

# Schedule of Planning Applications for Consideration

*In The following Order:*

Part 1) Applications Recommended For Refusal

*Part 2) Applications Recommended for Approval*

*Part 3) Applications For The Observations of the Area Committee*

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

## *ABBREVIATIONS USED THROUGHOUT THE TEXT*

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

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE  
NORTHERN AREA - 15<sup>TH</sup> NOVEMBER 2007

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

<b>Item Page</b>	<b>Application Number</b>	<b>Parish/Ward Officer Recommendation Ward Councillors</b>
1	S/2007/2039	AMESBURY WEST
3-7	Mrs S Appleton	REFUSAL
SV 15:45hrs	MR & MRS G E ARNOTT WILLOW HOUSE 101 COUNTESS ROAD AMESBURY SALISBURY SP4 7AT  SINGLE STOREY EXTENSION TO PROVIDE AN ADDITIONAL BEDROOM & EN-SUITE FACILITIES TO ALLOW AN INCREASE IN OCCUPANCY FROM 8 TO 9 RESIDENTS	AMESBURY WEST Councillor Westmoreland
2	S/2007/2079	AMESBURY WEST
8-11	Mr T Wippell	APPROVED WITH CONDITIONS
	44 SALISBURY STREET AMESBURY SALISBURY SP4 7HD  CHANGE OF USE FROM A1 TO A5	AMESBURY WEST Councillor Westmoreland

# Part 1

## Applications recommended for Refusal

1

Application Number:	S/2007/2039		
Applicant/ Agent:	ARCHIDRAFT DESIGN		
Location:	WILLOW HOUSE 101 COUNTESS ROAD AMESBURY SALISBURY SP4 7AT		
Proposal:	SINGLE STOREY EXTENSION TO PROVIDE AN ADDITIONAL BEDROOM & EN-SUITE FACILITIES TO ALLOW AN INCREASE IN OCCUPANCY FROM 8 TO 9 RESIDENTS		
Parish/ Ward	AMESBURY WEST		
Conservation Area:		LB Grade:	
Date Valid:	12 October 2007	Expiry Date	7 December 2007
Case Officer:	Mrs S Appleton	Contact Number:	01722 434541

### REASON FOR REPORT TO MEMBERS

Councillor Brown has requested that Committee determine this item due to public interest.

### SITE AND ITS SURROUNDINGS

Willow House, 101 Countess Road Amesbury is currently being used as a residential care home for the elderly who have learning disabilities. The property is semi-detached and is located within an established residential area to the north of Amesbury Town Centre. The property is located within a Housing Policy Boundary as designated by the Salisbury District Local Plan. The site is also adjacent to the Stonehenge World Heritage site, which lies to the west.

### THE PROPOSAL

The proposal involves the erection of a single storey extension to the rear of the property.

### PLANNING HISTORY

**S/1993/1169** – Single and two storey extensions and alterations and change of use to residential home for people with learning disabilities – **REF** 30/12/1993

**S/1994/1028** – Ground floor extension and alterations for extra living accommodation – **A/C** 21/09/1994

**S/1996/0983** – To residential care home for learning disabled persons – **A/C** 04/10/1996

The above application included a restrictive condition relating to the number of residents. This conditions states:

*“The use hereby permitted shall be for seven resident persons only and shall be as a residential home for persons with learning difficulties and staff only (for the avoidance of doubt seven resident persons shall include both staff and persons with learning difficulties)”.*

*REASON: In the interests of amenity for the occupants of the neighbouring and nearby dwellings.*

**S/2004/0114** – Erection of conservatory to rear to form quiet room. Change of use of existing quiet room to additional bedroom – **A/C** 08/03/2004

**S/2007/1531** – Single storey extension to provide 2 additional bedrooms and en-suite facilities – **Withdrawn** 21/09/2007



## **PLANNING CONSIDERATIONS**

### **Principle**

This semi-detached property is located within an established housing development to the north of Amesbury Town Centre and is therefore situated within a Housing Policy Boundary as designated by the adopted Salisbury District Local Plan.

An extension to the care home is acceptable in principle, as policy PS1 allows health, social services, places of worship and community facilities to be provided within the settlements. However, the proposed extension must also comply with the relevant design policy. In this case, the design policy relevant is D3, which states that extension should be of a scale and design that is appropriate to the overall appearance of the existing dwelling, using complementary materials. This policy also states that extensions should be carefully integrated in relation to other properties and the overall landscape framework.

This application should also comply with policy G2 of the Local Plan. This policy ensures that developments should have a satisfactory means of access and turning space within the site, where appropriate, together with parking in accordance with the Local Plan. This policy also ensures developments do not place an undue burden on existing or proposed services and facilities, the existing or proposed local road network or other infrastructure and that developments do not have any significant adverse impacts on the residential amenities of neighbouring dwellings.

