

# **LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE** NORTHERN AREA 24/6/2004

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

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARIS H / WARD	PAGE NOS	WARD & COUN-CILLORS	NOTES
<b>1</b>	<b>S / 2004 / 922</b> Mr J Hammond	MR A C J RHIND-TUTT PLOTS ADJACENT TO:- 11 SALISBURY ROAD AMESBURY	REF	AMES	2-4	AMESBURY WEST Cllr Westmoreland	
<b>2 SV</b>	<b>S / 2004 / 538</b> Ms S Waaldijk	RATTUE & GRIFFITHS 2 LADYSMITH EAST GOMELDON	APPC	IDMI	5-8	UPPER BOURNE, IDMISTON & WINTERBOURNE Cllr Hewitt Cllr Wren	

<b>3</b>	<b>S / 2004 / 782</b> Miss L Flindell	MR D W BROWN 26 THE DROVE AMESBURY	APPC	AMES	9-10	AMESBURY EAST Cllr Brown Cllr Noeken & Cllr Peach
<b>4</b>	<b>S / 2004 / 850</b> Miss L Flindell	THE ESTATE OFFICE 39 CHOLDERTON SALISBURY	APPC	CHOL	11-15	UPPER BOURNE, IDMISTON & WINTERBOURNE Cllr Hewitt Cllr Wren
<b>5</b>	<b>SV S / 2003 / 2489</b> Mrs J Howles	LOCATION 3 PROPERTIES LTD 118-130 LONDON ROAD AMESBURY	APPC	AMES	16-26	AMESBURY EAST Cllr Brown Cllr Noeken & Cllr Peach

# Schedule Of Planning Applications For Consideration

*In The following Order:*

*Part 1) Applications Recommended For Refusal*

*Part 2) Applications Recommended for Approval*

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

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

## **ABBREVIATIONS USED THROUGHOUT THE TEXT**

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

## 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			

1	Case Officer Mr J Hammond	Contact No 01722 434380	1
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S/2004/922	19/04/2004	14/06/2004	MR A C J RHIND-TUTT
AMES			
Easting: 415576.7	Northing: 141337.3		

PROPOSAL:	FULL APPLICATION -PLOTS 1-4. 1 BUNGALOW AND 3 HOUSES. AMENDMENTS TO CRITICAL CONSENT.
LOCATION:	PLOTS ADJACENT TO:- 11 SALISBURY ROAD AMESBURY SALISBURY SP4 7HH

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

## SITE AND ITS SURROUNDINGS

The application site comprises a large garden area serving 11 Salisbury Road, Amesbury. The site is located east of the Redworth House / SDC car park. The site lies within the Amesbury HPB but outside any CA. The site contains a number of trees of which a mature Beech Tree at the site entrance is the subject of TPO 298. the site is well related to the town centre and has planning consent for four dwellings comprising a terrace of three units to the frontage and a detached bungalow at the rear of the site with eight on site parking spaces.

## THE PROPOSAL

To split the frontage terrace into a detached unit and semi-detached unit, to introduce a double garage and to increase the size of the detached bungalow as well as adding a conservatory.

## PLANNING HISTORY

S/03/1676, detailed permission for four dwellings including a conditional requirement for no development to take place without the completion of a four arm roundabout to serve both this development and the Redworth House development. The R2 payment was made prior to the issue of the 2003 consent, although its provisions would need to be transferred to the current scheme.

## CONSULTATIONS

WCC Highways - No objections in principle, however object on the basis of the information submitted relating to the restrictions upon ability to turn within the site given the introduction of the covered

parking spaces and the inadequate detail of design relating to the need for a four arm junction to serve both this site and the Redworth House re-development from Salisbury Road .

WCC Library/ Museum	- An archaeological evaluation was carried out for this site and no evidence of medieval features were uncovered. No further comments to make.
Housing & Health Officer	- Based upon the available plans the 3 <sup>rd</sup> bedroom in the detached frontage plot may be too small to meet minimum bedroom space requirements.
Wessex Water Authority	- No objections
Environment Agency	- No observations

## **REPRESENTATIONS**

Advertisement	Yes – Expired 27/05/04
Site Notice displayed	Yes – Expired 27/05/04
Departure	No
Neighbour notification	Yes – Expired 18/05/04
Third Party responses	No
Parish Council response	Yes – No objections

## **MAIN ISSUES**

Implications of the differences between the approved scheme S/03/1676 and the current proposal.

## **POLICY CONTEXT**

Adopted SDLP G1, G2, D2, H16 & R2

## **PLANNING CONSIDERATIONS**

Implications of the differences between the approved scheme S/03/1676 and the current proposal.

This application proposes four changes to the approved scheme, namely the separation between the frontage units to create a detached and semi frontage rather than the approved terrace; the resultant need to increase development within the root protection area for the TPO protected Beech Tree to create the gap between the detached dwelling and semi detached dwellings; the construction of a garage unit to serve the parking spaces allocated to the bungalow; and the changes to the design of the bungalow whereby the dwelling is increased in footprint, has a conservatory added and the footprint is “handed” with the forward gable projection being sited to the south east rather than north west end of the front elevation.

The separation of the detached frontage unit is not, in the officer’s view a positive contribution to the streetscape in that the scale of dwellings proposed are more appropriately designed in a linked form to create a more cohesive streetscape. Given that the site lies outside the Conservation Area however it may not be the case that this issue alone represents a substantive ground for refusal. The consequence of the separation between the detached unit and semi detached units however also results in the semi detached units being moved closer to the TPO protected frontage Beech Tree. As such, the proposed development will increase the risk to the tree in terms of impact upon root base and increase the impact of the tree upon the amenity of the dwelling in terms of further loss of light.

The introduction of a garage block over the previously open parking spaces will impact upon vehicle manoeuvres as vehicles will need to be clear of the garage building before turning to exit the site. This issue has raised concerns with the Highways Department.

The enlargement of the rear bungalow results from an increase in depth from 6.5m to 8.3m. Whereas the approved bungalow had a rear garden of not less than 4 metres to the common boundary with 3 Nursery Close, the current proposal has a rear garden gap of between 1 – 3 metres. Additionally, the introduction of a conservatory under the canopy of the mature Walnut Tree will create amenity conflicts either challenging the efficient use of the conservatory or the future viability of the Walnut Tree itself.

The increase in footprint for the bungalow, resultant loss of garden space and proximity of the bungalow to its boundaries will represent a cramped form of over development that detracts from the amenity of future occupiers as well as the amenity of the adjoining dwelling, Number 3 Nursery Close.

Whilst the Highways Department has no objection to the development in principle, it will require that a complete four arm junction serving both the application site and Redworth House is constructed in its entirety before this development commences in order to address the current inadequate sightlines serving 11 Salisbury Road. The highways Authority considers that there is insufficient information within the application to confirm the provision of this junction.

## **CONCLUSION**

The proposal to split the frontage dwellings into a semi and a detached unit, detracts from the streetscape developed by the 2003 approval. Additionally it has a greater adverse impact upon the TPO protected Beech Tree. It is however unlikely that these impacts in themselves will merit a ground for refusal.

