

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
NORTHERN AREA 23/03/2006

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
	S/2006/0241	NEWTON TONY
1	Mr A Madge	REFUSAL
	PADDOCK VIEW 17 BEECHFIELD NEWTON TONEY SALISBURY	Cllrs. Hewitt and Wren

	S/2006/0071	NEWTON TONY
2	Mr A Madge	APPROVED WITH CONDITIONS
	PADDOCK VIEW 17 BEECHFIELD NEWTON TONEY SALISBURY	Cllrs. Hewitt and Wren

Part 1

Applications recommended for Refusal

1

Application Number:	S/2006/0241		
Applicant/ Agent:	MRS I E WITNEY		
Location:	PADDOCK VIEW 17 BEECHFIELD NEWTON TONEY SALISBURY SP4 0HQ		
Proposal:	CONSERVATORY & EXTENSION TO PATIO		
Parish/ Ward	NEWTON TONY		
Conservation Area:	NEWTON TONY	LB Grade:	
Date Valid:	2 February 2006	Expiry Date:	30 March 2006
Case Officer:	Mr A Madge	Contact Number:	01722 434541

This application was brought before members at the previous meeting of Northern area in February. At that meeting members resolved to refuse permission for the development with the decision delegated to the Head of Development Services subject to their being no further substantive representations being received by the 9th March 2006.

Since that point the applicant has submitted six further letters of representation supporting this application and as a consequence of this the HDS considers it appropriate for members to consider these further representations rather than being dealt with using his delegated powers.

The officers previous report is replicated below with amendments to include the late representations submitted at the last meeting and the further six letters of support.

REASON FOR REPORT TO MEMBERS

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

SITE AND ITS SURROUNDINGS

The site is a newly built house now known as Paddock View in Newton Tony. The new house is located on a long strip of land directly adjacent to a Grade II listed building known as Little Old Thatch. To the rear of the site there is open countryside whilst to the front of the site in a linear type of development are further houses stretching along Beechfield. The entire site is located within the Newton Tony conservation area. At the time of writing there was no conservatory attached to the rear of the house, whilst to the side there is an unattached shed/studio building.

THE PROPOSAL

The proposal is for the erection of a conservatory to the rear of the property. The conservatory would be identical in appearance to that which was previously at the property and has now been partly demolished. The conservatory consists of dwarf walls with a PVC-framed brown colour conservatory placed on these. It would be attached to the rear elevation where the previously built conservatory stood.

PLANNING HISTORY

Long Planning history – most recently

S/2005/0855 Retention of conservatory - refused

S/2005/2087 Retrospective application for retention of existing studio - refused

S/2005/2374 Close boarded fence - granted

S/2005/2542 Demolish existing studio build new studio and sun room - withdrawn

CONSULTATIONS

None

REPRESENTATIONS

Advertisement	Yes expires 9/03/06
Site Notice displayed	Yes expires 9/03/06
Departure	No
Neighbour notification	Yes expires 27/02/06
Third Party responses	Yes – 2 letters of objection and six letters of support.

Objection

Previous retrospective application for a conservatory and patio was rejected by the parish Council and by the Northern Area Committee.

The proposed conservatory will not enhance the conservation area and the materials of which it will be constructed, do not complement either the house and the conservation. It should not exceed the building line as did the last application for a conservatory and the patio from the last application has not yet been removed.

Summary of past events with conservatory

Foundations for a conservatory were laid one week before Easter 2005.

An enforcement officer arrived at the site on the Wednesday before Good Friday. The builder denied a conservatory was to be built. The conservatory was completed by Easter Monday.

An order to remove the building was issued and later the three parties involved were charged with breach of condition.

During the time a dance studio was erected, again without planning permission. Retrospective planning permission was applied for and refused and an order for the removal of the studio was issued.

Appears to be a discrepancy between the site plan seen at the planning office and the site plan seen at Newton Toney Parish Council meeting 13th February where the boundary between Little Old Thatch and Paddock View appeared to have been moved towards Little Old Thatch.

Salisbury District Council gave the owners 28 days to pull down the current dance studio and sunroom (conservatory) The conservatory has been pulled down in part, leaving walls, foundations and floor. All materials are still on site in the hope that you will grant one of the above applications. The dance studio is still intact. I understand that they should have been removed today.

Support

Conservatory as built complemented the house and offered protection from the weather on that side of the house. Saddened to see that it had been pulled down.

Considered a shame that applicant had to remove the conservatory from her property considered it enhanced the appearance of the house.

