	CHANGE OF USE FROM BOARDING HOUSE TO D1 USE WITH CARETAKERS FLAT, DEMOLISH REAR WING (BENNETT HOUSE) AND ERECT REPLACEMENT FOR TWO FLATS, FIRST FLOOR REAR EXTENSION, FORMATION OF CARPARK, REMOVE FRONT BOUNDARY WALL, INTERNAL AND EXTERNAL ALTERATIONS		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:	SALISBURY	LB Grade:	II
Date Valid:	15 December 2008	Expiry Date	9 February 2009
Case Officer:	Mrs B Jones	Contact Number:	01722 434388

REASON FOR REPORT TO MEMBERS

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

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

SITE AND ITS SURROUNDINGS

The site comprises Kennet Lodge, which is an extended Grade 2 listed lodge dating from about 1830. Bennett House, to the rear of the main building, dates from about 1910, but is not mentioned in the listing. The building's main facade faces Wilton Road. To the east of the site is Homesarum House and to the west is the Old Manor Hospital and associated buildings. There is vehicular access off Fountain Way leading into the rear of the site which is currently vacant, and includes five protected trees (T2-T5 are protected by Tree Preservation Orders and T1 is protected by Conservation Area status). Permission has previously been granted for a two storey dwelling on the southern boundary.

THE PROPOSAL:

Please refer to the site history, which sets out the basis for the current application. Planning permission for D1 use of the lodge with residential accommodation for a caretaker's flat has already been granted. However, the applicant considers that previous schemes were unviable, and submitted the current scheme as a viable alternative. The current scheme also seeks to retain as much of the original building as possible, whilst accommodating the proposed uses.

The proposed alterations to the exterior are confined to the extensions to the rear of the lodge and the rebuilding of Bennett House to provide two flats. The design of the latter is intended to reflect the pilasters on Bennett House, and the small pane sash windows and hipped roof, and to respect the original building. A link building would link the altered extension to the main building, and would have a lower roofline and eaves to segregate the two elements. The remainder of the building is generally unaltered except for the removal of later windows with replacements to match the original, and formation of a canopy porch on the south side of the building. Existing pink render would be redecorated in a Bath Stone colour.

One of the flats to be created would be for a caretaker, with the other two being rented to provide income for future maintenance. Internal access has also been addressed, with alterations to the floor levels in the south east area, and provision of a lift. There are no proposed alterations to the basement and an existing staircase to the first floor would be retained.

The road frontage would be altered as little as possible, to maintain the present character of the site. However, the applicant is proposing a shrub area to fill the space and disguise litter. It is therefore proposed to remove the wall to create an openness to the frontage. There would be minimal alterations to the approved car park (including retention of four of the protected trees) and provision of a cloistered garden area.

PLANNING HISTORY

03/1469	Change Of Use Of Vacant Build To Create Meeting House And Lettable Office Space (B1) New Access And Parking	AC	19/02/2004
03/1470	Alterations And Refurbishments To Existing Building To Create Meeting Rooms (With Warden) With Lettable Office Space (B1)	AC	16/02/2004
03/2388	Crown Clearance Of Lime Removal Of Ash Plum And Hawthorn	AC	18/12/2003
06/739	Construction Of Dwelling At The Rear Of The Site: Partial Demolition Of Boundary Wall	WITHDRAWN	
06/740	Change Of Use Of Vacant Lodge To Create Meeting House & Conversion Of Rear Annexe To Form Residential Dwelling	AC	31/05/2006
06/832	New Two Storey Dwelling At Rear Of Site (Option G)	AC	01/06/2006
06/832	New Two Storey Dwelling At Rear Of Site (Option G)	AC	01/06/2006
06/2549	Reduce Crown Of Trees To Clear Neighbouring Building And New Site	REF	24/01/2007
07/215	New 3 Storey Residence At Rear Of Site (Southern Boundary)	REF	22/03/2007
07/216	Demolition of southern boundary brick wall	AC	22/03/2007
07/217	Conversion of Rear Annexe to Form 2 dwellings/flats, including new stair enclosure and reconstruction of porch (Option H)	AC	22/03/2007
07/218	New 2 storey dwelling – Proposed change of Ground Floor Store (of Extant Approval S/06/832) to Bedroom/Study to form a two bedroom dwelling.	AC	27/03/2007
07/219	Conversion of Rear Annexe to Form 2 dwellings/flats (Option H) Including new stair enclosure and reconstruction of porch Kennet Lodge, Wilton Road, Salisbury	AC	22/03/2007
08/0027	3 Oak and 1 Beech reduce branches growing over Home Sarum House by 2.3m. Remove epicormic growth. Crown lift over lodge to give 4.5m clearance.	AC	27/02/2008