The increase in plot coverage to the bungalow will however result in an adverse impact upon the adjoining property and the future amenity of the occupant. This element of the proposal is considered to be an unacceptable form of over development and does merit a refusal reason. The relationship between the conservatory and mature Walnut tree is poor and likely to result in the loss of the tree, however it is not protected by either CA status or the TPO therefore this issue does not merit a ground for refusal albeit that it does not enhance the proposal contribution to the setting.

Additionally, the scheme does not make provision for the previously paid recreational public open space commuted sum to be transferred to the current scheme, therefore the scheme is contrary to the requirements of Policy R2.

Whilst the principle of re-development for four dwellings is in accordance with Local Plan policy, the detailed designs in relation to the scale of the bungalow and the design of highway elements of the scheme is unacceptable.

## **RECOMMENDATION: REFUSE for the following reasons:**

1. The proposed bungalow by virtue of its footprint and proximity to the common boundary with the garden space serving No. 3 Nursery Close represents a cramped form of overdevelopment that will detract from the amenity of future occupiers as well as the private amenity of the adjoining property contrary to the requirements of policy G2 (vi) of the Adopted Salisbury District Local Plan.
2. The proposed development, as submitted fails to make adequate provision for a four arm junction onto Salisbury Road and therefore fails to provide adequate sightlines for users of the proposed development contrary to the requirements of policy G2(i) of the Adopted Replacement Salisbury District Local Plan.
3. The introduction of the garaged parking provision results in insufficient manouvering space being provided to enable vehicles to adequately access the garage building in forward gear and therefore fails to address the requirements of policy G2(i) of the Adopted Replacement Salisbury District Local Plan.
4. Notwithstanding the provision made under S/2003/1676 to provide a commuted sum in relation to the off site provision of recreational public open space, the current scheme makes no such provision for recreational public open space and is therefore contrary to the requirements of policy R2 of the Adopted Replacement Salisbury District Local Plan.

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

Policy G1	Purpose General Principles for Development
Policy G2	General Criteria for Development
Policy D2	Infill Design
Policy H16	Housing Policy Boundaries
Policy R2	Recreational public open space

Note: You are advised that the reason for refusal set out at number 4 above can be resolved by the applicant entering into a Section 106 Agreement to confirm the transfer of funds already paid under S/20031676 to the current scheme.

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## **NOTES:**

## Part 2

### Applications recommended for Approval

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

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<b>2</b>	<b>Case Officer</b> <b>Ms S Waaldijk</b>	<b>Contact No</b> <b>01722 434388</b>	<b>2</b>
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S/2004/538	10/03/2004	05/05/2004 14:41:59	RATTUE & GRIFFITHS
IDMI			DAMEN ASSOCIATES
Easting: 418762.375464022	Northings: 135522.70513773		

PROPOSAL:	FULL APPLICATION - CONSTRUCTION OF DWELLING TOGETHER WITH ASSOCIATED WORKS
LOCATION:	2 LADYSMITH EAST GOMELDON SALISBURY SP4 6LD

#### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

#### SITE AND ITS SURROUNDINGS

The application site is triangular in shape. It forms the northern part of the garden to No 2 Ladysmith, a detached bungalow situated on a prominent corner of this small village. It has a flat roofed extension fronting the eastern highway.

The application site is vacant with shrubbery to a height of approximately 1.5m fronting both highways. Land rises significantly to the south of the site.

The locality is residential in character consisting of predominantly detached bungalows, some of which have prominent dormers within the roofspace and characterised by off street parking.

No 38 to the south forms a prominent chalet bungalow with a detached flat roof garage adjoining the boundary with No2.

There are no parking restrictions and the locality is not heavily parked or trafficked.

#### THE PROPOSAL

The application seeks full permission for the erection of a detached, four bedroom chalet styled bungalow, and an integral garage. Accommodation would be included in the roofspace by way of subordinate dormers in the northern, eastern and western elevations.

A unilateral agreement has been submitted duly signed and the requisite cheque received in respect of open space contribution.

## PLANNING HISTORY

88/2151 Demolition of existing bungalow; erection of two 2 bed semi bungalows; AC 1.2.88 provision of access.

## CONSULTATIONS

WCC Highways	- No objection subject to the condition and informative below.
Environmental Health	- No observations to make
Wessex Water Authority	- See informatives below
Environment Agency	- No comments to make

## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes Expired 15/4/04
Departure	No
Neighbour notification	Yes Expired 15/4/04
Third party response	Yes Seven letters have been received objecting / commenting based on the following: -

- Area comprises low rise bungalows set back from road;
- 4 bed town house would be out of character;
- Elevated site – house would be prominent;
- Highway dangers;
- Loss of light and privacy to Nos 81 and 83; and
- Large dormer windows would be out of character.

Parish Council response Yes Object “.....the height of the proposed dwelling would give an overlooking issue from this prominent raised position to surrounding properties and that a single height dwelling would be more appropriate”. Idmiston have been advised of the revised plans. Any reply will be reported to committee orally.

## MAIN ISSUES

1. The acceptability of the proposal given the policies of the Local Plan;
2. Character of the locality and amenity of the street scene;
3. Amenities of the occupiers of adjoining and near by property;
4. R2 requirement for the provision of open space; and
5. Highway considerations.

## POLICY CONTEXT

G1 Sustainability; G2 general criteria for development; D2 infill development; R2 (G9 planning obligations); H1 housing requirement in the District; and H16 Housing Policy Boundary.

## PLANNING CONSIDERATIONS

### Principle of development

The site is within a Housing Policy Boundary where the principle of development would be acceptable. Given the former permission on this site for two dwellings, the principle of redevelopment for housing is further strengthened.

### Character of the locality

The form and massing for the proposed house, whilst larger than the house at No 2, would not be wholly out of character with other dwellings in this locality. Whilst the house would have a prominent appearance within the streetscene, the form, massing and external appearance would be acceptable, particularly given the house further to the rear at No 38 which is sited higher than that under consideration and which is larger than No 2.



Several houses in the locality have dormer windows at first floor level. Some of these are prominent as in the case of No 22 and No 38 and others are more subtle. That proposed would not be out of character given the variety of single storey and chalet units that provide the context.

The house would have a smaller garden compared to most of those adjoining but the area would be sufficient to meet the requirements of any future occupier.

#### **Amenities of adjoining occupiers**

The proposed house would be at least 20m from the closest property (other than no. 2 Ladysmith), which would be on the opposite side of any adjoining highway; overlooking would therefore be onto the front gardens and this would not be sufficient to warrant refusal on the basis of loss of privacy.

#### **R2**

The applicants have entered into a unilateral agreement and a cheque has been received in accordance with Local Plan Policy R2.

#### **Highways**

Wiltshire County Council Highways have no objection to the proposal. They request conditions as below be attached to any grant of permission. East Gomeldon is a quiet residential locality. It is not heavily parked or trafficked and the introduction of one additional dwelling would not result in any undue impact upon the highway.

#### **CONCLUSION**

The application site lies within the Housing Policy Boundary. The site is of sufficient size to accommodate a dwelling, parking and amenity spaces. There is no overriding built character within the area that would preclude the development of a chalet dwelling.