The site is adjacent to the Stonehenge World Heritage Site and as such should comply with policy CN24 of the Local Plan. This policy states that 'development which would adversely affect the archaeological landscape of the Stonehenge World Heritage Site, or the fabric or setting of its monuments will not be permitted'.

### **Scale, design and impact on the visual amenities of the surrounding area**

The proposed extension will be added to the rear of the existing property, will be approximately 4 metres wide, approximately 6.9 metres deep and will have a pitched roof with a maximum height of approximately 3.9 metres. The new extension will be attached to an existing single storey extension on the site. The resultant depth of both extensions will be approximately 16 metres, 13 of which will protrude from the rear of the dwelling. The bulk of the extension will mirror the bulk of the neighbouring property to the south (99 Countess Road). The extension will include a door and two small windows on its southern elevation, a window on its western elevation and a door and small window on its northern elevation. The extension will be constructed from bricks and tiles, which will match those used in the existing dwelling.

Although the proposed extension itself is relatively modest in its scale, it is being added to a property that has been significantly extended in the past. Previous extensions to enlarge the property have resulted in the unbalancing of the semi-detached pair to the point that adding another extension would detrimentally impact on the appearance of both properties. As a result, it is considered that on balance, the proposed extension although relatively small would result in the over development of this semi-detached property, which would significantly unbalance this pair of semi-detached properties to the detriment of their overall appearance, contrary to policy D3 of the adopted Salisbury District Local Plan.

With regards to the potential impact the extension will have on the visual amenities of the surrounding area, as it will be erected to the rear, it will not be visible to the general public and is well screened from the land to the rear. As such it is considered that the proposal will not have any adverse impacts on the visual amenities of the street scene or surrounding area significant enough to warrant refusal on these grounds.

### **Impact on neighbour amenities**

The proposal is located close to the boundary shared with the neighbouring dwelling to the south (99 Countess Road) and as such has the potential to impact on their amenities.

### **Bulk**

The bulk of the extension will mirror the bulk of the extension to the neighbouring dwelling. The proposed extension will be significantly screened from the neighbour by a relatively high fence and hedge (approximately 1.8 metres) and as a result of this, the relatively low height of the extension (approximately 2.2 metres to the eaves, with an overall height of approximately 3.9 metres) and the fact that the roof will be sloping away from the neighbour, it is considered that the bulk will not cause any significant adverse impacts on the amenities of this neighbour. With regards to the potential impact the

bulk of the extension may have on the neighbouring property to the north (103 Countess Road), it will be located an appropriate distance from this property (approximately 6.9 metres) so as to not cause any adverse harm to the amenities of the occupiers of this dwelling.

### **Overlooking**

The extension will include windows on its southern elevation, which could, as a result of the close proximity of the boundary result in undue overlooking of the neighbouring dwelling to the south (99 Countess Road). The proposal involves inserting a new window into the existing extension to supply the existing bedroom one. A bedroom window on this elevation already exists (supplying bedroom 2) and as a result it is considered that the addition of another window on this elevation would not result in any additional overlooking that would compromise the privacy of the neighbouring dwelling. The new extension will include two new windows on its southern elevation; however, these windows will supply en-suites and are therefore expected to be glazed with obscure glass. As a result of the above coupled with the fact that the new windows will be significantly screened from the neighbour to the south by a 1.8 metre high (approx) close board fence. It is considered that the windows on the southern elevation of the site will not cause any additional overlooking which is significant enough to warrant refusal of the application on these grounds.

With regards to the potential overlooking of the neighbouring property to the north, only one window, serving the new bedroom will have the potential to overlook. However, this window will be located at ground floor level at an appropriate distance from the neighbour so as to not cause any adverse overlooking.

### **Other amenity issues**

The proposed extension will be used to increase the number of residents at the home from 8 to 9. A condition on the original consent of the change of use application, states that the number of people residing in the property including carers should not exceed seven (S/1996/0983). The reason given for the inclusion of this condition is to protect the residential amenity of neighbouring properties.

The applicants submitted with the previous application a letter that stated that an increase from 8 to 9 residents would not result in an increase in staff levels. However, including carers (there are 3, one of which stays overnight) there are currently 11 people residing in the property during the day and 9 at night. Although this can be considered to be an excessive amount of people residing in what essentially is a modest semi-detached dwelling, the part 2 planning application form suggests that the existing vehicular traffic flow would remain unaltered. As a result of this it is not considered that the additional activities created by one extra person would create significant additional impacts on the amenities of neighbouring dwellings. However if in the future, the amount of residents increases again, it would eventually come to the point that neighbour amenities would be severely compromised. As a result, should members resolve to approve this application, it is recommended that the approval includes a condition stating that the number of residents and staff at the care home should not exceed 12.

