

# 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  
SOUTHERN AREA 1<sup>st</sup> MAY 2008

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 Site Visit</b>	<b>Application No Officer Site Address Description</b>	<b>Parish/Ward Recommendation Ward Councillors</b>
<b>1.</b>	S/2008/0322	WHITEPARISH
3-14	Mrs J Wallace	REFUSAL
3:15	NEWTON LANE WHITEPARISH SP5 2SP  ERECTION OF 10 NO. DWELLINGS AFFORDABLE RURAL HOUSING AND CONSTRUCTION OF NEW ACCESS	CLLR BRITTON CLLR CLEWER CLLR RANDALL
<b>2.</b>	S/2008/0509	BRITFORD
15-16	Mrs C Easter	REFUSAL
	A338 BETWEEN BRITFORD SCHOOL AND CHALK PIT BRITFORD SALISBURY SP5 4DS  RETENTION OF TWO DIRECTIONAL SIGNS	CLLR RYCROFT
<b>3.</b>	S/2008/0187	REDLYNCH
17-26	Mrs J Wallace	APPROVE SUBJECT TO S106
2:45	HOLMESDALE APPLETREE ROAD REDLYNCH SALISBURY SP5 2JQ  ERECT TERRACE OF 4 DWELLINGS AND BLOCK OF GARAGES	CLLR LAUNCHBURY CLLR LUTHER CLLR MORRISON

# Part 1

## Applications recommended for Refusal

1

Application Number:	S/2008/0322		
Applicant/ Agent:	JOHN LIPPITT		
Location:	NEWTON LANE, WHITEPARISH, SP5 2SP		
Proposal:	ERECTION OF 10 NO. DWELLINGS AFFORDABLE RURAL HOUSING AND CONSTRUCTION OF NEW ACCESS		
Parish/ Ward	WHITEPARISH		
Conservation Area:		LB Grade:	
Date Valid:	18 February 2008	Expiry Date	19 May 2008
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

### REASON FOR REPORT TO MEMBERS

Councillors Clewer and Randall have requested that this application be brought to Committee due to the interest shown in the application.

### SITE AND ITS SURROUNDINGS

The site is located on the south eastern side of Newton Lane to the south of Newton Close. The site has an area of approximately 0.1ha, a plot depth of about 35 metres and a road frontage of some 90 metres. There is a substantial hedge along the road frontage and a post and wire fence and scrub defines the eastern boundary adjoining the open countryside. Similar fencing and some semi-mature trees define the southern boundary that similarly adjoins agricultural land. A public footpath crosses the south eastern corner of the site. To the north of the site, Newton Close is a well-established group of two-storey dwellings.

### THE PROPOSAL

This application seeks planning permission to erect 8no. 2-bedroomed dwellings and 2no. three-bedroomed dwellings and to widen Newton Lane as well as to create two new accesses on to the site. A total of twenty car parking spaces are to be provided in three groups together with the associated turning areas.

### PLANNING HISTORY

- |        |   |     |
|--------|---|-----|
| 80/914 | O/L erection of a building for vehicle body repairs and paint spraying and alteration of existing access at redundant sewage works site at Newton Lane. | AC  |
| 81/022 | O/L residential development for 4 dwellings and construction of alteration of access at land at Newton Lane.  | REF |
| 97/808 | Change of use of land to site one mobile home and the associated amenity block.<br>This application was refused for the following reasons:              | REF |

- “1. *The Adopted Salisbury District Local Plan allows for the siting of mobile homes as gypsy sites outside Housing Policy Boundaries and Housing Restraint Areas subject to criteria (Policy H34). The Local Planning Authority do not consider that this proposal complies with the criteria in Policy H34 of the adopted Salisbury District Local Plan as the proposal would affect the visual amenities of the area, is out of character with the locality, would result in the loss of a visually important hedgerow and possess a substandard access to Newton Lane which is a narrow lane with no pedestrian refuge.*
2. *The site lies within a special Landscape Area as defined in the Adopted Local Plan and this proposal would be detrimental to the visual amenity of the area and is therefore contrary to Policy C7 of the Local Plan.*
3. *Due to the loss of hedge, impact on the character of the area and substandard access, it is considered that the proposal is contrary to Policy G1(i), (ii), (iii) (iv), (ix) and (x) of the Adopted Salisbury District Local Plan”.*