Surprised that the planning officer found against the conservatory to the rear of the house as manager of large house builders I come into contact with a variety of conservatory designs and

the assorted planning requirements of different authorities. Found the design previously constructed (and now removed) to have been of a size and style compatible with the type of dwelling and unobtrusive in the rural setting. It's location at the rear of the property where it in no way created a visual disparagement to neighbouring properties seems to be an ideal position. I cannot find reason for the planners to find against this application.

Wishes to support the application as aware that applicant believes that she would feel much more secure knowing that there is no direct access to the living area from the outside and the addition of the conservatory would overcome this. Applicant has told me that in her previous house she was broken into on a couple of occasions.

Considered a shame that conservatory had to be pulkled down. Hope permission is granted to rereect conservatory as it looked delightful.

Applicant

Conservatory is required for security purposes. There have been two previous break-ins at the applicant's former house, Little Old Thatch. The applicant therefore considers that a conservatory is required for security purposes. The applicant has further stated that she would not move into the new property until the conservatory was put on the back of it. Without a conservatory she would feel vulnerable.

Sherwood Cottage Newton Toney road, has been allowed a conservatory extension to the back of their property that is on the extreme edge of the riverbank. In comparison Paddock View alongside an existing thatched cottage is of minimal impact on the street scene when compared with the new build allowed at 3 Beechfield that I feel completely overshadows the small thatched cottage at 1 Beechfield.

I fail to understand why it is that the inclusion of an unobtrusive conservatory on my new build is continually refused when it can be compared to this other new build at 3 Beechfield which is closer to the road and has far more impact on the street scene and it neighbouring existing thatched cottage at no 1 Beechfield.

Parish Council response: As per the Parish Council's previous response on an identical application.

Object - Application is contrary to Building Consent. It is a Conservation area and the conservatory does not fit with the integrity of the curtilage. Unsuitable building so close to a listed building. Too close to neighbours' boundary. Overlooks neighbours.

MAIN ISSUES

The new planning application in the context of the former planning application.
The impact that the conservatory will have on the surrounding area.

POLICY CONTEXT

Adopted local plan policy CN3 development affecting listed buildings, CN5 Development within the curtilage of listed buildings, CN8 development which affects the conservation area, CN10 open spaces and gaps in conservation areas.

PLANNING CONSIDERATIONS

The comments of the conservation officer had not been received at the time the report was written. These will be included in the late correspondence.

The new planning application in the context of the former planning application

A previous application was submitted for an identical conservatory (app no. S/2005/0855). This was refused permission on the grounds that ;

The proposed conservatory by reason of its design, size, appearance and materials is considered to be an unsympathetic and large addition to the rear of this new dwelling, out of character with the Newton Toney Conservation area and surrounding dwellings and contrary to policy D3 and CN8 of the adopted local plan.

The proposed conservatory by reason of its positioning outside of the housing policy boundary is considered to be an intrusive development which in turn is having an adverse effect on the open countryside and is contrary to policy H16 and H31 of the adopted plan.

Officers had recommended that planning permission be granted for the conservatory, however members considered that the conservatory would have the above effects on the house to which it was attached and surrounding area and as a consequence the application was refused.

This now becomes a material consideration in the determination of this application and a matter to consider.

Members should also be aware that although the previous refusal was appealed by the applicant, the appeal was withdrawn because of inaccuracies over the ownership certificate submitted with the application.

The impact that the conservatory will have on the surrounding area

The proposed conservatory will be constructed from UPVC, which is at variance to the materials used for the windows on the rest of the building, which are all dark stained wood. Having said this, the effect of the UPVC when viewed from any distance, and to a certain extent close up, is not unlike in colour to the dark stained timber windows.

The conservatory is of a significant size in proportion to the size of the property to which it is attached, although considered on its own it is of no great size. However, in the context of the whole property, it is a sizeable extension, which would alter the rear of this property and be seen from the fields to the rear.

A more appropriate design could have been chosen similar to the other application that has been submitted at the same time as this one, however it is not considered that this particular design is completely out of character. The conservation officer has no objection to the application.

Position of conservatory outside of the housing policy boundary

Part of the conservatory would be positioned outside of the housing policy boundary. Although this is the case, this does not automatically mean the application should be refused. Whilst entire dwellings outside the housing policy boundary would normally be refused, extensions are not automatically refused. Rather it depends on the effect that that extension has on the surrounding area by crossing the boundary. It is my opinion that the extension in itself and its effects on the wider area could be seen to have an adverse effect on the surrounding conservation area and countryside and the fact that the extension overlaps the housing policy boundary does not help this effect.

CONCLUSION

Given members' previous resolution to refuse permission on the grounds as stated above and the fact that the conservatory does have drawbacks in not being an ideal design for the property (a simple lean-to conservatory would be more appropriate) and its size in relation to the main property, it is recommended on balance that this application should be refused.