CONSULTATIONS:

WCC Highways -	No objections (see below)
Highways Agency -	No objections (see below)
Wessex Water Authority-	No objection, points of connection should be agreed.
Trees -	Awaited
English Heritage -	Awaited
Amenity Societies -	Awaited

Conservation -

Objection as follows:

The significant differences between this scheme and the consented scheme are:

The demolition of the existing two storey historic rear extension to the villa building (which was retained in the previous scheme – albeit with the chimney removed);

Significant alterations to the roof involving the loss of the half-hipped detail and the replacement with a much larger roof. The previous scheme retained the form of the original villa building. The demolition of the Bennet House to the rear. The previous scheme retained this historic extension which was converted into office accommodation.

The integration of two lettable flats into the main body of the building. In a quasi-enabling development argument, we previously grant consented for a stand-alone building at the rear of the site to provide 3 independent flats.

I object to the proposed scheme. The villa element of the building dates from the first half of the 19th century and this earlier element is still very discernible. The proposed application involves the demolition of the rear two-storey element (east elevation), building a taller two storey element (attached to the villa building) and altering the roof of the villa so that instead of the half-hipped detail, dropping down to a lower two-storey element, it runs back into the site encompassing the new two-storey extended element.

The application also proposes a new two-storey element to link the extended villa building to a rear new build. Whereas the previous scheme did away with a parapetted unsightly two storey element, this scheme now proposes a wider new two-storey element. The consequences of this is that, whereas the existing building is a series of modest 'units' returning into the site, with the villa building pre-eminent to the front, the proposed scheme would create a large almost homogenous two-storey structure running back into the site. I consider that this would result in a very bulky over-bearing east elevation (this is in contrast with the previous scheme which did away with the grotty two storey element and created a gap between the front building and the rear building – thus emphasising the pre-eminence of the villa).

The proposed scheme also involves the demolition of the rear building (suggested to date from 1910-20). Whilst it is not a thing of great beauty I do not consider it totally without merit and it is intimately linked with the modifications of the site when it passed into the ownership of the asslyum. It is of a modest scale, with a pitched slate roof, brick pilaster details and large window openings for sash windows (some of which I recollect survive internally but boarded over). Again, the previous scheme retained this historic extension, doing away with the unattractive link to the villa building. It might not be specifically mentioned in the list description, but nevertheless, it is part of the listed building – albeit not the reason the building was listed.

The current scheme proposes the demolition of this building and its replacement with a much larger building. This rear extension is therefore much more dominant as there is no visual separation from the historic villa. It is certainly much deeper in footprint (8 metres as opposed to 5) and therefore presents a very large wall on the east and the west elevation. In terms of the handling of the new elevations, the most visible will be the rear (south) and the west side. The original building has rather elegant elongated sash windows (reflecting the vertical emphasis introduced by the pilasters of the original building) whereas the proposed scheme has modern openings with juliet balconies on the rear and windows of a more standard size (and some non-traditional top hung 'casement' windows on the west elevation). The building seems to lack the finesse and interest of its predecessor.

In terms of internal alterations – the previous scheme allowed for fairly radical interventions on the basis that there are a lot of modern interventions in the building of little or no historic value. Officers also took the view that, on balance, it was important to get a new use into the building – particularly since it was one that was, in the main, retained much of the historic fabric. The current scheme has one advantage of retaining a staircase to the cellar.

In conclusion, I consider this application to be a significant and deleterious change from the previous applications that were granted consented. Whilst the previous proposals suggested fairly radical alterations to the building, the proposals still respected the original form of the early 19th century villa building (the principal reason the building is listed). The current application involves works affecting the villa element that will significant alter views of this building (particularly the west elevation). I particularly object to the proposal to alter and extend the roof of the villa back over a new rear two storey element so that the original form of the historic roof is lost; and the creation of new two storey elements behind the front building which will result in a bulky and overly-dominant east elevation.

I consider this application is contrary to policy CN3 in that I do not consider the proposed scheme respects the character of the existing building in terms of its scale nor does it respect the historic form and structural integrity of the building.

In terms of PPG15 (annex c) – « modern extensions should not dominate the existing building in either scale, material or situation. There will always be some historic buildings where any extensions would be damaging and should not be premitted ». And :

« The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important » (C27).

Comments from English Heritage and the Amenity Societies are awaited.