98/1720 Change of use to site one mobile home and construction of associated amenity block (amended description). REF 10/03/99  
 This application was refused for the following reasons:

- “1. The Adopted Salisbury District Local Plan allows for the siting of mobile homes as gypsy sites outside Housing Policy Boundaries and Housing Restraint Areas subject to criteria (Policy H34). The Local Planning Authority do not consider that this proposal complies with the criteria in Policy H34 of the adopted Salisbury District Local Plan as the proposal would affect the visual amenities of the area, is out of character with the locality and would possess a substandard access to Newton Lane which is a narrow lane with no pedestrian refuge. To bring the access up to standard would require the removal of the hedge, which would detract from the character of the area. Due to the loss of the hedge, impact on the character of the area and substandard access, it is considered that the proposal is contrary to Policy H34, G1(i), (ii), (iii) and (ix), and G2 of the Adopted Salisbury District Local Plan”.

## **CONSULTATIONS**

### **WCC Highways:**

The proposed development includes the highway improvement of Newton Lane by widening the existing carriageway and by the provision of a paved footway across the site frontage. On the basis that the proposal accords with Policy H26, there is no highway objection.

The development, however, shall not be commenced until the applicant has entered into a legal agreement with the County Council in respect of the highway improvement works, to include carriageway widening, footway provision, street lighting, surface water disposal, drive gradients, carriageway levels, car parking, visibility splays and the extension of the local speed limit.

The proposed development also requires the legal diversion of Public Footpath 3 to enable the development to take place. The diversion order should be in place prior to the commencement of the development.

The proposed highway improvements shall also be constructed in such a manner to ensure that each dwelling, before it is occupied, shall be served by a properly consolidated and surfaced footway and carriageway to at least base course level between the dwelling and the existing highway.

**District Ecologist:**

Reviewed Chalkhill's (Ecology) report submitted as part of this application. The feeding habitat of buzzard and barn owls is not legally protected and as the area affected by the current development is less than 0.25 ha and given the size of their hunting range (1-3km) there would not be a significant loss.

From a biodiversity point of view the loss of hedgerow along the roadside and the loss of significant trees in the south western corner has been compensated for by new hedgerow and tree planting. Although the site is small, a good range of habitats have developed through neglect. Given the rural surroundings I think the risk of protected species being present is significant enough to warrant a protected species report. This should include detailed survey (and, if required, mitigation) for badgers and an assessment of risk for other protected species. Where the risk of finding other species is medium or high, the report should demonstrate that (i.e. where) mitigation measures could be incorporated into the scheme design. If further surveys are necessary these could be conditioned.

**WCC Education:**

A capital contribution is sought in association with this application towards the provision of 2 additional places that will be required to accommodate the additional number of secondary pupils that this development will yield.

**Environmental Health:**

Further to the above application there is inadequate information to make any recommendations other than to recommend refusal due to contamination issues identified by the geotechnical report.

Reference is made to the past use of the site for sewage treatment however no further investigation has been carried out and no additional information has been provided.

We would expect that a stage 1 desktop survey be completed prior to application and report submitted with application. On completion of this survey and investigation it would be appropriate to form judgements on the possible future uses of the site and make recommendations accordingly. The applicant must have regard to the Department of Environment's Industry Profile on Contaminated Land related to sewage works and sewage farms.

**Wessex Water:**

The proposed development is not located within a Wessex Water sewered area, but there is a public water main in the vicinity. Wessex Water normally requires a minimum three-metre easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. There is also a private water main very near the site, though this is not Wessex Water's responsibility. Turning to water supply, according to Wessex Water records, there is a public water main near the site.

**Southern Water:**

There is a foul sewer in the vicinity of the site. The exact position of the public sewer must be determined on site before the layout of the proposed development is finalised. No development or new tree planting should be within three-metres either side of the centre line of the public sewer. Initially Southern Water indicate that they can provide

foul sewage disposal to service the proposed development. A formal application will be required.

**Wiltshire Fire and Rescue Services:**

Comments relating to need for satisfactory access for fire engines, adequate water supplies, necessary and appropriate fire safety measures and encouragement for the provision of domestic sprinklers.