The further representations supplied by the applicant in support of the application are noted. The individual cases referred to by the applicant of other sites in Newton Toney were all judged on their merits and cannot reasonably be compared with this application. It is considered that the further letters of representation do not outweigh the material matters cited above in the body of the officer's report. The recommendation therefore remains unchanged.

RECOMMENDATION:

REFUSE

1) The proposed conservatory by reason of its design, size, appearance and materials is considered to be an unsympathetic and large addition to the rear of this new dwelling, out of character with the Newton Tony Conservation area and surrounding dwellings and contrary to policy D3 and CN8 of the adopted local plan.

2) The proposed conservatory by reason of its positioning outside of the housing policy boundary is considered to be an intrusive development which in turn is having an adverse effect on the open countryside and is contrary to policy H16 and H31 of the adopted plan.

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

Adopted local plan policy CN3 development affecting listed buildings, CN5 development within the curtilage of listed buildings, CN8 development, which affects the conservation area, CN10 open spaces, and gaps in conservation area

Part 2

Applications recommended for Approval

2

Application Number:	S/2006/0071		
Applicant/ Agent:	MR A STOCKEN		
Location:	PADDOCK VIEW BEECHFIELD NEWTON TONEY SALISBURY SP4 0HQ		
Proposal:	NEW STUDIO & GLAZED LOBBY		
Parish/ Ward	NEWTON TONY		
Conservation Area:	NEWTON TONY	LB Grade:	
Date Valid:	12 January 2006	Expiry Date	9 March 2006
Case Officer:	Mr A Madge	Contact Number:	01722 434541

Members will recall that this application was withdrawn from the February meeting of Northern Area because the applicant stated that she wished to withdraw the application. Since then the applicant has now decided that the application should not be withdrawn and therefore the application is brought back before Members for their consideration.

The application has been amended to include items of late representation.

REASON FOR REPORT TO MEMBERS

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

SITE AND ITS SURROUNDINGS

The site is a newly built house now known as Paddock View in Newton Tony. The new house is located on a long strip of land directly adjacent to a grade 2 listed building known as Little Old Thatch. To the rear of the site there is open countryside whilst to the front of the site in a linear type of development are further houses stretching along Beechfield. The entire site is located within the Newton Tony conservation area. At the time of writing there was a conservatory attached to the rear of the house whilst to the side there is an unattached shed/studio building.

THE PROPOSAL

The proposal is for the erection of a lean-to glazed lobby at the rear of the new property and a new studio to the west of the main building. The applicant has not identified of what materials the lobby is to be constructed. The studio is to be constructed of brick and tile to match the existing house. The studio is to be used partly for the private use of the applicant and partly on an occasional basis for the teaching of children. The applicant has stated in a previous application (see history) that she gives lessons to two local children.

PLANNING HISTORY

Long Planning history – most recently

S/2005/0855 Retention of conservatory- refused

S/2005/2087 Retrospective application for retention of existing studio - refused

S/2005/2374 Close boarded fence – granted

S/2005/2542 Demolish existing studio build new studio and sun room – withdrawn

CONSULTATIONS

WCC Highways - You will recall the previous application S/05/2087 in respect of which the applicant provided additional information relating to the use of the studio including traffic details. If the additional information applies equally to the current proposal then my recommendation is the same as before i.e. No highway objection. If this is not the case perhaps you will inform me accordingly.

(Applicant has confirmed use is as per last time i.e. primarily for her own personal use with occasional teaching of local children).

REPRESENTATIONS

Advertisement	Yes expires 16/02 /06
Site Notice displayed	Yes expires 16/02/06
Departure	No
Neighbour notification	Yes expires 03/02/06
Third Party responses	Yes

Five points are made in relation to the proposal summarised as follows –

- 1) The building will fill the small area in which it is situated. The height of the building will overshadow the Grade 2 listed building in close proximity.
- 2) Any further excavations will undermine the foundations of the neighbouring garage and stable. There is insufficient distance between the new studio and the site boundaries for scaffolding at only 60cm.
- 3) Access to the studio will be difficult for emergency vehicles in the case of accident or fire for the 3 disabled children that are being taught. Does the applicant need to be police-checked, as is the case for other people working with children? Why can't the applicant use the village hall?
- 4) Although conservatory has been removed there is still hard standing on which it stood which requires planning permission. The glazed lobby should be constructed of materials that compliment the house.
- 5) The builder has caused unpleasantness to neighbours and has trespassed on neighbouring property. Abuse has resulted in the need to call for police assistance. There have been large bonfires at the site.

Salisbury District Council gave the owners 28 days to pull down the current dance studio and sunroom (conservatory). The conservatory has been pulled down in part, leaving walls, foundations and floor. All materials are still on site in the hope that you will grant one of the above applications. The dance studio is still intact. I understand that they should have been removed today.