REPRESENTATIONS

Advertisement	Yes Expiry 23/1/09
Site Notice displayed	Yes Expiry 23/1/09
Departure	No
Neighbour notification	Yes Expiry 6/1/09
Third Party responses	Yes

MAIN ISSUES

1. Principle
2. Neighbouring Amenities
3. Highway Safety
4. Public Open Space
5. Trees
6. Scale, design and impact on listed building and Conservation Area

POLICY CONTEXT

Adopted SDLP G2, H16, R2, D2, TR11, CN3, CN4, CN5, CN8, CN11.
And the guidance in PPS1, PPS3 and PPG15

PLANNING CONSIDERATIONS

1. Principle

The site is a vacant listed building which is in a serious state of disrepair. Previous planning approvals have given consent for the conversion of the building to provide a D1 use with caretaker's flat and rear car park. Permission has also been obtained to erect a two storey dwelling to the rear of the site. However, the applicant considers that the approved schemes are unviable, and is seeking an alternative scheme for implementation. The principle for the change of use of the listed building and provision of residential accommodation has been established, and is acceptable in principle.

2. Impact on Amenities

The site lies adjacent to a large block of retirement flats and adjacent to hospital buildings. The proposal is not considered to materially affect the existing amenities of the adjacent hospital buildings. Homesarum House is immediately adjacent to the site, and some of the flats face westwards into the site. A high wall and the protected trees currently separate the sites.

The proposed extension would bring the listed building much closer to Homesarum House. However, the applicant has submitted a drawing (05F) which shows that there would not be any direct overlap between the two buildings, and it is considered that both buildings could coexist without enabling undue overlooking into windows, or being unduly dominant when viewed from habitable rooms. There may be some oblique overlooking between the first floor windows of the new extension and existing windows of Homesarum House, but given the separation of the buildings (about 8 metres), and the offset between the elevations and windows, this relationship is not considered to be sufficiently harmful to warrant refusal under Policy G2.

3. Highway Safety

No objection is raised to the change of use to D1 in this location. However, concern has been raised by the Highways Agency and Highway Authority regarding the proposed hedge shown on the plans, as sight lines need to be maintained for the Old Manor Hospital. The applicant has indicated a willingness to amend the plan to read "ground cover" to provide an open view of the building from Wilton Road. The railings from the existing wall could be used instead. A response from Highways is awaited.

4. Public Open Space

Whilst the development would normally attract an R2 payment, it is considered in this instance that given the previous use of the property as nurses' accommodation, the proposal represents

a reduction in residential accommodation, rather than an increase. Therefore, Policy R2 is not applicable in this instance and has not been applied to previous schemes.

5. Trees

An arboricultural report has been submitted with the application. The proposal to fell one of the trees is acceptable, and no objection has been raised to the proposals by the arboricultural officer. However, further details have been requested, and should form part of a condition should the application be approved.

6. Scale, design and impact on Listed building and Conservation Area

The site history demonstrates that the principle of the development, including the change of use and the incorporation of office accommodation into the listed building has been acceptable since February 2004. Residential use was subsequently permitted in 2006. However, none of the approved schemes have been implemented to date, and the applicant claims that this is due to the non-viability of the schemes. The listed building has therefore been left to deteriorate in the intervening 5 year period since the first consent was granted in 2004.

In conservation policy terms, the previous schemes are considered to be more sensitive to the existing form and scale of the listed building, and have not required significant demolition or extension of the original building. The concerns of the Conservation Officer have been set out in the report, and unfortunately, it is considered that the harm that would be caused to the character of the listed building by the current scheme outweighs the pressing need to bring the building back to reuse, given the existing consents for the building which could still be implemented without detriment to its character.

An objection has therefore been raised under Policy CN3 and CN5, for the reasons set out by the Conservation Officer.

RECOMMENDATION: REFUSE

Reasons for Refusal:

The proposal involves works which would affect the villa element of the listed building known as Bennett House. The development would significantly alter existing views of the listed building and in particular, the west elevation. The proposals would also alter and extend the roof of the villa over a new rear two storey element and it is considered that the original form of the historic roof would be lost. The creation of the new two storey elements behind the front of the building would result in a bulky and overly-dominant east elevation. The development would therefore be contrary to Policy CN3 and CN5 of the adopted Salisbury District Local Plan.