**SDC Arboricultural Officer:**

No objection

**REPRESENTATIONS**

Advertisement	Yes - expiry date 20/03/08
Site Notice displayed	Yes - expiry date 20/03/08
Departure	No
Neighbour notification	Yes - expiry date 10/03
Neighbour response	25 letters/e-mails of comment/objection have been received raising the following points:

- Newton Lane is very narrow, highway safety concerns
- Lack of visibility at junction of Newton Lane and A27
- There are numerous low speed collisions on Newton Lane
- Newton Lane is used as a short-cut between A36 and A27
- Widening the lane close to the bend will be likely to increase highway dangers
- Widening will not enable motorists to see around the blind bend
- Widening will result in grassed areas/pavement used as passing places adding to highway hazards
- Newton Lane is much used by walkers/horse riders
- Local people were not asked their views on this proposal.
- Parish Council does not appear to have consulted anyone
- Permission for one house was refused because of highway problems using single track Newton Lane and now the same Council is proposing ten houses on the site
- Are the houses for locals or anyone on the housing list
- What guarantees that the houses will be for locals only
- Finance no longer as easily available.
- Low cost housing may be necessary but this does not override highway safety and traffic objections to this site
- Too many houses proposed for the site
- Overdevelopment of the site
- Need for 'affordable' housing not accurately assessed or proven
- No basis to conclude that there is need for this level of 'affordable' housing
- The WRHA survey report overestimates the number of people in the village requesting 'affordable' housing
- Not substantiated that this is the only site
- No facilities at this end of the village
- Local school is oversubscribed
- Should not maroon low income families in villages as travel costs are high
- No wildlife survey; concerns regarding barn owls and buzzards
- Removing the ancient hedge negates decision to force re-instatement of hedge further down the lane
- Will act as a precedent
- Site does not relate well to village in functional or design terms
- Proposed gardens are minimal
- Out of character with countryside area

- Noise and disturbance to neighbours
- No public open space is provided
- Loss of rural feel to area
- Outside building line
- Loss of privacy to neighbours
- Flooding and drainage problems.

2 letters/e-mails of comment/support have been received that raise the following issues:

- Support the provision of affordable housing in the village
- Need has been assessed and proved
- Site can be developed without detrimental impact
- Welcome improved pedestrian pathway
- There are facilities in the village, play area, village shop, school, public houses, village hall, sporting teams and other organisations
- Development would be close to existing housing.

**Parish Council:** Fully support. We have been fully consulted on all stages of this scheme and are very pleased with this application.

## **POLICY CONTEXT**

Saved policies G1, G2, G9, C12, D2, H23, H26, C6, TR12 and R2 of the Salisbury District Local Plan (June 2003) are of relevance to this current application.

Also of relevance is the Council's Supplementary Planning Guidance, "Creating Places" and "Delivering Affordable Housing".

The Government's national planning policy contained in PPS1 and PPS3 is also of relevance.

## **MAIN ISSUES**

1. Principle of Development
2. Impact on Character of Area
3. Impact on Special Landscape Area
4. Impact on Amenities
5. Recreational Facilities
6. Educational Infrastructure
7. Highway Safety
8. Protected Species

## **PLANNING CONSIDERATIONS**

### **Site History**

More than 25 years ago, an application for dwellings on this site was refused, as were two subsequent applications for the siting of a mobile home on the site for use as a gypsy site.

### **1. Principle of development**

The principle for development of land as a rural affordable housing exception site is set out in policies H23 and H26 of the Local Plan. Policy H23 relates to undeveloped land outside of a designated area such as a Housing Policy Boundary and Housing Restraint Area etc and states that land outside of such designations will be considered to be countryside where proposals for the erection of new dwellings will only be permitted where a special justification, such as the provision of affordable housing or for occupation by an agricultural or forestry worker, has been demonstrated. Policy H26

relates specifically to the provision of affordable housing in rural areas and establishes the criteria against which proposals for affordable housing for local people within or adjoining settlements, including land outside of the defined housing policy areas, will be assessed and **may** be acceptable as exception sites. As such, the proposed development falls to be considered against the criteria of Policy H26.

**(i) the site is acceptable in landscape terms and there are no overriding environmental objections;**

The proposal entails a significant extension to the village envelope onto currently undeveloped land (a largely overgrown former sewage treatment site) within the Special Landscape Area that is located on the fringe of the New Forest National Park.

