

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
CITY AREA – 16/12/04

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

A106 - Approve subject to S106	DOEC - Refer to DLTR (Committee) Now DTLR	REF - Refusal
APP - Approve	NOBJ - No objection	REV - Subject to Revocation Order
APPC - Approve with conditions	OBJ - Objection	DOED - Refer to DLTR
APRE - Part approve / refuse	OBS - Observations to Committee	Now DTLR - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
1	S / 2004 / 2431 Mr R Hughes	MIDSUMMER HOMES LIMITED 51 HULSE ROAD SALISBURY	A106		3-7	ST MARK & STRATFORD Councillor Nettle Councillor Paisey Councillor Warrander	
2	S / 2004 / 2445 Mr R Hughes	BAYVIEW DEVELOPMENTS (BOURNEMOUTH) LTD 8 COLDHARBOUR LANE SALISBURY	A106		8-11	ST PAUL Councillor Clegg Councillor Fear	

END OF LIST

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

Part 1

Applications recommended for Refusal

Item No.

Case Officer

Contact No.

App.Number
Ward/Parish

Date Received
Cons.Area

Expiry Date
Listed

Applicant's Name
Agents Name

Proposal
Location

No Refusals

Part 2

Applications recommended for Approval

Item No.	Case Officer	Contact No.	
App.Number Ward/Parish	Date Received Cons.Area	Expiry Date Listed	Applicant's Name Agents Name

Proposal
Location

1	Case Officer Mr R Hughes	Contact No 01722 434382	1
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S/2004/2431	12/11/2004	07/01/2005	MIDSUMMER HOMES LIMITED
STMK			MORGAN CAREY ARCHITECTS
Easting: 414147.1	Northing: 130916		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF EXISTING BUILDING ERECTION OF 1 HOUSE AND 2 FLATS AND ACCESS
LOCATION:	51 HULSE ROAD SALISBURY SP1 3LU

REASON FOR REPORT TO MEMBERS

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

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

SITE AND ITS SURROUNDINGS

The site is located in a prominent corner location, and contains a single storey for commercial building which is vacant at present. There are several vehicular access onto the adjacent road system.

THE PROPOSAL

It is proposed to demolish the existing building and construct a dwelling and two flats. One of the existing vehicular access points onto Ashley Road would be utilised, with the other closed up.

PLANNING HISTORY

02/495 – Outline consent granted for new dwelling.

02/2353 – Consent granted for change of use from light industrial to education support centre.

04/1404 – Demolition of existing building erection of 1 house and 2 flats and access. Refused 2/9/04. Currently subject of appeal.

CONSULTATIONS

WCC Highways	- No objections
Housing & Health Officer	- Awaited
Wessex Water Authority	- Awaited
Environment Agency	- No comments
Design Forum	-Awaited

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. 16/12/04
Departure	No
Neighbour notification	Yes. Expiry 8/12/04
Third Party responses	Yes. 2 (identical) letters (both from same person) raising the following issues

1. Scheme is out of character/overdevelopment
2. Scheme would have significant impact on highway safety
3. Impact on amenities

MAIN ISSUES

1. Principle
2. Design
3. Amenity
4. Highways

POLICY CONTEXT

G2 D2 R2

PLANNING CONSIDERATIONS

Principle

The site is located within the HPB, and is subject of an outline planning permission for a single residential dwelling on the site. Therefore the principle of the redevelopment of the site for residential purposes is acceptable.

The main issue for Members to consider is whether this revised scheme address the previous concerns and reasons for refusal for S/04/1404.

Design

The existing building form of the area is very mixed in character, containing a variety of architectural styles and materials. Although consisting mainly of two storey dwellings, there are a few examples of larger dwellings. The area also contains a few examples of larger contemporary buildings in terms of the leisure centre, the studio theatre, Waitrose, and the fire station.

As a consequence of this mixed character, it is considered that there is some flexibility in terms of the design and built form that can be achieved on this corner site.

The previous application was refused partly due to the impact of its size, massing and bulk on the character of the area.

The applicant has proposed a different design solution to development of this site compared to the previous refused scheme, which involves a single two storey building design which turns the corner. The revised scheme has the appearance of one large dwelling, in comparison to the previous scheme, which sought to give the impression of several buildings. Furthermore, the building would have a marginally smaller footprint, and would, overall have a lower ridge line

than the previous scheme. In respect to No. 49 next door, a hipped design of roof has replaced the previous gable end design, thereby reducing the over bulk of the building.

A design statement has been submitted with the scheme, and is attached for members consideration. Attached as **appendix 1**.