INFORMATIVE:

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

CN3 and CN5 listed buildings
And the guidance in PPG15

Application Number:	S/2008/2071		
Applicant/ Agent:	MR SIMON RUTTER		
Location:	KENNET LODGE 51 WILTON ROAD SALISBURY SP2 7EP		
Proposal:	CHANGE OF USE FROM BOARDING HOUSE TO D1 USE WITH CARETAKERS FLAT, DEMOLISH REAR WING (BENNETT HOUSE) AND ERECT REPLACEMENT FOR TWO FLATS, FIRST FLOOR REAR EXTENSION, FORMATION OF CAR PARK, REMOVE FRONT BOUNDARY WALL, INTERNAL AND EXTERNAL ALTERATIONS		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:	SALISBURY	LB Grade:	II
Date Valid:	15 December 2008	Expiry Date	9 February 2009
Case Officer:	Mrs B Jones	Contact Number:	

REASON FOR REPORT TO MEMBERS

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

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

SITE AND ITS SURROUNDINGS

The site comprises Kennet Lodge, which is an extended Grade 2 listed lodge dating from about 1830. Bennett House, to the rear of the main building, dates from about 1910, but is not mentioned in the listing. The building's main facade faces Wilton Road. To the east of the site is Homesarum House and to the west is the Old Manor Hospital and associated buildings. There is vehicular access off Fountain Way leading into the rear of the site which is currently vacant, and includes five protected trees (T2-T5 are protected by Tree Preservation Orders and T1 is protected by Conservation Area status). Permission has previously been granted for a two storey dwelling on the southern boundary.

THE PROPOSAL:

Please refer to the site history, which sets out the basis for the current application. Planning permission for D1 use of the lodge with residential accommodation for a caretaker's flat has already been granted. However, the applicant considers that previous schemes were unviable, and submitted the current scheme as a viable alternative. The current scheme also seeks to retain as much of the original building as possible, whilst accommodating the proposed uses.

The proposed alterations to the exterior are confined to the extensions to the rear of the lodge and the rebuilding of Bennett House to provide two flats. The design of the latter is intended to reflect the pilasters on Bennett House, and the small pane sash windows and hipped roof, and to respect the original building. A link building would link the altered extension to the main building, and would have a lower roofline and eaves to segregate the two elements. The remainder of the building is generally unaltered except for the removal of later windows with replacements to match the original, and formation of a canopy porch on the south side of the building. Existing pink render would be redecorated in a Bath Stone colour.

One of the flats to be created would be for a caretaker, with the other two being rented to provide income for future maintenance. Internal access has also been addressed, with alterations to the floor levels in the south east area, and provision of a lift. There are no proposed alterations to the basement and an existing staircase to the first floor would be retained.

The road frontage would be altered as little as possible, to maintain the present character of the site. However, the applicant is proposing a shrub area to fill the space and disguise litter. It is therefore proposed to remove the wall to create an openness to the frontage. There would be minimal alterations to the approved car park (including retention of four of the protected trees) and provision of a cloistered garden area.

PLANNING HISTORY

03/1469	Change Of Use Of Vacant Build To Create Meeting House And Lettable Office Space (B1) New Access And Parking	AC	19/02/2004
03/1470	Alterations And Refurbishments To Existing Building To Create Meeting Rooms (With Warden) With Lettable Office Space (B1)	AC	16/02/2004
03/2388	Crown Clearance Of Lime Removal Of Ash Plum And Hawthorn	AC	18/12/2003
06/739	Construction Of Dwelling At The Rear Of The Site: Partial Demolition Of Boundary Wall		WITHDRAWN
06/740	Change Of Use Of Vacant Lodge To Create Meeting House & Conversion Of Rear Annexe To Form Residential Dwelling	AC	31/05/2006
06/832	New Two Storey Dwelling At Rear Of Site (Option G)	AC	01/06/2006
06/832	New Two Storey Dwelling At Rear Of Site (Option G)	AC	01/06/2006
06/2549	Reduce Crown Of Trees To Clear Neighbouring Building And New Site	REF	24/01/2007
07/215	New 3 Storey Residence At Rear Of Site (Southern Boundary)	REF	22/03/07
07/216	Demolition of southern boundary brick wall	AC	22/03/2007
07/217	Conversion of Rear Annexe to Form 2 dwellings/flats, including new stair enclosure and reconstruction of porch (Option H)	AC	22/03/2007
07/218	New 2 storey dwelling – Proposed change of Ground Floor Store (of Extant Approval S/06/832) to Bedroom/Study to form a two bedroom dwelling.	AC	27/03/2007
07/219	Conversion of Rear Annexe to Form 2 dwellings/flats (Option H) Including new stair enclosure and reconstruction of porch Kennet Lodge, Wilton Road, Salisbury	AC	22/03/2007
08/0027	3 Oak and 1 Beech reduce branches growing over Home Sarum House by 2.3m. Remove epicormic growth. Crown lift over lodge to give 4.5m clearance.	AC	27/02/2008

CONSULTATIONS:

Conservation -

Objection

The Conservation Officer has raised an objection to the proposals as follows:

The significant differences between this scheme and the consented scheme are:

- The demolition of the existing two storey historic rear extension to the villa building (which was retained in the previous scheme – albeit with the chimney removed);
- Significant alterations to the roof involving the loss of the half-hipped detail and the replacement with a much larger roof. The previous scheme retained the form of the original villa building.
- The demolition of the Bennet House to the rear. The previous scheme retained this historic extension which was converted into office accommodation.
- The integration of two lettable flats into the main body of the building. In a quasi-enabling development argument, we previously grant consented for a stand-alone building at the rear of the site to provide 3 independent flats.