The Landscape Statement that has been submitted with the application identifies that the application site is close to a built up part of Whiteparish and is not prominent in views from the New Forest National Park, partially due to the largely residential development in Hop Gardens and Clay Street and because views of the site are severely constrained by the general landform of the area. From the south, in particular, the dwellings and trees of the Whiteparish village would form a substantial part of the background. In general terms, the site is not prominent and its change of use would not have an adverse effect on the visual qualities of the landscape.

There are concerns, however, regarding the impact of the development on the form of the settlement as the site would be a comparatively isolated linear extension to the south of the village. In view of the large bank which forms the highway boundary with Newton Lane, adjacent to 10 Newton Close, there will be a break between the development on the existing edge of the village and this proposed housing.

There are also concerns, regarding the visual impact of the proposed removal of the hedgerow across the site frontage that is required to facilitate the proposed opening up of the site to provide the new access and parking areas. However, the applicant proposes to create a new boundary hedge, set back by between 6 to 9 metres, so as to widen Newton Lane and improve the access as required by the Local Highway Authority. The provision of a new extensive area of hedge could be considered to be attempting to retain an important aspect of the character of this locality that the existing hedgerow provides but which has no statutory protection. Nevertheless, as the new hedges will be located immediately in front of the new dwellings and broken by the proposed vehicular accesses, it is considered that the site will lose much of its current green and rural character to Newton Lane to the detriment of the character of the locality.

With regards to other environmental issues, however, a geotechnical report has been submitted in support of the application that makes reference to the former use of the site as a sewage treatment works and the potential for the presence of contamination. However, no survey work has been undertaken to establish if contaminants are present on the site and in fact the submitted report states that in the absence of completing a detailed environmental desk study, conceptual model and targeted investigation it is not possible to make more than preliminary comments on the likelihood of remnant contamination at this site. Furthermore, it also identifies that the soil within the site may pose an unacceptable risk to the residential end users of the site. In the absence of any detailed studies, the Council's Environmental Health Officer has advised that it is not possible to form judgements on the possible future use of the site and to make recommendations with regards to any remediation measures that may be required and that may need to be incorporated as an integral part of the design of the proposed scheme.

**(ii) the site is located in a settlement which has a reasonable range of facilities and access to public transport;**



Whiteparish is host to a good range of services, facilities and public transport reflecting its size.

**(iii) the proposed development is in a style and character which is in keeping with its surroundings;**

The design policies of the Adopted Salisbury District Local Plan (June 2003) and the adopted SPG "Creating Places" are relevant considerations. The Design and Access statement identifies that the development will provide for a good level of building efficiency, for instance through photo-voltaic cells and a southerly aspect, and it is asserted that the site will be well shielded from the wider landscape through the planting scheme. However the site layout, with its visual emphasis of vehicular parking and turning areas and limited garden areas as well as the proposed architecture of the buildings does not relate to the village. Policy D2 as well as 'Creating Places' require proposals to respect or enhance the character and appearance of the area but it is not considered that these criteria are met. The considerations relating to the design of the proposed dwellings is set out in detail below (see "Impact on Character of Area").

**(iv) the proposed development is for persons unable to compete in the existing local housing market;**

The use of a S106 Agreement can ensure that the nomination of occupants, the tenure agreement and the appropriate management of the 'affordable' housing can be provided in perpetuity. It should be noted that the applicant is a Registered Social Landlord (RSL) and has provided a draft S106 Agreement that specifies that the proposed dwellings are to be provided to meet the established affordable housing need.

**(v) the proposed development is for:**

- (a) people who already live in the local area and are seeking separate or more suitable accommodation;
- (b) people whose work provides important services and who need to live closer to the local community; or
- (c) people who used to live in the local area and wish to return for reasons of employment or family connections; or
- (d) people who have found permanent employment in the local area but who live elsewhere.

**and**

**(vi) the applicant is able to demonstrate that a particular local need for affordable housing exists which cannot be met in any other way;**

Whiteparish Parish Council approached Wiltshire Rural Housing Association (WRHA) to review the Village's housing needs. A subsequent Housing Needs Survey identified that there is a requirement for 'affordable' accommodation within the village. However, as the survey was only distributed to those already living in the village, it does not necessarily reflect the overall picture. On the housing register there are 90 applicants who are asking for 2 or 3 bedroom accommodation in Whiteparish, many of whom are likely to have a current or previous local connection to the village.