It is considered that the proposal would be acceptable in overall design terms because of the varied character of the area, and would not adversely affect the character of the street scene. However, Members have to consider whether this redesigned scheme overcomes previous concerns regarding bulk size and massing.

Amenities

The previous scheme was partly refused due to the impact of the size, massing and bulk of the scheme on the amenities of adjacent properties due to the increase in overshadowing and dominance.

The scheme has been reduced overall in terms of its height, with a hipped roof design replacing the broken ridge line of the previous scheme. When this is combined with the new design approach which reflects a single dwelling rather than a number of properties, it is considered that whilst the alterations in terms of size massing and bulk are relatively small, the overall feeling of dominance of the property has been reduced.

It is considered that any dwellings on the opposite side of Hulse or Ashley Road would not be unduly affected by this proposal, given the distance between the facades of the dwellings, and the fact that this proposal has been redesigned and repositioned slightly so that the overall ridge height is lower, and there would be unlikely to be any significant impacts on no.53 Hulse Road, in terms of loss of privacy. As a result, the dwelling most likely to be affected is considered to be No. 49, adjacent to the site.

In terms of No.49, the scheme has been so designed as to limit any significant impacts in terms of overshadowing or overlooking on existing adjacent property, with only oblique overlooking from the first floor bedroom windows. Given the reduction in ridge height, and introduction of a hip end roof design, the overall impacts on the adjacent dwelling have been reduced.

Whilst concerns have been raised regarding the impact of the scheme in terms of noise and disturbance from the new car parking area, members should take into account that the site has been used commercially for many years, and has consent for use as a small scale educational establishment. Therefore, it is considered that this residential use would be unlikely to have any greater an impact than the lawful use of the premises.

Therefore, subject to EHO comments, it is considered that there would not be such a significant impact on adjacent properties as to warrant refusal in this instance.

Highways

WCC Highways have no objections to the proposal.

Notwithstanding the above, Members should note that the scheme would in effect result in a reduction in the number of access points onto the adjacent highway, in particular the omission of the access onto the corner of Hulse and Ashley Road. This is considered to be an improvement.

Whilst there may be concerns about an increase in traffic and parking in the area, the parking along the highway in this area is severely restricted with yellow lines. Furthermore, a total of 5 parking spaces is provided on site, when in such a sustainable location a total of 3.5 could be acceptable (ie 1.5 for the dwelling, and 1 each for each flat).

It therefore appears that scheme would have no significant impact on highway safety issues around the site.

Other matters

The trees along the river adjacent to the western end of the site are covered by a TPO.

The proposal envisages that the existing hardstanding on the site around and under the canopy and root zone of the trees is retained, as is the high boundary walling. After construction, the boundary walling will be carefully taken down and reduced to approximately 900mm. A method statement has been submitted with regards to these works and the protection of the river and bank.

The Council's tree officer has raised no objections in principle to this development, provided suitable conditions are imposed to protect the trees during and after development.

CONCLUSION

The concerns of adjacent neighbours are noted, and Members must consider whether this scheme overcomes previous reasons for refusal. In officers opinion, the scheme is of a significantly different design to the original scheme, and would have the visual appearance on one single dwelling. Therefore, given that the site is within the HPB, and has outline consent for a new dwelling, it is considered that the refusal of a development which resembles one single dwelling may be difficult to support.

Also, the scheme is unlikely to have a significant impact on amenities or highway safety.

In officers opinion, the scheme therefore overcomes the previous reasons for refusal.

RECOMMENDATION :SUBJECT TO

1.THE COMMENTS OF THE STATUTORY CONSULTEES AND THIRD PARTIES RAISING NO SUBSTANTIVE ISSUES WHICH AFFECT THE ABOVE RECOMMENDATIONS, AND

2.A UNILATERAL S106 AGREEMENT AND COMMUTED PAYMENT BEING RECEIVED TOWARDS THE PROVISION OF PUBLIC OPEN SPACE IN ACCORDANCE WITH POLICY R2 OF THE SALISBURY DISTRICT LOCAL PLAN, THEN:

APPROVE: for the following reasons

The scheme is of a significantly different design to the original scheme, and would have the visual appearance on one single dwelling. Therefore, given that the site is within the HPB, and has outline consent for a new dwelling, it is considered that the refusal of a development which resembles one single dwelling may be difficult to support. Also, the scheme is unlikely to have a significant impact on amenities or highway safety.

In officers opinion, the scheme therefore overcomes the previous reasons for refusal.

And subject to the following conditions

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

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

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

(3) Notwithstanding the provisions of Class[es] 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 dwelling(s)

nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason: In order to control changes to the proposed dwelling, due to the small scale nature of its garden area.