I object to the proposed scheme. The villa element of the building dates from the first half of the 19th century and this earlier element is still very discernible. The proposed application involves the demolition of the rear two-storey element (east elevation), building a taller two storey element (attached to the villa building) and altering the roof of the villa so that instead of the half-hipped detail, dropping down to a lower two-storey element, it runs back into the site encompassing the new two-storey extended element.

The application also proposes a new two-storey element to link the extended villa building to a rear new build. Whereas the previous scheme did away with a parapetted unsightly two storey element, this scheme now proposes a wider new two-storey element. The consequences of this is that, whereas the existing building is a series of modest 'units' returning into the site, with the villa building pre-eminent to the front, the proposed scheme would create a large almost homogenous two-storey structure running back into the site. I consider that this would result in a very bulky over-bearing east elevation (this is in contrast with the previous scheme which did away with the grotty two storey element and created a gap between the front building and the rear building – thus emphasising the pre-eminence of the villa).

The proposed scheme also involves the demolition of the rear building (suggested to date from 1910-20). Whilst it is not a thing of great beauty I do not consider it totally without merit and it is intimately linked with the modifications of the site when it passed into the ownership of the asslyum. It is of a modest scale, with a pitched slate roof, brick pilaster details and large window openings for sash windows (some of which I recollect survive internally but boarded over). Again, the previous scheme retained this historic extension, doing away with the unattractive link to the villa building. It might not be specifically mentioned in the list description, but nevertheless, it is part of the listed building – albeit not the reason the building was listed.

The current scheme proposes the demolition of this building and its replacement with a much larger building. This rear extension is therefore much more dominant as there is no visual separation from the historic villa. It is certainly much deeper in footprint (8 metres as opposed to 5) and therefore presents a very large wall on the east and the west elevation. In terms of the handling of the new elevations, the most visible will be the rear (south) and the west side. The original building has rather elegant elongated sash windows (reflecting the vertical emphasis introduced by the pilasters of the original building) whereas the proposed scheme has modern openings with juliet balconies on the rear and windows of a more standard size (and some non-traditional top hung 'casement' windows on the west elevation). The building seems to lack the finesse and interest of its predecessor.

In terms of internal alterations – the previous scheme allowed for fairly radical interventions on the basis that there are a lot of modern interventions in the building of little or no historic value. Officers also took the view that, on balance, it was important to get a new use into the building – particularly since it was one that was, in the main, retained much of the historic fabric. The current scheme has one advantage of retaining a staircase to the cellar.

In conclusion, I consider this application to be a significant and deleterious change from the previous applications that were granted consented. Whilst the previous proposals suggested fairly radical alterations to the building, the proposals still respected the original form of the early 19th century villa building (the principal reason the building is listed). The current application involves works affecting the villa element that will significant alter views of this building (particularly the west elevation). I particularly object to the proposal to alter and extend the roof of the villa back over a new rear two storey element so that the original form of the historic roof is lost; and the creation of new two storey elements behind the front building which will result in a bulky and overly-dominant east elevation.

I consider this application is contrary to policy CN3 in that I do not consider the proposed scheme respects the character of the existing building in terms of its scale nor does it respect the historic form and structural integrity of the building.

In terms of PPG15 (annex c) – « modern extensions should not dominate the existing building in either scale, material or situation. There will always be some historic buildings where any extensions would be damaging and should not be premitted ». And :

« The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important » (C27).

Comments from English Heritage and the Amenity Societies are awaited.

REPRESENTATIONS

Advertisement	Yes Expiry 23/1/09
Site Notice displayed	Yes Expiry 23/1/09
Departure	No
Neighbour notification	Yes Expiry 6/1/09
Third Party responses	None

MAIN ISSUES

7. Scale, design and impact on listed building

POLICY CONTEXT

Adopted SDLP CN3, CN4, CN5.
And the guidance in PPG15

PLANNING CONSIDERATIONS

1. Scale, design and impact on Listed building

The site history demonstrates that the principle of the development, including the change of use and the incorporation of office accommodation into the listed building has been acceptable since February 2004. Residential use was subsequently permitted in 2006. However, none of the approved schemes have been implemented to date, and the applicant claims that this is due to the non-viability of the schemes. The listed building has therefore been left to deteriorate in the intervening 5 year period since the first consent was granted in 2004.