Moreover, an 'exceptions' site that is to provide 'affordable' housing, must in policy terms be used to satisfy the local need and so unlike standard 'affordable' housing where those most in need are accommodated first, any houses erected on this

'exceptions' site must be occupied in the first instance by those individuals who have a local connection. The use of a legal agreement can ensure that the allocation to future occupants of the affordable housing is similarly restricted so that in perpetuity the occupiers are those individuals with a particular local need.

**(vii) the benefit of affordable housing can be enjoyed by successive as well as the initial occupiers of the property.**

A S106 Agreement can reflect the requirement of PPS3 (para.30) that exception sites "should only be used for affordable housing in perpetuity" and "should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities". The use of a S106 Agreement can also ensure that the nomination of appropriate occupants, the tenure agreement and the appropriate management of the 'affordable' housing can be provided in perpetuity.

**2. Impact on Character of Area**

The site is located on the southern edge of Whiteparish close to the established residential development of Newton Close. The existing established residential area to the immediate north has a very distinct character created by the groups of two-storey, semi-detached pairs of linked dwellings. Overall the locality has a semi-rural character rather than an urban one, largely because of the dominance of greenery in the street created by the presence of grass verges and banks, the shrubs, trees and hedgerows. The site which it is proposed to develop, has little depth alongside Newton Lane, the proposed houses will therefore face the road frontage behind a widened road and a newly created footpath and as the groups of dwellings are to be set very close behind the footway and together with the parking and turning areas occupy most of the site, there is little space to enable the creation and retention of grass verges, banks, shrubs or trees.

The applicants state that the proposed design of the development will respect the character of the area in that despite being of a different form to other housing in the vicinity, the proposed houses will be in small groups and are modest in scale and layout. The design which uses steeply pitched roofs is considered by the Housing Association to not be so totally different from other development in this locality as to be harmful to the character of the area.

However, in the view of the Local Planning Authority, the predominant character of the existing development along Brickworth Road as well as of the dwellings to the immediate north of the site; is of dwellings set well back from the street frontage with large rear gardens. The proposed dwellings on this site will be set behind a hedge, but that is immediately to the rear of the footpath and with parking and turning areas alongside the houses, the scheme creates a development that appears to be dominated by cars. The visual impact of the car will be further emphasised as all of the provision for the parking of vehicles is on open hard surfaced areas immediately adjacent to Newton Lane. In this context, as there are virtually no front gardens to the properties, the development will have an urban appearance, which it is considered does not respect the rural character of Newton Lane.

Additionally due to the large number of houses proposed on the site, the private amenity areas are very small and there is a minimal distance between some of the dwellings and the edge of the site. This results in a large proportion of the site being dominated by the vehicle accesses, turning and parking as well as limited space on the site for landscaping and in combination it is considered that the development appears cramped and constrained and due to this over development of the site, the scheme as

proposed would be unsympathetic to and out of keeping with the character and appearance of the locality

In relation to the design of the dwellings; the drawings submitted with the application demonstrate a simplicity of design and with the steep pitch of the roofs, the small dwellings have an appearance very unlike the dwellings to the immediate north of the site, though in terms of height and bulk the proposed dwellings do appear to reflect other development in the centre of the village of Whiteparish. As such, it is considered that the design of the proposed ten dwellings would not be uncharacteristic of Whiteparish and is therefore acceptable.

### **3. Impact on the Special Landscape Area**

The site is on the edge of the village, adjacent to the open countryside and the hedgerow and trees are an important part of both the character of this part of Whiteparish and of this particular site. The proposed layout will not retain either the existing trees or the hedgerow that borders Newton Lane and the open countryside to the east and south of the site, though it is proposed to replace these with new planting. However, as the new hedges will be set back immediately in front of the new dwellings and there will be large gaps to provide the vehicular accesses, the site will lose much of its current green and rural character alongside Newton Lane. The location of the very small gardens on the eastern boundaries of the site combined with the provision of replacement trees will somewhat minimise the views into and out of the development as well as its visual impact on the surrounding open countryside. However, the rural appearance of this part of Newton Lane will be lost to the detriment of the character of the locality.

### **4. Impact on Amenities**

#### **a) Existing Occupiers**

The neighbouring properties that are located immediately adjacent to the site will inevitably be affected by the proposed development to some extent, as the relationships will be altered. In relation to the properties in Newton Close that back onto the site, the proposed relationships are considered acceptable. Whilst it is recognised that the proposal will introduce a greater level of activity adjacent to the extensive rear garden of No10 Newton Close and thus an added element of noise and disturbance, it is not considered that this would be so detrimental as to warrant refusal on the grounds of the loss of residential amenities.