Applicant

Conservatory is required for security purposes. There have been two previous break-ins at the applicant's former house, Little Old Thatch. The applicant therefore considers that a conservatory is required for security purposes. The applicant has further stated that she would not move into the new property until the conservatory was put on the back of it. Without a conservatory she would feel vulnerable.

Parish Council response: Object – Over development in a confined area

MAIN ISSUES

Impact of lean-to glazed lobby on the conservation area and surroundings
 Impact of new studio on conservation area, listed building and surrounding
 Neighbour concerns

POLICY CONTEXT

Adopted local plan policy CN3 development affecting listed buildings, CN5 development within the curtilage of listed buildings, CN8 development which effects the conservation area, CN10 open spaces and gaps in conservation areas.

PLANNING CONSIDERATIONS

Impact of the lean-to glazed lobby on the conservation area and surroundings

The proposed lean-to glazed conservatory-type structure that is proposed to the back of this property replaces the existing (unauthorised) conservatory at the rear of the building. The new structure is proposed at a depth of 1.6m from the rear of the building. This is a significant reduction from the existing conservatory, which is well in excess of 2.5m in depth. The reduced size of this structure is therefore considered better than that previously proposed. The existing conservatory is designed in a pseudo-Vicwardian style whereas the one proposed is a more simple lean-to construction, which is more in keeping with the cottage character of the building to which it is attached. There is no specification of materials with the application but if the structure were to be constructed of timber in keeping with the rest of the house (which could be conditioned) then this is likely to be acceptable.

A material consideration for members in considering this application is the previous application for the existing conservatory at this site. That application was refused by members on the grounds that:

“The proposed conservatory by reason of its design, size, appearance and materials is considered to be an unsympathetic and large addition to the rear of this new dwelling, out of character with the Newton Tony Conservation area and surrounding dwellings and contrary to policy D3 and CN8 of the adopted local plan.”

This application does seek to address these concerns by changing the design, size and appearance and although the materials are unknown at this stage they could be appropriate if conditioned. As such it is considered that this part of the proposal has changed substantially enough to warrant approval.

Impact of the new studio on the conservation area, listed building and surroundings

The conservation officer has stated that: “I note that the previous refusal was principally on grounds of materials in the setting, however I do feel strongly that the conglomeration of outbuildings in the grounds of Little Old Thatch is excessive and that further development should be resisted. That a full house has been allowed is more than enough on its own, without further accretions.”

The new studio is to measure 4.9m in width x 4.9m in depth and is to be situated in a similar position to the existing studio to the rear of the listed building. As such there will be little public views of the building and as it to a large extent replaces existing sheds and outbuildings at the site its positioning to the rear of the listed building is considered acceptable.

The footprint of the new studio is large. It is half to one third of the size of the new house and of a similar size to a double garage. The applicant’s agent has stated that the materials (bricks and tiles) will be to match the existing house. Whilst the materials will match the existing house the roof pitch will not. It is at a far lower pitch than that on the original house. Whilst the roof pitch could be made higher this would make the building more prominent and more visible from views across the fields to the rear.

This new studio is not perfect. It would be better with a narrower footprint and more rectangular plan form which would give the building a steeper pitch roof without making it any higher. However, the application has to be judged on the plans that have been submitted and whilst not

perfect I do not consider that the building is of such a design as to warrant refusal of the application. As such I recommend that planning permission be granted for the development.

Neighbour concerns

The concerns made in point 1 of the third party responses are noted and the impact that the proposed studio will have on the listed building and surrounding area are covered above.

Point 3 of the neighbours concerns which covers access for emergency vehicles and the need for the studio are building regulations and non-planning matters respectively.

Points 2, 4 and 5 although noted are not material planning considerations for this application.

CONCLUSION

The proposed new conservatory, lean-to extension at the rear of the building is smaller and more in keeping with the building than the existing conservatory and as such is considered acceptable in this position. The proposed new studio, although still relatively large in its footprint, is not considered to be significantly detrimental in its appearance as to warrant refusal of planning permission. As such it is therefore recommended for approval.

RECOMMENDATION:

APPROVE

Reasons for approval:

The proposed rear conservatory and studio are considered to be of a design, size and appearance that is appropriate to the adjacent listed building and surrounding conservation area and as such complies with policies CN3, CN5, CN8 and CN10 of the adopted local plan.

And subject to the following conditions:

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

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

2. Before development is commenced, a schedule of external facing materials shall be submitted, 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.

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

Adopted local plan policy CN3 development affecting listed buildings, CN5 Development within the curtilage of listed buildings, CN8 development which effects the conservation area, CN10 open spaces and gaps in conservation areas.