In conservation policy terms, the previous schemes are considered to be more sensitive to the existing form and scale of the listed building, and have not required significant demolition or extension of the original building. The concerns of the Conservation Officer have been set out in the report, and unfortunately, it is considered that the harm that would be caused to the character of the listed building by the current scheme outweighs the pressing need to bring the building back to reuse, given the existing consents for the building which could still be implemented without detriment to its character.

An objection has therefore been raised under Policy CN3 and CN5, for the reasons set out by the Conservation Officer.

RECOMMENDATION: REFUSE

Reasons for Refusal:

The proposal involves works which would affect the villa element of the listed building known as Bennett House. The development would significantly alter existing views of the listed building and in particular, the west elevation. The proposals would also alter and extend the roof of the villa over a new rear two storey element and it is considered that the original form of the historic roof would be lost. The creation of the new two storey elements behind the front of the building would result in a bulky and overly-dominant east elevation. The development would therefore be contrary to Policy CN3 and CN5 of the adopted Salisbury District Local Plan.

INFORMATIVE:

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

CN3 and CN5 listed buildings
And the guidance in PPG15

Part 2

Applications recommended for Approval

2

Application Number:	S/2008/1679		
Applicant/ Agent:	MR S P MANKIN		
Location:	8 JAMES STREET / 36 SIDNEY STREET SALISBURY SP2 7AL		
Proposal:	PROPOSED 1 BED DWELLING		
Parish/ Ward	ST PAUL		
Conservation Area:		LB Grade:	
Date Valid:	30 September 2008	Expiry Date	25 November 2008
Case Officer:	Charlie Bruce-White	Contact Number:	

REASON FOR REPORT TO MEMBERS

The application represents a revised scheme to application S/2007/2425 which was considered by the committee in February 2008 where it was resolved to refuse the development. This previous application was subsequently appealed and dismissed by the Planning Inspectorate.

SITE AND ITS SURROUNDINGS

The site relates to an end of terrace dwelling, situated on the corner of Sidney Street and James Street, Salisbury. This is within the Salisbury Housing Policy Boundary.

THE PROPOSAL

It is proposed to erect a single storey extension fronting onto James Street to provide an additional one bed dwelling. This represents a revised scheme to a previous application for a similar development, with the following alterations:

- The omission of proposals to subdivide the existing dwelling to two flats;
- The provision of roof lights to the rear elevation of the new dwelling to improve light to its proposed kitchen/lounge;
- The provision of a glazed roof to part of the new dwelling in order to provide an enclosed but lit storage area to the existing dwelling;
- The creation of double glazed doors to the kitchen of the existing dwelling to improve light.

PLANNING HISTORY

07/0836	New one bed flat with car port & convert four bed house into 2 no. two bed houses	W/D	06.06.07
07/1438	New two bed flat with car port & convert four bed house into 2 no. two bed houses	R	27.09.07
07/2425	Erect single storey extension to create 1 bed dwelling and convert existing into 2 no. 2 bed dwellings	R Appeal	27.02.08 24.06.08 Dismissed

Application 07/2425 was refused by the City Area Committee for the following reasons:

The proposed development, due to a combination of its bulk and mass, poor design, and the close proximity to neighbouring dwellings, would be unsympathetic to the character of the area, and result in a cramped form of development which would be detrimental to the residential amenities of the area, including those of future occupiers. Consequently, the development would be contrary to the aims and objectives of PPS3, policies G2 and D2 of the Salisbury District Local Plan, and guidance contained within the Salisbury Design Guide: Creating Places.

This decision was subsequently appealed and dismissed by the Planning Inspectorate. However, the reasons for dismissing the appeal were not for the reasons cited by the City Area Committee, rather they were concerned with the poor internal layout of the proposed accommodation which resulted in some inadequately lit spaces. The full copy of the appeal decision is appended to the end of this report.

CONSULTATIONS

Highways Officer Whilst I am aware that the roads in the local area are often congested with on-street parking, the site is within easy walking distance of public transport and other local facilities, therefore reducing the need for a private car. I recommend that no highway objection be raised.

Environmental Health Recommend restricted hours during construction.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes

Third Party responses: 4 letters of objection. Reasons include: overdevelopment, out of character with the area, would exacerbate existing parking problems, loss of light, loss of privacy.