(4) The parking layout shown on the approved plans, shall be fully implemented and made available for use before the dwellings are first occupied.

Reason: In the interests of highway safety.

(5) The development shall be undertaken in accordance with the protection and maintenance scheme submitted as part of the approved application.

Reason: In order to ensure that the river system and trees are protected during development.

(6) No demolition or construction work nor delivery of materials(except internal fitting out) shall take place outside the hours of 0730hrs to 1730hrs.

Reason: In order to limit the impact on adjacent residential properties.

INFORMATIVE

The developer should note that the trees adjacent the site and the river bank are protected by a TPO. Therefore, any works to those trees not authorised by this planning approval will probably need separate consent. Please contact the tree officer Mr David Prince in this regard.

The applicant should also note that there is significant resident concern about the impact of construction works on the adjacent area regarding traffic and parking. Therefore, during development works, the parking spaces of residents should be respected and kept clear, and the parking restrictions in the area respected.

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

Policy G2	Purpose: Protection of amenities
Policy D2	Purpose : Infill Development
Policy R2	Purpose: Maintain an adequate level of public open space

NOTES:

S/2004/2445	15/11/2004	10/01/2005	BAYVIEW DEVELOPMENTS (BOURNEMOUTH) LTD
STPA			RELPH ROSS PARTNERSHIP
Easting: 413827.1	Northings: 130652		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 10 No. DWELLINGS WITH ACCESS AND PARKING
LOCATION:	8 COLDHARBOUR LANE SALISBURY SP2 7BW

REASON FOR REPORT TO MEMBERS

Councillor Fear considers that this matter should be discussed by Committee due to the considerable local interest shown in the scheme.

Members should note that this report has been written prior to the closing date for third party comments and consultee responses. All comments received prior to the committee meeting will be fully considered and if necessary, the recommendations made in the following report will be altered where necessary.

SITE AND ITS SURROUNDINGS

The site is located in an existing residential area, and contains a modern residential dwelling, several small outbuildings, and commercial premises. There is an existing vehicular access onto the adjacent Coldharbour Lane

THE PROPOSAL

It is now proposed to redevelop the site to provide 10 residential dwellings with on site parking (one space for each dwelling and a visitor spaces plus bicycle parking). A new vehicular access would be created onto Coldharbour Lane.

PLANNING HISTORY

Various applications, including:

S/03/2445 – This application was original submitted for 10 dwellings, but this was amended to 9 dwellings, prior to committee. However, on the eve of the February 2004 city committee, this application was withdrawn.

S/03/523 for 10 dwellings plus parking and layby. Refused by City Area Committee, for the following reasons:

01 The proposed development by reason of the proposed number of dwellings, the congested layout, and the generally poor standard of design, would result in an unduly cramped and over-intensive form of development on this constrained site, which would be poorly related to and out of scale and character with the general pattern and character of surrounding built form, and thereby would be seriously detrimental to the character and appearance of this established residential area. The proposal would therefore be contrary to policy D2 of the Adopted Salisbury District Local Plan.

02 The proposed residential development is considered by the Local Planning Authority to be contrary to policy R2 of the adopted Salisbury District Local Plan.

CONSULTATIONS

WCC Highways	- Response awaited
Environmental Health survey	- No objections subject to conditions regarding a contamination
Wessex Water Authority sewer crossing the site	- No objections but reference that there may be an old public
Environment Agency	- Response awaited

REPRESENTATIONS

Advertisement	Yes. 16/12/04
Site Notice displayed	Yes. 16/12/04
Departure	No
Neighbour notification	Yes. 08/12/04
Neighbour response	One letter received so far, raising the following issues:

- a) Scheme could be redesigned to provide more parking spaces
- b) One parking space each is not enough
- c) The width of the access is too narrow for large vehicles
- d) Why is No.3 so large
- e) There is no more on street parking space
- f) The sewage network may not be able to cope

MAIN ISSUES

1. Principle and planning history
2. Impact on character of area
3. Impact on adjacent amenities
4. Impact on highway safety/parking issues

POLICY CONTEXT

G2 D2 R2 SDLP

PPG3 -Housing

PLANNING CONSIDERATIONS

1.Principle and planning history

The site is located within the defined HPB, and is sited within a tightly knit residential area. Consequently, subject to the loss of employment issues, the redevelopment and reuse of the land for housing is considered to be in accordance with current government guidance contained within PPG3.

2.Impact on character of area

The surrounding residential area is of a mixed visual quality, generally consisting of modest terraced dwellings interspersed by modern industrial buildings, although the whole area is dominated by the adjacent Gasholder. The site itself contains a mish-mash of buildings of no particular merit, which are not considered worthy of retention.