Members should be made aware that there is no planning history that suggests that the condition included on S/1993/0983 has been varied to allow more than 7 residents.

### **Impact on the Stonehenge World Heritage Site**

It is considered that provided a condition is added to any approval requiring a watching brief be undertaken during the ground works, the extension should not cause any significant adverse impacts on the archaeological landscape of the Stonehenge World Heritage Site.

### **Impact on highway safety**

The applicants submitted with the previous application a letter that stated that an increase from 8 to 9 residents would not result in an increase in staff levels and would not therefore result in an increase in cars visiting the site. The highways authority was consulted on the application, however they have raised no objections to the proposal.

As a result of the above it is not considered appropriate to refuse the application on highway safety grounds.

## **CONCLUSION**

It is recommended that the application be refused on the following grounds:

### **REASONS FOR REFUSAL**

1. Although the proposed extension itself is relatively modest in its scale, it is being added to a property that has been significantly extended in the past. Previous extensions to enlarge the property have resulted in the unbalancing of the semi-detached pair to the point that adding another extension would detrimentally impact on the appearance of both properties. As a result, it is considered that on balance, the proposed extension although relatively small would result in the over development of this semi-detached property, which would significantly unbalance this pair of semi-detached properties to the detriment of their overall appearance, contrary to policy D3 of the adopted Salisbury District Local Plan.
2. Contrary to the following policy/policies of the adopted Salisbury District Local Plan:  
D3 – Design

## Part 2

### Applications recommended for Approval

2

Application Number:	S/2007/2079		
Applicant/Agent:	REEF ESTATES LTD		
Location:	44 SALISBURY STREET AMESBURY SALISBURY SP4 7HD		
Proposal:	CHANGE OF USE FROM A1 TO A5		
Parish/ Ward	AMESBURY WEST		
Conservation Area:	AMESBURY	LB Grade:	
Date Valid:	17 October 2007	Expiry Date	12 December 2007
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

#### REASON FOR REPORT TO MEMBERS

Cllr Westmoreland has called this application to committee due to the local concern about the proliferation of A2 and A5 units in Amesbury.

#### SITE AND ITS SURROUNDINGS

44 Salisbury Street is a small retail unit within the Primary Shopping Area of Amesbury. The site (the former Logan's DIY store), has been recently renovated into two units, with the larger one leased to a 'factory shop' (a general goods retailer).

The smaller unit (the subject of this application) has been marketed for 9 months for retail use.

#### THE PROPOSAL

It is proposed to change the use of the smaller unit from retail (A1) to take-away use (A5). The applicant has stated that Domino's Pizza is interested in leasing the site, although an A5 use would allow any type of take-away food units to occupy the premises.

WCC have requested that they purchase part of the Reef Estates land in order to undertake alterations to road, a loading bay, a drop area, and a taxi rank in front of the unit. Although not part of the application, details of the roadworks have been submitted in support of the change of use.

#### PLANNING HISTORY

02/1333	Extensions and alterations to existing building	AC	2002
07/1592	Alterations to shopfronts	AC	2007

#### CONSULTATIONS

WCC Highways -	No comments received so far*
Environmental Health-	No comments received so far*

\*Any late correspondence received will be reported to Members in late correspondence or verbally by officers at the Committee.

#### REPRESENTATIONS

Advertisement	Yes	Expired 15/11/07
Site Notice displayed	Yes	Expired 15/11/07
Departure	No	
Neighbour notification	Yes	Expired 08/11/07



Third Party responses	Yes- 6 letters received, objecting to the proposal for the following reasons: <ol style="list-style-type: none"> <li>1. The loss of a retail unit in the Primary Shopping Frontage is unwelcome, as a take-away will harm the shopping function of the town, and do little to attract tourists.</li> <li>2. The scheme will have an adverse impact on highways safety and parking.</li> <li>3. There will be an increase in antisocial behaviour late at night</li> <li>4. There are already too many fast-food outlets in Amesbury</li> <li>5. Opening hours have been questioned</li> <li>6. Rubbish may be left on street</li> </ol>
Parish Council response	Yes - Object on the grounds of over supply of this type of (fast food) outlet, with some 13 of one type or another already within the town centre.

**MAIN ISSUES**

1. Principle of Development
2. Impact on Highways Safety
3. Impact on Amenities

**POLICY CONTEXT**

G2, S1

**PLANNING CONSIDERATIONS**

***Principle of Development***

The Local Plan identifies a number of areas within the City and Amesbury as Primary Frontages. The Local Planning Authority recognises and supports the maintenance of a predominantly retail element within these areas, but also that different but complementary uses, during the day and in the evening can reinforce each other, making town centres more attractive to local residents, shoppers and visitors. The principal role of the Primary Frontage is, however, to maintain the area as the retail centre, and the Local Planning Authority will therefore aim to establish or preserve, as a guide, 60% of each section of Primary Frontage within retail (A1) use. A section of Primary Frontage is considered to be a particular street block frontage, or frontage of 50 metres either side of the application site, whichever is less.

Each application will be assessed on its merits taking into consideration the following factors:

- (i) its location and prominence within the shopping frontage;
- (ii) the size and frontage width of the application premises;
- (iii) the number, distribution and proximity of the existing ground floor premises with nonshopping uses and any outstanding planning permissions for non-shopping uses within the primary frontage;
- (iv) the nature and character of the proposed use and the level of activity associated with it;
- (v) the potential adverse impact, in particular on the amenities of the occupiers of nearby residences, by reason of noise, smell or other environmental problems; and
- (vi) the maintenance of a window display at all times.

**Current Situation**

When assessing Change of Use proposals in shopping areas, it must first be established whether the 'street-block-frontage' or the '50 metres either side' rule should be applied in the retail use calculations. In this instance, the street-block-frontage is deemed as starting at the Charity Shop to the left when looking at the unit (adjacent to the bus station), to Zens Hairdressers to the right (adjacent to Flower Lane). As this is the lesser distance, it is deemed that this measurement is the one that should be applied to the criteria within Policy S2.

Within the immediate block frontage, there are 7 shopfronts (if the Co-Op entrance is included), with 100% of the units currently possessing retail use:

- |                   |                             |
|-------------------|-----------------------------|
| 1. Charity Shop - | Retail                      |
| 2. Opticians -    | Retail                      |
| 3. Factory Shop - | Retail (Proposed)           |
| 4. Current Unit - | Retail (Proposed Take-Away) |
| 5. Co Op -        | Retail (Entrance to Co Op)  |

- 6. Pharmacy - Retail
- 7. Hairdressers - Retail

### **Proposed Situation**

If No. 44 is changed away from its current retail use, approximately 85% of the street would still possess retail use.

As such, in Policy terms, it is considered that the change of use application is an acceptable form of development, in compliance with Policy S2, as over 60% of the street-block frontage will remain in retail use. The scheme will not undermine the retail function of the street block frontage, and the vitality and viability of the Primary Shopping Area will be maintained.

### ***Impact on Highway Safety***

Members should be aware that comments are being sought from Wiltshire County Council on highways safety issues. It is expected that a subsequent update on this issue will be produced for the committee meeting. However, officers consider that the amount of traffic generated from the change of use is unlikely to significantly effect traffic flow in and around this particular premises.

### ***Impact on Amenities***

Members should be aware that comments are being sought from Environmental Health on amenity issues. Environmental Health's comments will be brought before Members for the committee meeting. Members should however note that any adverse effect from a new A5 use can usually be mitigated through the use of appropriate conditions such as the imposition of hours of opening. A scheme for the attenuation of noise, emissions and odours and scheme for the appropriate disposal of waste. Conditions securing these matters are attached.

### **CONCLUSION**

The change of use of this unit from retail to take-away in this location is not considered to undermine the retail function of the street block frontage, and the vitality and viability of the Primary Shopping Area will not be significantly altered. Subject to there being no objections from Highways or Environmental Health, approval is recommended.

### **RECOMMENDATION: Approve**

For the following reasons:

The change of use of this unit from retail to take-away in this location is not considered to undermine the retail function of the street block frontage, and the vitality and viability of the Primary Shopping Area will be maintained, in accordance with the adopted SDLP policies.

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. (A07B)

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 (0004 AMENDED)

2. The restaurant hereby permitted shall not be open to Customers outside the hours of:  
11.30- 23.30 hours Monday to Saturday  
12:00 -22.30 on Sundays.

Reason: In the interests of the amenities of neighbouring properties.

3. Before the commencement of the development hereby permitted there shall be submitted a scheme to, and approved in writing by, the Local Planning Authority, for the control and attenuation of noise emissions from all extractor systems, air conditioning plant and other similar equipment. Such scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use/opens for trading.

Reason: In the interests of the amenities of neighbouring properties.

4. Before the commencement of the development hereby permitted there shall be submitted a scheme to, and approved in writing by, the Local Planning Office, for the control of odour emissions from all extractor systems and other similar equipment. Such a scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use/opens for trading.

Reason: In the interests of the amenities of neighbouring dwelling[s].

5. Before the commencement of the development hereby permitted there shall be submitted to, and approved in writing by the Local Planning Office, details of the proposed bin storage. Such details shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use/opens for trading.

Reason: In the interests of the amenities of neighbouring properties.

**INFORMATIVE:**

This permission has been taken in accordance with the following policies of the adopted Salisbury District Local Plan:

- G2** - **General Criteria for Development**
- D3** - **Good Design**
- S2** - **Secondary Shopping Areas**