MAIN ISSUES

The main issue is whether the proposed amendments satisfactorily resolve the previous concerns of the Planning Inspectorate with regards to the design of the accommodation's internal layout.

POLICY CONTEXT

Local Plan policies G1, G2, D2, H8, TR11, TR14, R2
PPS1: *Planning & Sustainable Development*; PPS3: *Housing*

PLANNING CONSIDERATIONS

Residential amenity of the future occupiers of the accommodation, including the existing dwelling

This is the key consideration, since it was the reason that the previous application was dismissed at appeal. The Inspector commented on this aspect as follows:

The lounge/kitchens to Unit 1 [the proposed dwelling] and Unit 2 [the existing dwelling] would only have one window. It seems to me that for these kitchens to be located as shown, especially with the only window being north-facing, would result in unpleasant living conditions for future residents.

Unit 2 is shown as having an outdoor space labelled "garden" on the plan. However, this narrow space would be immediately alongside the rear extension of No.34 as well as almost entirely underneath the over-sailing roof to Unit 1. It would in my opinion be a dark and uninviting space which would be of little or no utility or benefit to the occupiers of Unit 2. Even if a glass door were provided, there would be very limited light available to illuminate the depths of the kitchen/lounge to Unit 2.

It seems to me that these design details would have such a substantially detrimental effect on the living conditions of the future residents of Units 1 and 2 that the high quality of design required by PPS1 and PPS3 would not be achieved.

The main aspects that need to be addressed can therefore be considered as follows:

1) Light to the kitchen/lounge of the proposed dwelling

The current proposal includes the provision of a vaulted ceiling to the kitchen/lounge with additional light provided by two roof lights within the rear (south facing) roof slope. In combination with the front ground floor window, it is considered that this would now provide

adequate light.

2) Light to the kitchen/lounge to the existing dwelling

The current scheme would provide two windows that would light up the kitchen/lounge, rather than just one as previously proposed. This includes French windows to the east elevation, which would now be able to receive light due to the glazed roof of the covered yard, as well as the existing window in the front (north) elevation. It is considered that this would now provide adequate light and would arguably improve the current situation due to the open plan layout.

3) The quality and utility of the covered yard to the existing dwelling

A glazed roof has now been provided to the covered yard so that it would now be both weatherproof and well lit, which would result in a practical storage area that could be well utilised.

Although both existing and proposed dwelling would lack an outdoor amenity space, this is not an issue which the Planning Inspector raised as a detrimental feature to living conditions, and it is noted that there would be adequate facilities for the storage of bicycles and bins.

Residential amenity of adjoining and nearby property

The Inspector commented on this as follows:

There would be little effect on existing residents except possibly those at 34 Sidney Street. Even here, the only difference would be that the boundary wall on the north side of their yard would be replaced by the back wall (without windows) of the new single storey dwelling. A pitched roof is proposed for this dwelling, but because of the orientation there would be no shading or significant loss of light. I conclude that the requirements of saved Local Plan Policy G2(vi) would be met in respect of existing occupiers.

Within the current application the proposed dwelling's bulk, proximity to neighbours and window arrangements (with the exception of the new roof lights) would remain unaltered from the appeal application. Although Councillors have previously expressed concerns over the impact of the dwelling on neighbours' amenities, a refusal on such grounds would now be difficult to defend at appeal given the Inspector's previous comments.

Character & appearance of the area

The Inspector commented on this as follows:

Replacement of these elements [the existing garage and yard] at the appeal site with a small dwelling making use of design cues from the adjacent building would I believe improve the character and appearance of the area. Although such a single-storey dwelling might not be typical of the area, it would in my opinion fit comfortably into this location. I conclude that it would comply with the requirements for infill development given in saved Local Plan Policy D2 as well as the more general requirements of saved Local Plan Policy G2.

Within the current application the external appearance of the proposed dwelling from the streetscene would be identical. Although Councillors have previously expressed concerns over the impact of the dwelling on the character and appearance of the area, a refusal on such grounds would now be difficult to defend at appeal given the Inspector's previous comments.

Highways implications

Having regard to the site being situated within a controlled parking zone and within easy walking distance of public transport and other local facilities, no objection is raised by the Local Highways Authority to the level of parking provision for the proposed development. The applicant/developer shall be informed, however, that the additional units may be excluded from applying for additional parking permits.

Since the City Area Committee did not resolve to refuse the previous application on highway grounds, and the highways implications for the current proposal are not materially different, a refusal on such grounds would be difficult to defend at appeal.