**RECOMMENDATION:** **APPROVE:** for the following reasons

FOR the following reasons: The scale, design, siting and materials proposed are appropriate to the general development criteria and in accordance with the adopted policies of the Salisbury District Local Plan.

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) Notwithstanding the provisions of Class[es] A 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; 0108 To enable the Local Planning Authority to ensure that sufficient space is retained around the dwelling(s) in the interests of neighbourliness and amenity.

(3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D03A)

REASON: To ensure a reasonable standard of development is provided.

(4) The site access shall remain ungated and the initial 3m of driveway shall be consolidated and surfaced (not loose stone or gravel) before any part of the development is occupied.

REASON: In the interest of highway safety.

(5) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety.

(6) The finished floor level[s] of the proposed building[s] shall be in accordance with details submitted to, and approved in writing by, the Local Planning Authority before development is commenced. (C03A)

Reason: To ensure the exact position of the building[s] within the site.

(7) No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the building. (G20A)

Reason: In the interests of the amenity and the environment of the development.

INFORMATIVE: -

- (1) A point of connection should be agreed for the satisfactory disposal of foul and water flows generated by the proposal onto Wessex Water system. Tel: 01225 526 000.
- (2) This decision has been made in accordance with the following policies of the adopted Salisbury District Local Plan 2003: G1 Sustainability; G2 general criteria for development; D2 infill development; R2 (G9 planning obligations); H1 housing requirement in the District; and H16 Housing Policy Boundary.

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**NOTES:**

S/2004/782	05/04/2004	31/05/2004 14:56:20	MR D W BROWN
AMES			
Easting: 416062.3	Northings: 141817		

PROPOSAL:	FULL APPLICATION -REPLACEMENT OF DYING CONIFER HEDGE WITH BRICK WALL TOPPED WOODEN TRELLIS
LOCATION:	26 THE DROVE AMESBURY SALISBURY SP4 7AG

## REASON FOR REPORT TO MEMBERS

Council member application

## SITE AND ITS SURROUNDINGS

26 The Drove is a detached bungalow occupying a long plot, with garden running alongside The Drove to the turning area at the end. There is an existing low level wall with mature conifer hedge behind to approximately 2m high. The conifer hedge is showing evidence that it is dying with brown, thinning branches.

## THE PROPOSAL

It is proposed to replace the hedge with a brick wall topped with wooden trellis to match the boundary wall and trellis to the property opposite the site.

## PLANNING HISTORY

None

## CONSULTATIONS

WCC Highways - No objections

## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes, expiry date 13.05.04
Departure	No
Neighbour notification	Yes, expiry date 04.05.04
Neighbour response	No
Parish Council response	No objections

## MAIN ISSUES

Impact on street scene and highway safety

## POLICY CONTEXT

Adopted SDLP G2 (General), H16 (HPB)

## PLANNING CONSIDERATIONS

The area has a mixture of boundary treatments within the vicinity of the site, including walls, fencing, hedging, and it is considered that the proposal designed to match the boundary wall and trellis to the property opposite the site, is acceptable to the overall appearance of the street scene.

The proposed wall and trellis will be 1.65m high, replacing an existing mature hedge approximately 2m high, and it is not considered that any additional impact upon highway safety will result. WCC Highways have no objections.

## **CONCLUSION**

It is considered that the proposal will be appropriate to the street scene with no adverse impact to highway safety. Approval is recommended.

**RECOMMENDATION:**                **APPROVE:** for the following reasons

It is considered that the proposal is appropriate to the overall appearance of the site and area with no adverse impacts to highway safety or the visual amenity of the street scene.

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.

(2) The bricks to be used in the construction of the boundary wall hereby permitted shall match those used in the existing dwelling on the site.

Reason: To secure a harmonious form of development.

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

**G2 (General), H16 (HPB)**

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## **NOTES:**

S/2004/850	13/04/2004	08/06/2004 13:34:01	THE ESTATE OFFICE
CHOL	CHO		MR MICHAEL FOWLER
Easting: 422654	Northing: 142521.6		

PROPOSAL:	FULL APPLICATION -TWO STOREY REAR EXTENSION (NORTH EAST). VARIATION TO PREVIOUSLY GRANTED PLANNING APPLICATION S/2001/110.
LOCATION:	39 CHOLDERTON SALISBURY SP4 0DW

## REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

## SITE AND ITS SURROUNDINGS

No 39 Cholderton, is a single storey end of terrace property in a poor state of repair, with painted brick walls under a slate roof. The adjoining dwellings within the terrace have thatched roofs with accommodation within the roofspace. The adjoining property, No 40 has been extended at the rear with a two storey extension.

## THE PROPOSAL

This application is for the variation of a previously approved application to include a two storey rear extension.

## PLANNING HISTORY

Planning permission was granted under 1995/812 for a rear extension and renovation to the existing cottage, involving the raising and addition of a thatched roof, accommodation within the roofspace and rear extension in the form of a projecting gable similar to the extension to No 40. This application was resubmitted under 2001/110 and subsequently approved on the 9<sup>th</sup> March 2001 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.  
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority.  
Reason: For the avoidance of doubt
3. The area between the car parking spaces and the access road to the church (shown on drawing 950204/1A) shall be kept clear of obstruction at all times and nothing shall be erected, planted, or stationed thereon. It shall be available at all times for turning to enable vehicles to exit on to the A338 in forward gear.  
Reason: In the interests of highway safety.

The approved scheme has not been completed, so the property is in its existing single storey form with painted brick walls under slate roof.

## CONSULTATIONS

Housing & Health Officer	- Awaiting comments
Wessex Water Authority	- Awaiting comments
Environment Agency	- Awaiting comments

## REPRESENTATIONS

Advertisement	Yes, expiry date 20.05.04
Site Notice displayed	Yes, expiry date 20.05.04
Departure	No
Neighbour notification	Yes, expiry date 10.05.04
Third Party Representations	Yes, one letter of objection, summarised as follows; <ul style="list-style-type: none"><li>• Proximity of extension to boundary resulting in overbearing presence, overlooking and cause loss of already limited light to 3 windows</li><li>• The proposed extension is out of keeping with the nature of the terrace and conservation area and set precedent for increased urbanisation in rural area</li><li>• Vital for turning point to be preserved and implemented enabling vehicles to turn on the site and exit the A338 in forward gear.</li><li>• Increase in traffic over narrow bridge with poor access onto A338</li><li>• Associated traffic may block Church Lane not using parking spaces shown.</li><li>• Flood risk, impact on water table, drainage</li><li>• Impact to trees</li></ul>

Parish Council response      Object for the following reasons

Overbearing. The proposed extension will be within 1m of the boundary with 40 Cholderton which has 3 windows, all within a further 1m of the mutual boundary, all of which will have light blocked by the new extension overbearing.

Scope. The application states at para 7 that the existing floorspace is 110sqmetres. This would seem to be wrong. Dolly's Cottage is a single storey cottage of 70 sq.m. I believe that the exaggerated floorspace refers to the existing planning approval at 1995/812. The cottage would be transformed from a small single storey cottage with the addition of a second floor and a 2 storey rear extension. The scale of this proposal is judged to be too large.

## MAIN ISSUES

Impact on Housing Restraint Area and Conservation Area

Impact to residential amenity

Flooding/drainage

## POLICY CONTEXT

Adopted SDLP policies G2 (General), G4 (Flooding), G5 (Drainage), CN8 (Conservation Area), H19 (Housing Restraint Area), D3 (Extensions), C6 (SLA)

## PLANNING CONSIDERATIONS

Impact on Housing Restraint Area and Conservation Area

Policy H19 requires that extensions to dwellings within the Housing Restraint Areas will be acceptable subject to criteria; including that the development will be in keeping with the character of the neighbouring dwellings and will have no adverse impact on the character of the settlement. In addition, policy CN8 requires that in Conservation Areas only development which preserves or enhances the existing character of the area.

The Parish Council have objected to the application on the grounds of overdevelopment. For clarification, the footprint of the existing unaltered dwelling is 70 sq metres, as scaled from the submitted drawings. The approved extension (un-built) increased the footprint to 87square metres, but also included first floor accommodation above the existing dwelling and rear extension. This application proposes a rear extension, which will increase the footprint of the dwelling to 118sqm as scaled from the submitted plans. The extension is designed with two projecting gables, with flat roof section between with accommodation within the roofspace of each gable.

Each application is judged on its own merits against the relevant policies from the SDLP, in this case, namely, G2, H19, CN8, C6 and D3. A judgement has to be made as to whether the scale and design of the proposal is appropriate to the overall appearance of the dwelling, site, surrounding area, residential amenity and conservation area.

The raising of the ridge height, addition of thatched roof and accommodation within the roofspace has already been approved under S/2001/110.

Amended plans have been received to the application, to which the Conservation Officer considers will enhance the character of the conservation area subject to receiving large-scale details of the windows and doors (appropriate as condition to any approval). The amended plans include changes to the dormer windows (approved under 2001/110) on the south west elevation to match the style of those on the adjoining property with thatch sweeping over and around the window with eaves lines unbroken.

It is considered that the extension as proposed is appropriate to the overall appearance of the dwelling and site with no adverse impacts to the HRA or Conservation Area.

#### Impact to residential amenity

The adjoining neighbour and Parish Council have objected to the application on the grounds of overdevelopment/overbearing impact and loss of light. No 40 has two windows at ground floor and first floor on the north east rear elevation and a ground floor window on the north west side elevation of the extension overlooking the development site.

The proposed south east wall of the rear extension to No 39 will be built 1m from the boundary with the adjoining property. The extension will have a blank wall on the south east elevation to 2.5m high with thatched roof above sloping away from the site boundary. Being north facing, the rear elevations of the dwellings are already overshadowed, and as the roofslope slopes away from the site boundary, it is not considered that the extension as proposed will have a significant adverse impact through overshadowing or overbearing impact to the neighbouring property.

The amended plans show a revised right of way to the rear of the property, although as this is not a public right of way, any obstruction is a civil matter between interested parties. The amended plans have also changed the position of parking spaces, including an area in the front to provide space for turning on site, in order to leave the site in forward gear. It is considered reasonable to condition that this space be retained for parking space reiterating the condition on the previous approval. It should be noted that it would be inappropriate to condition that this space be left for other residents to utilise, as this is a civil matter for separate arrangements with the owner.

Concern has been raised by the neighbour with regards to impact upon trees within the curtilage. It is not proposed to fell any trees.

#### Flooding/drainage

There is no mains drainage within the village, and the applicant has confirmed that drainage will be to a new septic tank and surface water to new soakaways. The River Bourne runs to the west of the site, but the site is located outside the indicative floodplain and the reach of river is classified as an 'ordinary watercourse' under the Land Drainage Act 1991. Concern has been raised with regards to flooding. The Environment Agency and the Environmental Health Department have been consulted.

Subject to receiving the representations from the Environmental Health Department and Environment Agency, it is considered that subject to a condition requiring details of the surface water drainage and foul drainage to be approved and an informative that if a new septic tank is required then a Discharge Consent from the Environment Agency will be required, then flooding and drainage will have been adequately addressed.

### CONCLUSION

It is considered that the proposal will be appropriate to the overall appearance of the dwelling and site, and subject to conditions will have an acceptable impact upon residential amenity, flooding and drainage.

**RECOMMENDATION:** **APPROVE:** for the following reasons

The proposal is considered appropriate to the overall appearance of the dwelling, site and conservation area and subject to conditions, will represent an acceptable impact upon residential amenity, flooding and drainage in accordance with policies G2, G4, G5, CN8, H19, D3 and C6

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.

(2) This development shall be in accordance with the amended plans ref 040302-01revB received by the Local Planning Authority on the 7<sup>th</sup> May 2004.

Reason: For the avoidance of doubt.

(3) No development shall take place until 1:5 scale drawings of the elevations, and horizontal and vertical sections of the windows and 1:10 scale drawings of the elevation of the rear door have been submitted to and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Reason: To secure a harmonious form of development.

(4) The roof of the development hereby permitted shall be of combed wheat reed with a traditional flush wrap over ridge detail.

Reason: To secure a harmonious form of development.

(5) Before development commences, a scheme for the discharge of surface water from the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and shall be carried out as approved.

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

(6) The development shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

(7) There shall be no windows on the south east elevation of the extension hereby permitted.

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

(8) The area between the car parking spaces and the access road to Church Lane (shown on drawing ref 040302-01revB, shall be kept clear of obstruction at all times and nothing shall be erected, planted, or stationed thereon to enable vehicles to turn and exit on to the A338 in forward gear.

Reason: In the interests of highway safety.

And in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2 (General), G4 (Flooding), G5 (Drainage), CN8 (Conservation Area), H19 (Housing Restraint Area), D3 (Extensions), C6 (SLA)

INFORMATIVE: -

Environment Agency

If a new septic tank/treatment plant is the only feasible option for the disposal of foul water, or if there is any increase in effluent volume into an existing system, a Discharge Consent will be required. This should be obtained from the Environment Agency before any discharge occurs and should be obtained before any development commences.

The applicant is advised to contact the Regulatory Water Quality Team at this office for further details on Consents to Discharge.



Environment Agency  
Rivers House  
Sunrise Business Park  
Higher Shaftesbury Road  
Blandford Forum  
Dorset  
DT11 8ST  
Tel 01258 456 080  
Fax 01258 455 998

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**NOTES:**

S/2003/2489	27/11/2003	22/01/2004 09:07:18	LOCATION 3 PROPERTIES LTD
AMES			RPS PTE
Easting: 416086.7	Northings: 141919.4		

PROPOSAL:	FULL APPLICATION - ERECTION OF A NON-FOOD WAREHOUSE (USE CLASS A1) TOGETHER WITH ACCESS, SERVICING ARRANGEMENTS, CAR PARKING AND LANDSCAPING 118-130 LONDON ROAD AMESBURY SALISBURY
LOCATION:	118-130 LONDON ROAD AMESBURY SALISBURY SP4 7EJ

### REASON FOR REPORT TO MEMBERS

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

### SITE AND ITS SURROUNDINGS

A disused transport depot on the southern side of London Road, Amesbury. It forms one of 3 sites along London road formerly operated by Gregory Transport and is the most westerly one ( nearest to the town centre).

The site currently comprises a large warehouse building erected in the mid 80's which is located adjacent to London Road and whose impact has been softened by the planting of trees, which are now semi mature. This building is m high.

There are a number of other buildings on the site which were used as warehousing and workshops. These are of utilitarian appearance with blockwork and fibrous cement sheeting. One has hours of use restrictions, as it was a vehicle maintenance workshop.

On the western side of the site is chalet bungalow (no. 118), which was used as offices ancillary to the transport business.

The site is surrounded by residential property: there is a bungalow immediately to the east on the corner of Holders Road, a mixture of bungalows, chalets and house along London Road to the west and chalets in the Drove to the south and west.

A public footpath runs along the southern boundary of the site. There is a hedge along this boundary, which has been cut back as there are also overhead wires along the boundary.

30 The Drove immediately adjoins the site to the southwest and has first floor dormers looking towards the site. At present there is a large building in excess of 4m high in close proximity to this boundary.

The London road frontage currently has a 2m wide grass verge behind which is the warehouse building and a block wall approx. 1.m high with gates which provides some screening to the yard.

On the southern side of the site is an outdoor vehicle inspection area.

### THE PROPOSAL

To demolish all the existing buildings on site and construct a DIY store of 2480 sq m with associated 930-sqm garden centre and associated service yard, parking and access.

The proposal includes a right turn lane on London Road, which involves altering the configuration of the carriageway, and separate acceses for customers and service vehicles. The service access is aligned for access/egress solely to/from the east.

A supporting planning report detailing the retail impact and PPG6 issues and a TIA have been submitted in support of the application.

### PLANNING HISTORY

02/2175 O/L demolition & redevelopment for residential use W/D 3/01/03

A desk study and ground investigation report in respect of land contamination was carried out in association with that proposal.

A long history in relation to the transport use of this site. There was previously garage and petrol station on this site.

Not all permissions were implemented but of particular relevance are:

84/406 Warehouse AC 11/05/84 There are no hours of use restrictions but it is conditioned to be used only as a warehouse.

90/405 Ground & first floor office extension

99/347 erection of new maintenance building. Demolition of existing building and reroofing of another. This carries hours of use restrictions in respect of the maintenance use of 7.30 – 19.00 Mon – Fri, 7.30 – 13.00 Saturday. At the time of that application the use of the site had not given rise to any noise complaints. This building was used for vehicle servicing which is a B2 use.

## CONSULTATIONS

WCC Highways - No objection be raised subject to conditions requiring the installation of a ghost island junction to be installed. No development to take place until the A303 interchange and all movements including a grade separated junction with Solstice Park is fully operational and the development should not commence until the applicant has secured an agreement with the County Council for the sum of £10,000 towards transport improvements within Amesbury Town Centre. (attached in full as appendix B)

WCC Planning - has examined retail assessment contained within a planning report by RPS. Concludes that

- there is a quantified need for the proposal
- The proposal is likely to achieve a large proportion of its turnover by clawback of expenditure from retail warehouses in surrounding towns
- It is impossible to determine the extent to which existing competing outlets will be affected but overall the proposal will not have an unacceptable impact on the vitality and viability of Amesbury Town Centre.
- Consequently providing no other suitable site is available under the sequential test there is no objection from strategic retail point of view.
- Paragraphs 24 to 27 of report (attached as appendix A) apply.

WCC Archaeology - Recommend implementation of a programme of archaeological work

Environment Agency - No objection subject to conditions. In receipt of desktop study relating to contamination but would require deeper boreholes drilled in order to intersect the water table. Need for validation once contaminants – e.g. fuel tanks removed.

Highways Agency - No Comments

Environmental Health - Previous site investigations inadequate. Expects report to fully examine a site, building a conceptual model of it, identifying potential and actual sources, pathways and receptors, followed by a qualified risk assessment establishing what is necessary to make site suitable for its end use. Recommends applicant appoint a qualified contaminated land consultant. If need for remediation is identified then a protocol for validation of the remedial work will be required and a detailed validation report forwarded to EHO on completion of the remediation.

Site is close to residential property and is concerned about disturbance. Suggests restriction of deliveries/dispatches to 7am – 8pm Mon – Sat. none on Sundays or Bank holidays.

## REPRESENTATIONS

Advertisement Yes expired 25/12/03

Site Notice displayed yes expired 25/12/03

Departure No

Neighbour notification Yes expires 15/06/04

Neighbour response Yes 25 similar letters objecting to the original application on grounds of increased traffic movement, during the working week and at weekends. A vast increase in delivery lorries using London Road at all times of the day and night. As a result increased accidents. Excessive noise from the business. Light intrusion from the store. Increase in smoke and fumes from cars and lorries. Litter waste and rubbish will increase. Parking and access to individual properties will be more difficult and dangerous. There will be a devaluation of property in the area.

10 further letters as above objecting to the amended plans on the same grounds as above.

27 individual letters objecting to various issues including the amount of additional traffic that will be generated from the store. The fact that the land is contaminated and should be cleaned up before any store is built. The proximity of the use to small local DIY businesses may adversely affect their trade. Parking and access to residential properties will become more difficult and dangerous. Object to putting a DIY store in a

primarily residential location. Objection that the only screen at the rear of the site adjacent a residential property is a 3M high palisade fence. There will be the removal of privacy to properties to the rear. Wish to see deliveries restricted to sociable hours. Noise from increased traffic particularly in the delivery area will increase. There will be an increase in litter and waste, There will be light intrusion from the store. There will be significant noise from developing a site such as this. There are already garden centres locally. A DIY use should be positioned on the proposed Solstice Park industrial estate not in a residential area. Kitchener Road will be used as a further rat run between London Road and the town centre. Traffic in London Road is already too heavy and too fast. The extra traffic would be a risk to pedestrians, cyclists and to residents. Wish to see the maturing trees planted 17 years ago to remain. Application will contradict policy G2 that lays down criteria to prevent development overlooking, disturbing or interfering with neighbouring properties.

16 other letters received objecting to the amended plans as above and additionally stating that Beacon Close is likely to be adversely effected by traffic from customers who cannot park in the car park. Concern is expressed about the noise from the tannoy announcements.

16 further letters related to the submission of the transport assessment. Concern is expressed that the transport assessment estimates that the traffic in London road will increase by 38%. Also concerned that the proposal does not take into account the proposed recycling centre in London road. We are being encouraged to cycle and walk but the increased vehicle numbers make it unpleasant and dangerous to do so. If the store were to go ahead Focus should be made to pay for traffic calming the length of the road. A 10% increase in traffic flow is deemed to be significant, a 15% increase usually requires an environmental assessment the report summary in stating there is no significant impact is contrary to accepted practice. The report is flawed in suggesting that customers will walk or cycle to the store when purchasing large or bulky items of DIY.

Town Council response	Yes Support with concerns over highways
Architects Panel	- The Panel cannot support the design of the building. It could be designed much more elegantly, and in a way that would be more neighbourly. The design does not raise the level of self-esteem of Amesbury. The designers should refer to the design of the Tesco supermarket in Winchester. The corporate colour used for the eaves and soffite is not sympathetic to the locality.

## **MAIN ISSUES**

1. Planning Policy – Salisbury District Local Plan
2. Planning Policy – Structure plan issues
3. Government Guidance
4. Parking and transportation
5. Design of store
6. Amenity issues
7. Contamination
8. Drainage and flooding
9. Other issues raised by objectors

## **POLICY CONTEXT**

D1, E16  
TR11, TR12, TR13  
G3, G8  
T5, DP1, DP4, DP9  
PPG1, PPG 6, PPG13

## **PLANNING CONSIDERATIONS**

### **Adopted Salisbury local plan**

Policy E16 states “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.”

The continued use of this site for employment uses complies with this policy, as it will provide employment for up to 35 people on what is currently a vacant site. It will prevent the use of other out of town sites for this type of facility and will provide a further sustainable A1 retail unit providing more shopping choice within Amesbury. It's location close to residential areas will reduce the need to travel in the vicinity and provide a sustainable location for such a use.

Policy S4 requires that shopping proposals outside town centres are assessed against the following criteria:

- (i) a clearly defined need for the scale and form of development proposed;
- (ii) will not adversely affect the vitality or viability of existing centres either directly or incrementally, having regard to the likely cumulative effects of recently completed developments and outstanding permissions on the catchment areas of these centres.
- (iii) will not give rise to serious problems of access, road safety and traffic congestion;
- (iv) are accessible by a means of public transport and other sustainable means of transport;
- (v) will not have an unacceptable impact on travel patterns nor result in a substantial increase in car usage and associated vehicle mileage and pollutant emissions;
- (vi) will not impact upon nor unacceptably undermine the objective of the Local Plan strategy for Salisbury City centre and other town centres in the District, nor lead to the delay or abandonment of needed investments; and
- (vii) where non-food developments are proposed, agreement with the Local Planning Authority concerning the range of goods to be sold.

An retail assessment has been submitted which demonstrates that the proposal will 'claw back' trade from other retail centres.

There is no highway objection to the proposals subject to the provision of on and off site works. a

It is therefore considered the development is in accordance with the criteria of the above policy. complied with.

Policy TR11 states "New developments should be designed and located to minimise the need to travel. The District Council will require developers to incorporate appropriate provision for additional traffic generation by development and for access by public transport, cycling and walking."

This policy reflects advice given in PPG13, which seeks to reduce reliance on the car, by both providing facilities within close proximity to other forms of transport and reducing the number of car parking spaces available at such facilities. There is public transport availability within the vicinity of this site and the applicant is providing bicycle parking spaces and a reduction in the overall parking numbers from the maximum permissible.

### **Structure Plan Issues**

Policy DP4 states – "Development for housing and employment should be concentrated at existing towns and main settlements. The scale and nature of development at each of these settlements should reflect it's size, population, range of services, role, character, the impact on existing development and surrounding countryside and the scope for public transport links."

The site being located within Amesbury complies with the requirements of this policy and compliments and expands the existing shopping function of the town.

Policy T5 states- " The provision of parking associated with new development will be limited to maximum standards. These maximum standards, and existing parking stock, will be managed or reduced to reflect the relative accessibility by other modes, In accordance with an accessibility framework and criteria."

The number of car parking spaces meets this maximum standard and has been reduced by a further 10% in view of the good public transport links in the area.

### **Government Guidance**

Government Guidance in PPG6: Town Centres and Retail Developments confirms that in seeking to identify sites for retail development, a sequential search must be completed. At paragraph 1.11, PPG6 States that

Adopting a sequential approach means that first preference should be for town centre sites, where suitable sites or buildings suitable for conversion are available, followed by edge-of-centre sites, district and local centres and only then out-of-centre sites in locations that are accessible by a choice of means of transport.'

The applicants have carried out a sequential test looking at the feasibility of other sites within the vicinity for this type and size of store. This test has shown that within a 350M radius of the proposed site there are no other suitable sites that could satisfactorily accommodate this size and type of store. A total of 13 sites were investigated under this test. It is clear at the present time that no more suitable sites exist closer to the town centre.

PPG1 – General policies and Principles sets out the framework for the handling of design considerations in the planning process. These aims are encapsulated in policy D1 and D2 of the local plan.

Although the store size has now been reduced below 2,500 sqm, taken together with the outdoor garden sales area the gross shopping floorspace exceeds 2,500 sqm. Therefore, following advice from GOSW that the garden centre counts towards 'gross shopping floorspace' under para 2 of the Town & Country Planning England & Wales Shopping Direction (no.2) 1993, the proposal, should members be minded to approve, must be referred to GOSW under the shopping directive since the total floorspace within the last 5 years within a 10 mile radius (this includes Salisbury) exceeds 20,000 sq m.

## **Parking & Transportation**

### Traffic Generation

The proposed use of site needs to be seen in context with historic use of the depot by Gregory Distribution (previously Amesbury Transport) as a vehicle-servicing yard, which meant use of the area by up to 52 large vehicles per day. Use as an A1 retail outlet will see a substantial reduction in the number of heavy goods vehicles visiting the site. This is estimated to be 2 – 3 large vehicles per week and up to 9 small vehicle movements per day. This is a significant decrease in commercial vehicle numbers over that previously using the site.

The applicant has submitted a Transport Assessment, which provides a comprehensive assessment of the impact of the development upon London Road and the surrounding area. This showed that the road was well within its traffic capacity but was, at 6.9metres wide, below the normally accepted design width. In order to overcome any possible traffic capacity problems associated with this width of road a ghost island right turn junction arrangement is now to be provided. This will effectively widen the road to 8.5m through the site frontage enabling a third right turn lane to be provided. Visibility splays at the access point meet the necessary criterion for safe movement of vehicles through the junction. A 1.8m wide footway would be provided along the full site frontage.

Data supplied by Wiltshire Police shows some speeding along London Road although only 7% of all vehicles exceeded the enforcement limit. The realignment of the carriageways that is necessitated by the provision of a right turning lane may possibly reduce this.

Policy G8 of the local plan provides that the local council will seek a contribution towards infrastructure facilities where such facilities are needed and the applicant has indicated their willingness to provide a contribution of £10,000 towards pedestrian safety and movement in the centre and towards a review of on-street parking within Amesbury Town Centre

Service access is separated from customer access and a condition is also suggested that the development should not commence until the A303 full movement grade separated junction is fully open. Service vehicles would then be directed by the operator, to access and exit from the east only.

## **Parking**

Policy TR11 of the adopted local plan requires that a maximum of 130 off street car parking spaces are provided for the site. The development provides for 117 off street car spaces. 97 spaces are to be provided at the front of the site and 20 to the rear in the service yard as an overflow during peak periods. The reduction of 10% from the maximum standard complies with the main aims of advice from central government as contained within PPG13, which encourages the use of alternative methods of transport such as walking and cycling. In this respect the development provides for cycle parking provision and easy pedestrian access to the rear of the store.

At peak periods the overflow car parking is likely to be brought into use. If deliveries took place within this period there is a potential conflict between customers and service vehicles. There are residences close to the service yard boundary. Therefore for amenity reasons also, it is suggested that a condition be imposed to prohibit deliveries/dispatches on Sundays. This will lessen the risk of such conflict. A similar problem is also likely to arise on Bank Holidays but the applicants have indicated that they need to make deliveries on Bank Holidays. It is therefore suggested that the hours of deliveries on Bank Holidays be restricted to a 2 hour window in the morning so that they have ceased by 11.00 and the car parking is readily available for customers and without conflict.

It is considered that with these conditions and highways alterations the proposal is unlikely to have a significant effect on the existing traffic flow within the area and the proposal will comply with the requirements of PPG13 and local policies TR11 TR12, and TR13.

## **Design of store**

Policy D1 of the adopted local plan states that new development will be permitted where the proposals are compatible with or improve their surroundings in terms of scale and character of the existing townscape and their layout and form. The proposed development replaces existing sheds and warehouse buildings, which are primarily utilitarian in their nature and add little to the existing streetscape or surrounding environs.

The Architect's Panel raised concerns with regard to the original design, which it stated could have been more elegant and more neighbourly. In the light of these comments the design has been amended so that it appears less utilitarian than that which was previously proposed. The roof shape has been changed from that of a hipped roof to a curved roof shape, which gives the building more character and lifts the building adding more to the streetscape and area in general. Although this results in a marginally taller building than previously proposed it is considered that the additional 50cm is mitigated by the improved design of the building. The brickwork on the elevations has also been reduced so lowering the feeling of the building.

The proposal complies with the overall aims of PPG1 which are to create buildings and spaces which combine to form an attractive public realm and in this respect the proposal achieves this through the demolition of the existing unintergrated and poorly laid out building arrangement and the new building form which is set back from the main road and achieves a more attractive street frontage. Provision is to be made for landscaping at the front of the site, which will further improve the appearance in the streetscape. Although the proposed building is higher than the existing roadside warehouse, it is set back further from the road and will therefore impact less on the streetscape.

## **Amenity issues**

The site is located within a primarily residential area with housing situated on the eastern, western and southern side of the site. At present the site has limited restrictions on the hours of use of the area. This situation will improve with the implementation of this proposal, as the applicants are willing to accept conditions restricting the hours of use of the development. The proposed hours of opening are  
0800 – 2000 Mondays to Saturdays and  
1000- 1600 Sundays

with ideally for the applicants, deliveries to be  
0700-2000 Mondays to Saturdays including bank holidays and  
0900 -1200 on Sundays

Policy G2 (vi) of the adopted local plan requires that new development avoids unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers.

Given the primarily residential nature of the surrounding area it is important that no further noise or disturbance occurs to residents over and above that which they would have already experienced from the haulage depot. The implementation of conditions on hours of use are likely to significantly reduce the amount of noise and disturbance that residents would have otherwise been effected by outside of those hours. During those hours delivery vehicle movements (as stated above) will be between 2-3 large lorries and 9 smaller vans per week which is substantially lower than the yard could presently be used for. There will inevitably be noise from shoppers' vehicles to the site but this noise again is unlikely to be significantly more than the noise created from the previous use.

However at present there is a building close to 30 The Drove and 118 London Road ( adjacent to 116). This was used as ancillary offices to the transport depot. These two dwellings were therefore shielded to some extent from any noise from the yard. The service yard and its access will adjoin their boundaries. It is therefore considered important that acoustic fencing is provided around the service yard and that the hours of deliveries are restricted owing to the noise that will occur from reversing vehicles ( bleepers). It is therefore proposed to restrict deliveries to 07.00 to 20.00 as recommended by Environmental Health . The applicants require deliveries on Bank Holidays but to reduce disturbance it is suggested as a compromise that deliveries be restricted to two hours only on Bank Holidays.

In terms of design the building is to be situated some 8.5M away from the nearest residential property at no 116 London Road and will be separated by a 2M high acoustic fence to ameliorate noise from effecting properties in this direction. In addition a landscaping belt will further help with sound penetration in this direction. It will similarly help to mitigate the size of the building in that direction.

Properties to the east and west will be bounded by a 4m high security mesh fence and a 3m high palisade fence respectively. Each of these measures will help to provide further protection to the surrounding residential properties. In particular to residential properties to the south, which will be bounded by the service, yard and overflow car park.

### **Contamination**

The previous industrial use of the site is likely to have left some ground contamination, a previous investigation carried out of the site on behalf of Westbury Homes as part of the previous application found that a single hotspot of zinc contamination was identified which would need to be removed and there are 6 no below ground fuel tanks which will also need to be removed. These form the bulk of any anticipated contamination of the site and a suitable condition is suggested that would deal with this aspect of the new build.

### **Drainage and flooding**

This site is not considered to be particularly susceptible to flooding however the environment agency have recommended that suitable drainage techniques such as soakaways are used in developments such as this where ground conditions are appropriate. An informative to this effect is suggested.

### **Other issues raised by objectors**

Many objectors have raised the issue of having the store located in the new Solstice Park employment site. This park is designated for industrial uses and is not for retail outlets. The location of this store at that park is likely to increase traffic levels and it is located out the outskirts of the town away from residential areas where the need to travel to the store by private car is likely to increase due to it's distance from the centre of town. The location of this store at this park would run contrary to central government guidance and would "open the door" for further retail outlets at this location, contrary to the policy designation in the current local plan.

### **CONCLUSION**

The development of this store at this location will help maintain an employment use within the body of Amesbury town. This in turn will reduce the need to travel and will help bring a diversity of uses to Amesbury town whilst providing local jobs. The appearance of the existing site will be improved through the removal of the existing sheds and the erection of a new retail warehouse. This will provide the opportunity to introduce new landscaping and highway improvements whilst also providing money for further improvements within Amesbury town centre.



Owing to the shopping directive the application has to be referred to GOSW.

**RECOMMENDATION:**            **THAT GOSW BE INFORMED THAT SDC IS MINDED TO APPROVE THE APPLICATION:** for the following reason:

The proposal is in compliance with adopted local plan policy. Furthermore it will reduce the need to travel and will help bring a diversity of uses to Amesbury town whilst providing local jobs. The appearance of the existing site will be improved through the removal of the existing sheds and the erection of a new retail warehouse. This will provide the opportunity to introduce new landscaping and highway improvements whilst also providing money for further improvements within Amesbury town centre.

And subject to the following conditions

(1) Development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)(1) 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) The development shall be carried out in strict accordance with the drawings hereby approved, 2799F/p107 rev d, 106 rev f, 104b rev b, 102 rev e, received 12/05/04 or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority. (B05A)

Reason: 0007 For the avoidance of doubt.

(3) 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: 0014 To secure a harmonious form of development.

(4) No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, details together with measures for their protection in the course of development. Any replacement trees on the London Road frontage shall be semi mature specimens

Reason: 0031 To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

(5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (G23A)

Reason: 0032 To enable the Local Planning Authority to secure the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.

(6) No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the building.

Reason: 0042 In the interests of the amenity and the environment of the development.

(7) Before any development is commenced on the site, including site works of any description, all the existing trees to be retained shall be protected by a fence, of a type and in a position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant,

machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 2 inches (50mm) or more shall be left unsevered (See British Standard BS 5837:1991, entitled 'Trees in relation to Construction'. (G15A)

Reason: 0042 In the interests of the amenity and the environment of the development.

(8) The building and service yard hereby permitted shall not be brought into use until acoustic fencing has been provided to the southern and western boundaries of the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: 0079 To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality.

(9) No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority. (G21A)

Reason: 0042 In the interests of the amenity and the environment of the development.

(10) No built development shall take place until a legal agreement has been entered into with WCC for off site works and transport improvements in Amesbury town centre and the alterations to London Road to provide a right turn lane have been completed .

Reason: 0052 In the interests of highway safety.

(11) The proposed access, parking, servicing and circulation areas shall be constructed, surfaced and drained and be available for use before the first occupation of any part of the building and shall be retained thereafter available for such use

Reason: 0052 In the interests of highway safety.

(12) Any external lighting shall be installed and operated in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

Reason: To enable the Local Planning Authority to exercise control over the appearance of the lighting installation and/or the level of illumination in the interests of visual amenity and the amenities of adjacent residential occupiers.

(13) Before the first occupation of any part of the building, visibility splays shall be provided along the frontage to London Road to either end of the site in accordance with the details shown on drawing no. 2799f/p106 rev f and shall be kept free of any obstruction exceeding 600mm above the nearside carriageway level:

Reason: 0052 In the interests of highway safety.

(14) The range and type of goods to be sold from the non-food retail unit hereby permitted shall be restricted to the following:- DIY and/or garden goods; furniture; carpets and floor coverings; camping, boating and caravanning goods; bulky electrical goods. Goods falling outside this range may be sold only where they form a minor and ancillary part of the proposed store's operation.

Reason: To enable the Local planning authority to have control over the range of goods sold in order to comply with policy S4 of the adopted Salisbury District Local Plan and not adversely affect the vitality/viability of Amesbury Town Centre.

(15) No goods other than bulky fencing materials and outdoor garden furniture/goods , plants , trees and shrubs shall be displayed or sold from the area identified as the 'garden centre', as shown on plan 2799f/p106 rev f.

Reason: To enable the Local planning authority to have control over the range of goods sold in order to comply with policy S4 of the adopted Salisbury District Local Plan and not adversely affect the vitality/viability of Amesbury Town Centre.

(16) Other than in the area defined as 'garden centre' there shall be no outdoor storage nor outdoor retail sales from the premises

Reason: In order to retain sufficient car parking/servicing areas.

(17) Before the first occupation of any part of the building a scheme for (a) the parking of bicycles and (b) to restrict shopping trolleys leaving the curtilage of the site, shall be submitted to and approved by the Local Planning Authority and such schemes as may be approved shall be implemented prior to such first occupation and thereafter shall be retained in relation to the development hereby permitted.

Reason: In the interests of sustainability - To promote the use of energy efficient modes of transport in accordance with national and international policy objectives. (b) In the interests of the amenity of the locality

(18) The use of the mezzanine floor hereby approved as part of this application shall be restricted to the ancillary uses as stated on plan 2799f/p104b rev b. No additional floorspace shall be created whether by the insertion of further mezzanine floors or otherwise, without the written permission of the Local Planning Authority on submission of a planning application on that behalf.

Reason: To enable the Local Planning Authority to exercise adequate control over the creation of additional floorspace, in the interests of maintaining the vitality and viability of the town centre and to ensure that there is sufficient car parking provided to serve the development.

(19) Within three months of the commencement of trading at the retail unit, a comprehensive questionnaire survey shall be conducted to identify the existing modal split for travel to work among staff and a Green Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include measures to promote travel to the site by more sustainable means, including targets for improving the modal splits. The Green Travel Plan shall be implemented in accordance with the approved details.

Reason: To comply with objectives set down in PPG13, which advocates the development of travel plans to outline actions required to encourage the use of sustainable transport and reduce the individuals' reliance on the use of the private car.

(20) The development shall not be brought into use until the all movements Folly Bottom ( Solstice Park) junction is fully operational.

Reason: In the interests of highway safety. The service vehicle access only permits access /egress to & from the east. This is dependent upon the A303 junction being operational to enable vehicles to/from the west to be able to access the site.

(21) Before the development hereby permitted commences a scheme shall be agreed with the Local Planning Authority which specifies the provision to be made for the control of noise emanating from the site. ( with particular reference to the activities within the service yard).

Reason: 0066 To minimise the disturbance which noise from the proposed development could otherwise have upon the amenities of nearby dwellings

(22) There shall be no deliveries taken at nor dispatches from the site outside the hours of 07.00 – 20.00 Monday - Saturday, nor any deliveries/dispatches on Sundays. Deliveries/dispatches on Bank Holidays shall not take place outside the hours of 09.00 – 11.00 .

Reason: To minimise the disturbance which noise from the proposed development could otherwise have upon the amenities of nearby dwellings and to ensure that there is sufficient on site car parking at peak times on Sundays and Bank Holidays.

(23) 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 shall be provided to the Local Planning Authority. The investigation must include;

- A full desk top survey of 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 for the pollution linkages identified. This programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for the consented use.

The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority before the premises are brought into use.

Reason: 0093 In the interests of health and safety for occupants of, or visitors to, the proposed development.

(24) All existing buildings, structures and foundations on the site shall be demolished (and removed in part) in accordance with a scheme to be submitted to and approved by the Local Planning Authority before commencement of the development hereby permitted. (K01A)

Reason: 0060 In the interests of the amenity of the locality.

(25) The demolition of existing buildings, structures and foundations, together with the removal of debris resulting therefrom, shall take place only between the following hours:- 08.00 –18.00 on Mondays to Fridays; 08.00 –13.00 on Saturday; and not at all on Sundays and Public Holidays. (K04A)

Reason: 0061 To avoid the risk of disturbance to neighbouring dwellings/ the amenities of the locality during unsocial hours.

(26) Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. (L07A)

Reason: 0063 To ensure that the building is provided with a satisfactory means of foul drainage.

(27) No development shall take place within the area of the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. (X03A)

Reason: 0122 To enable the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest.

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

- G1 In accordance with the principles of sustainable development
- D1 To ensure that extensive development is compatible with or improves the surrounding area
- E16 To protect job opportunities and bring improvements to the local environment
- S4 To protect the vitality and viability of town centres and ensure that shopping developments do not have undesirable impact.
- TR 11 To ensure adequate off street parking
- TR14 Provision of secure bicycle parking spaces in new development
- TR12 Provision of transport infrastructure for major new development
- TR19 Provision of all movements junction at Folly Bottom

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**NOTES:**