#### **b) Future Occupiers**

The proposed plots are very small in comparison with others in the vicinity and the dwellings are also small as they are to be occupied by 3 to 5 persons. However, these dwellings are proposed for an edge of village situation and not only are there minimal front gardens behind the proposed footway but the proposed rear gardens are also small. For example, the rear garden of No.5 that is a 4-person dwelling would have a maximum depth of 7metres. This is considered uncharacteristic of this village setting where the gardens tend to be substantial in relation to the area of the dwelling. Combined with the substantial area of the site that is allocated for turning and parking, the restricted space for landscaping and the limited amenity areas of the individual dwellings, it is considered that the scheme would result in a poor living environment for the future occupiers.

### **5. Policy R2 - Provision of Recreation Facilities**

In accordance with Policy R2 of the Adopted Salisbury District Local Plan (June 2003) the provision of recreation facilities must be considered for all proposals for new residential development. Whilst for developments of over 10 dwellings the Local Planning Authority may consider that the provision of a play area could be appropriate

on-site, in this instance it would be a small area and would need to be adopted and maintained as an additional play area. In this case, as there is already an established recreational area containing a children's play area within Whiteparish, it is considered that an off-site contribution would be acceptable to upgrade/add to these existing facilities. Furthermore, the site is also located on the southern edge of the village and is accessed via a narrow road where there are no footways and for these reasons it is also considered that it would be inappropriate for a play area that should be available to the general public and not just the future occupiers of the proposed dwellings to be provided on-site. If the proposal were acceptable in all other respects, a financial contribution towards the provision of off-site recreational facilities could be secured via a Section 106 Agreement.

## **6. Educational Infrastructure**

In response to this application, the Local Education Authority (Wiltshire County Council) has advised that the development will generate a need for an additional 3 primary and 2 secondary school places. At primary level, it is advised that the designated school will be able to accommodate the projected number of additional primary pupils that this development is likely to yield within its existing capacity. With regards to secondary pupils, however, it is advised that this is not the case and that a considerable shortfall in pupil places will exist in the designated area of the school concerned. As such, it is advised that a capital contribution is required towards the provision of expansion of the secondary school (The Trafalgar School, Downton) to meet the increased demand.

If recommended for approval, this is a matter that could be addressed via a Section 106 Agreement, however given the recommendation it must be included as a reason for refusal.

## **7. Impact on Highway Safety**

Concerns have been raised regarding the increased use of such a narrow highway, without footways that will create additional highway hazards and there are concerns that the proposed highway improvements relate solely to the site itself and do not address the highway hazards beyond the site itself. Local concerns relate particularly to the likely increase in the numbers of pedestrians using Newton Lane. The Lane is narrow, has no footpaths, is much used as a link between the A27 and the A36 and there is a sharp bend to the north of the site which severely limits inter-visibility between vehicles and pedestrians.

The Local Highway Authority, however, does not support these concerns and subject to the improvements proposed (namely the highway improvement works, the footway provision, street lighting, surface water disposal, drive gradients, carriageway levels, car parking, visibility spays and the extension of the local speed limit) and the legal diversion of Public Footpath 3 has advised that the use of Newton Lane to provide the vehicular access to serve the proposed ten dwellings will be acceptable.

## **8. Protected species**

With regards to protected species, though the site is small, as it has been derelict for a considerable period the District Ecologist considers that a good range of habitats have developed and that it is likely that protected species are present. Therefore it is considered that a protected species report is required in support of the application. The report should include a detailed survey of the site and should demonstrate that mitigation measures could be incorporated into the scheme's design. If having completed the original work, further surveys are necessary these could be a condition of any consent. However, in the absence of any such report, it is considered that this represents a reason for refusal.

## **CONCLUSION**

This application is for the development of a site outside the Housing Policy Boundary as a site for 'affordable' housing under the exceptions policy. Whilst the delivery of affordable housing is one of the objectives of the Local Plan and of regional and Southern Area Committee 01/05/2008

national planning policy, other policies and requirements are still applicable to 'exception' housing sites.

In this case, whilst it is accepted that there is a need for affordable housing in Whiteparish, and the provision of affordable housing within a medium-sized village such as Whiteparish where there are services and facilities is in accordance with that principle, there are concerns with regard to this particular scheme in relation to the particular characteristics of this site.