Policy R2

If the Committee resolve to approve the application it will be necessary for the applicant to

enter into a legal agreement and make a financial contribution towards recreational open space in accordance with policy R2.

Conclusion

Bearing in mind the appeal decision and comments of the Planning Inspectorate on application S/07/2425, and the revisions now proposed within the current application, it is considered that the material concerns with the development have been overcome, and that the development would provide a suitable quality of design as required by PPS1 and PPS3.

RECOMMENDATION: APPROVE,

Reason for Approval

Bearing in mind the appeal decision and comments of the Planning Inspectorate on application S/07/2425, and the revisions now proposed within the current application, it is considered that the material concerns with the development have been overcome, and that the development would provide a suitable quality of design as required by PPS1 and PPS3.

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) No development shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason To secure a harmonious form of development.

- 3) Notwithstanding the provisions of Classes A to C 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 unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason In the interests of visual and neighbouring amenity.

- 4) No further windows shall be inserted into the new 1 bed dwelling hereby permitted.

Reason In the interests of visual amenity.

- 5) 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.

Reason In the interests of neighbouring amenity.

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:

Residents Parking Zones and Permits

The applicant/owner is advised that the occupants of the new properties hereby granted planning permission may not be entitled to parking permits under the residents parking scheme operating in this area, including additional units resulting from the conversion of properties to flats. You are advised to contact Parking Services 01722 434735 should you require any further information regarding the issuing of residents parking permits by the Council.



Appeal Decision

Site visit made on 24 June 2008

by **Colin Tyrrell** MA(Oxon) CEng MICE FIHT

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
26 June 2008

Appeal Ref: APP/T3915/A/08/2071323

8 James Street/36 Sidney Street, Salisbury SP2 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Womersley Smith against the decision of Salisbury District Council.
- The application Ref S/2007/2425, dated 28 November 2007, was refused by notice dated 27 February 2008.
- The development proposed is a new 1-bed bungalow and a conversion of the existing 4-bed house into two 2-bed houses.

Decision

1. The appeal is dismissed.

Main Issues

2. In my opinion, the main issues are the effect of the proposals on the character and appearance of the area and on the living conditions of current and future residents.

Reasons

Character and Appearance

3. This enclave of Victorian/Edwardian cottages is located between the mixed residential/commercial development of York Road and the more modern residential development north of Gas Lane. The regular pattern of the two-storey terraced houses is broken at the intersecting roads such as James Street, where the side of the house on the appeal site fronting Sidney Street is exposed, together with the side of its back yard space and access alley.
4. This back yard space is partly an enclosed yard and partly a somewhat dilapidated garage. I noticed a variety of treatments to the other equivalent spaces at intersections in the immediate area, none of which in my opinion made a positive contribution to the streetscene.
5. Replacement of these elements at the appeal site with a small dwelling making use of design cues from the adjacent building would I believe improve the character and appearance of the area. Although such a single-storey dwelling might not be typical of the area, it would in my opinion fit comfortably into this location. I conclude that it would comply with the requirements for infill development given in saved Local Plan Policy D2 as well as the more general requirements of saved Local Plan Policy G2.

Existing Residents' Living Conditions

6. There would be little effect on existing residents except possibly those at 34 Sidney Street. Even here, the only difference would be that the boundary wall on the north side of their yard would be replaced by the back wall (without windows) of the new single-storey dwelling. A pitched roof is proposed for this dwelling, but because of the orientation there would be no shading or significant loss of light. I conclude that the requirements of saved Local Plan Policy G2(vi) would be met in respect of impact on existing occupiers.

Future Residents' Living Conditions

7. The proposed ground-floor plan for the three units shows that the lounge/kitchen to Unit 3 would have dual-aspect windows, but that the lounge/kitchens to Units 1 and 2 would only have one window. It seems to me that for these kitchens to be located as shown, especially with the only window being north-facing, would result in unpleasant living conditions for future residents.
8. Unit 2 is shown having an outdoor space labelled "garden" on the plan. However, this narrow space would be immediately alongside the rear extension of No 34 as well as almost entirely underneath the over-sailing roof to Unit 1. It would in my opinion be a dark and uninviting space which would be of little or no utility or benefit to the occupiers of Unit 2. Even if a glass door were provided, there would be very limited light available to illuminate the depths of the kitchen/lounge to Unit 2.
9. It seems to me that these design details would have such a substantially detrimental effect on the living conditions of future residents of Units 1 and 2 that the high quality of design required by PPS 1 and PPS 3 would not be achieved. I conclude that I should dismiss the appeal.

Colin Tyrrell

INSPECTOR