Whilst the previous refused scheme (S/2003/523) was considered to be of a rather unimaginative and rather bland design, it is considered that overall, the revised detailed design of this proposal would be generally more sympathetic to the character of the area, with good architectural detailing evident from the drawings. The replacement of one large dwelling with two smaller dwellings also improves the general layout of the scheme compared to the previously refused scheme. Other improvements are the omission of the dwelling within the parking area, and addition of a bin store area and a cycle parking area.

3. Impact on adjacent amenities

Like the previous refused scheme (S/2003/523), this revised scheme for 10 dwellings has been rearranged in an attempt to avoid undue overlooking or overshadowing of adjacent dwellings and garden areas. However, members need to note the enlargement of plots 9 & 10 facing onto Avon Terrace from 2 to 3 bed properties compared to the previously refused scheme.

In the main, whilst the new houses adjacent to the eastern boundary of the site would result in the reduction of the amenities enjoyed by adjacent dwellings due to increased overlooking from the first floor bedroom windows, it is considered that overall, the revised scheme as a whole is an improvement over the previous refused scheme, and the last scheme seen by members which was recommended for refusal. The enlargement of plots 9 & 10 to three bedroom properties would have no demonstrable impact on the adjacent dwellings given the already close knit nature and close inter-relationship between properties.

Consequently, whilst the scheme would have some impact in terms of reducing the privacy currently enjoyed by adjacent dwellings (in particular to the east), given the tight knit character of the residential area and the requirements of PPG3, with the removal of the dwelling in the car parking area, and the decrease in scale of the dwellings adjacent Coldharbour Road, it is considered that the scheme as revised would not have a significant impact on adjacent residential amenities.

4. Impact on highway safety/parking issues

The comments of WCC Highways are awaited.

However, Members should note that the previous scheme (S/2003/523) for 10 dwellings on this site was not refused on parking/highway grounds. Furthermore, members should also note that one parking space is provided on site, as well as bicycle parking. Whilst one space is below the average of 1.5 spaces per dwelling mentioned in PPG3, given the sustainable location of this site, it is considered that it is a suitable site to relax parking standards so that more sustainable modes of transport are encouraged.

CONCLUSION

Overall, subject to WCC highway comments and the comments of the third parties, it is considered that this scheme represents a general improvement over the previously refused scheme, particular in terms of its design.

RECOMMENDATION: SUBJECT TO THE COMMENTS OF WCC HIGHWAYS AND THIRD PARTIES MAKING NO SUBSTANTIVE CHANGE TO THE RECOMMENDATION, AND

SUBJECT TO THE APPLICANT PROVIDING A COMMUTED PAYMENT TOWARDS PUBLIC OPEN SPACE AS AGREED IN THE SUBMITTED S106 AGREEMENT;

THEN:

APPROVE subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

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

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

(3) Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority. The Investigation must include:

- A full desk top survey of the historic data
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages)
- A risk assessment of the actual and potential pollution linkages identified
- A remediation programme. The remediation programme shall incorporate a validation protocol for the remediation work implemented.

A validation report shall be forwarded to the Local Planning Authority prior to habitation of the premises.

Reason: In order to ensure a suitable scheme of decontamination for the site

(4) Before the dwellings hereby approved are first occupied the vehicular access, visibility splays, bicycle and car parking and turning areas shall be laid out and provided as approved. The parking and turning areas shall be kept clear of obstruction thereafter.

Reason: In the interests of highway safety.

(5) The proposed bathroom window in the north elevation of plot 8 shall be glazed with obscure glass and fixed shut prior to the dwellings being first occupied, and shall remain in this condition thereafter.

Reason: To ensure adequate privacy for the occupants of neighbouring premises.

(6) No work shall start on site until details of the new hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D07A)

Reason: In the interest of visual amenity

(7) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding

(8) Floor levels should be set at least 600mm above the predicted 1 in 100 year flood level of 47.90 metres above Ordnance Datum.

Reason: To protect the development from flooding

INFORMATIVE:

1. This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G2 D2 R2)

2. Foul drainage from this development will be directed to the foul sewer as stated on the application form. Therefore, the Environment agency has recommended that any applicant should contact the water company to ensure that the sewerage infrastructure can accommodate the additional loading arising from the proposed development.

3. Given that the site is located adjacent to a Major Aquifer, measures should be taken at the construction stage to prevent pollution. If pollution occurs the Environment Agency should be notified immediately on its emergency contact number 0800 807060.

NOTES: