

**LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE**  
NORTHERN AREA - 2/06/05

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	<b>DOEC</b> - Refer to DLTR (Committee) Now DTLR	<b>REF</b> - Refusal
<b>APP</b> - Approve	<b>NOBJ</b> - 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>APRE</b> - Part approve / refuse	<b>OBS</b> - Observations to Committee	<b>Now DTLR</b> - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
1 SV	<a href="#">S / 2005 / 630</a> Miss L Flindell	MRS P BOOTH LAND ADJOINING: 4 AVON COTTAGES CHURCH STREET DURRINGTON	REF	DURR	2-6	DURRINGTON Councillor Mr Baker Councillor Mr Rodell Councillor Mrs Greville	
2	<a href="#">S / 2005 / 855</a> Ms S Waaldijk	MARK BAKER NEW HOUSE LITTLE OLD THATCH NEWTON TONEY	APPC	NEWT	7-10	UPPER BOURNE, IDMISTON & WINTERBOURNE Councillor Mr Hewitt Councillor Mr Wren	

END OF LIST

## 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/2005/855	29/04/2005	24/06/2005	MARK BAKER
NEWT	NT0		MR A STOCKEN
Easting: 421670.9	Northing: 140741.9		

PROPOSAL:	FULL APPLICATION -(RETROSPECTIVE) CONSERVATORY
LOCATION:	NEW HOUSE LITTLE OLD THATCH BEECHFIELD NEWTON TONEY SALISBURY SP4 0HQ

#### REASON FOR REPORT TO COMMITTEE

Controversial nature of the application.

#### SITE AND ITS SURROUNDINGS

The application site is occupied by a detached two-storey dwelling house, which is under construction pursuant to grant of permission, 03/2301. To the rear of the dwelling is a conservatory with a hardstanding extending to approximately 1m beyond the conservatory; These form the subject of this application. The hard standing surface continues from the front of the property / back edge of the footway and consists of block paving to a height of approximately 2cm above ground level.

The locality is residential in character.

The site is within an area of Archaeological Significance, a Special Landscape Area, a Housing Policy Boundary and a Conservation Area as delineated on the Proposals Map. It is also adjacent to Little Old Thatch, which is a detached dwelling with a grade II listing.

There are no highway restrictions in the locality.

#### THE PROPOSAL

The application seeks full permission for the retention of the above detailed rear conservatory and the construction of a hardstanding comprising block paving beyond.

Amended plans are awaited with respect to the hardstanding /patio area.

## **RELEVANT PLANNING HISTORY**

03/2301 Erection of dwelling and demolition of existing out buildings.

This permission has been implemented. The house is almost complete. AC 27-02-04

Condition 17 withdrew Permitted Development Rights

Condition 18 withdrew Permitted Development Rights for hardstanding

Following erection of the conservatory and construction of the hardstanding, enforcement action was initiated by serving a Breach of Condition Notice on the persons responsible for the development. This Notice required removal of the conservatory and the hardstanding by the beginning of May. The failure to comply with the Notice is the subject of separate proceedings which are likely to continue irrespective of the outcome of the current application."

## **CONSULTATIONS:**

Advert	- Yes - Expiry 2-06-05
Site Notice	- Yes - Expiry 2-06-05
Third Party	- Yes - Expiry 24-05-05

3<sup>rd</sup> Party responses;

Two replies have been received objecting / commenting on the application based upon the following grounds: -

Construction is complete  
Does not enhance the view of the area  
Does not enhance conservation area  
Prominent  
Close to boundary with No 21 Beechfield

When amended plans are received regarding the patio area anyone who responded to the application will again be notified of the amendment and any additional comments will be reported orally at the committee meeting.

Parish Council: Object. Application is contrary to Building Consent. It is a Conservation Area and the conservatory does not fit with the integrity of the curtilage. Unsuitable building so close to a listed building. Too close to neighbours boundary. Overlooks neighbours"

## **MAIN ISSUES**

The main planning considerations are the acceptability of the proposal given: -

The policies of the Adopted Local Plan;

The character of the locality and the amenity of the street scene; and

The amenities of the occupiers of adjoining and near by property.

Enforcement Matters

## **POLICY CONTEXT**

G1 Sustainability; G2 general criteria for development; D3 extensions; CN8 enhance or preserving the conservation area; and CN5 protecting the setting of a listed building:

## MAIN PLANNING CONSIDERATIONS

The application for a detached dwelling under 03/2301, withdrew permitted development rights (conditions 17 & 18). This means that a grant of permission would be necessary in the event of the landowner wishing to erect a conservatory or a hard standing beyond that approved under the above application. Policy D3 of the Local Plan allows for domestic extensions and there is no objection to the proposal in principle.

Given the style and external appearance for the application premises, the form massing and external appearance for the conservatory and the hardstanding would be acceptable. The extension would not extend beyond the width of the rear of the dwelling and its form would be subordinate overall.

On the same basis it must also be concluded that the conservatory and hardstanding would be acceptable given the conservation area status and the siting of the listed building to the front of the plot. The extension would not be visible within the street scene or seen in context with the listed building. It would therefore 'preserve' and 'enhance' the conservation area as much as it was considered to do so when the application for the house was given a favourable recommendation.

Turning to the third point, the development would not result in any undue loss of amenity to any adjoining occupier by reason of dominance, overshadowing or loss of privacy. It would be sited significantly from adjoining dwellings with sufficient separation to not be clearly visible against the backdrop of the application dwelling. In addition there is significant boundary foliage and the boundary to the west/southwest comprises 2m in height.

It may be prudent to add a condition again restricting rights to construct a patio / hardstanding and this forms part of the recommended conditions.

### Enforcement Matters

In the absence of an application for the conservatory and hardstanding, and having regard to government guidance which advocates that enforcement should not be unduly delayed where development has proceeded in the knowledge that permission was required, the issue of a Breach of Condition Notice was considered by Officers to be an expedient course of action at that time. However, this application is required to be judged on its planning merits in the light of current circumstances.

## CONCLUSION

This is a finely balanced case. Given the character and external appearance of the application premises, its relatively recent grant of planning permission, and the fact that the conservatory and hard standing have been constructed to the same style, the development would not result in loss of amenity to adjoining occupiers or within the street scene sufficient to warrant refusal of permission.

**RECOMMENDATION:** Subject to representation being received raising any new issues before 02-06-05 - **APPROVE** retrospectively.

For the following reasons: The scale and external appearance would be appropriate given the character and form of the application premises and in keeping with the adopted policies of the Salisbury District Local Plan 2003.

And subject to the following conditions:

(1) No hard standing shall be constructed beyond that approved herein.

The reason for the above condition is listed below:

Reason: To protect the amenity of adjoining occupiers and the locality.

INFORMATIVES:

(1) 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; D3 extensions; CN8 enhance or preserving the conservation area; CN5 protecting the setting of a listed building:

(2) Sustainable construction measures should be incorporated such as those detailed in the Building Research Establishment EcoHomes standards or similar.

(3) Water efficiency measures should be incorporated into this scheme, which should include, for example, water butts and rainwater recycling to assist in conserving natural resources.