In relation to the existing site there are concerns regarding the lack of a full contamination survey. The site was formerly a sewage treatment works and it is believed that there may have been the disposal of waste on the site. Also the site has been derelict for a considerable period and is subsequently overgrown and appears to have reverted to a natural state and as such there may be protected species on the site. In the absence of a protected species survey it is not possible to judge the impact of this potential development on any protected species.

In relation to the aims of the Local Plan, Policy G1 seeks to reduce the need to travel. Whilst the site is immediately adjacent to the edge of the village, the access to the site from the A27 is poor and as there are no footpaths along Newton Lane the residential development of the site will not encourage the occupiers to use other modes of transport, other than the car, to access the services and facilities in the village.

In relation to the proposed scheme it is considered that in view of the number of dwellings proposed, the layout, the substantial areas devoted to vehicular access, parking/turning areas and the limited amenity areas creates a poor living environment that is vehicle dominated. In conjunction with the resultant plot sizes of the ten dwellings, the limited landscaping and the very small rear gardens it is considered that the development is not in keeping with the predominant scale and character of the residential development in this area and furthermore would represent a cramped, overdevelopment of the site.

## **RECOMMENDATION: REFUSE**

### **for the following reasons**

1. The site is situated on the edge of a Housing Policy Boundary, which has an open and spacious character and whilst a local need for 'affordable' housing has been shown to exist which would justify exceptional circumstances, the proposed development of 10 dwellings would by reason of the proposed siting of the dwellings represent a cramped form of over development, which would be unsympathetic to and out of keeping with the character and appearance of the locality contrary to saved policies G2, D2 and H26(iii) of the Adopted Salisbury District Local Plan (June 2003), the Affordable Housing SPG and Creating Places.
2. The proposed development is of a poor design and layout that would create a poor living environment to the detriment of the amenities of the future occupants of the development by virtue of the siting of the parking spaces and the turning areas that would create unacceptable noise and disturbance from vehicular movements in close proximity to the adjacent dwellings. As such, the proposed development would be contrary to the saved policies G2 and D1 of the Adopted Salisbury District Local Plan (June 2003).
3. On the basis of the information that has been submitted, it has not been demonstrated that the proposed development would not adversely affect or harm a

legally protected species contrary to saved Policy C12 of the Adopted Salisbury District Local Plan (June 2003) and advice contained within PPS9.

4. In the absence of any investigation/survey works to establish if contaminants are present on the site, it is considered that it has not been demonstrated that there is no remnant contamination present on the site that may pose an unacceptable risk to the proposed residential development and/or require the implementation of remediation measures within the design of the scheme. As such, it is considered that the proposed development is contrary to saved Policy G2 (vii) of the Adopted Salisbury District Local Plan (June 2003).
5. The proposed development fails to make provision towards recreational open space contrary to the requirements of Policy R2 of the Adopted Salisbury District Local Plan (June 2003). As such, it would put an additional demand on existing recreational facilities and would set a precedent that would make it difficult for the Council to implement this policy effectively in the future.
6. The proposed development is considered by the Local Planning Authority to be contrary to saved Policy G9 of the Adopted Salisbury District Local Plan (June 2003), as appropriate provision towards the expansion of the educational provision directly required and necessary for this development has not been made.

**Informative 1**

With regards to the reason for refusal given above relating to Policy R2 of the Adopted Salisbury District Local Plan (June 2003), the applicant is advised that if this application had been acceptable in all other respects, it could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement in accordance with the standard requirement for recreational public open space.

**Informative 2**

With regards to the reason for refusal given above relating to Policy G9 of the Adopted Salisbury District Local Plan (June 2003), the applicant is advised that if this application had been acceptable in all other respects, it could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement relating to the payment of a commuted sum towards the provision of the expansion of educational facilities that is generated by the proposed development.

Application Number:	S/2008/0509		
Applicant/ Agent:	MR GILES GOULD		
Location:	BETWEEN BRITFORD SCHOOL & THE CHALK PIT, HIGH ROAD, BRITFORD, SALISBURY SP5 4DS		
Proposal:	RETENTION OF 2 DIRECTIONAL SIGNS		
Parish/ Ward	BRITFORD		
Conservation Area:		LB Grade:	
Date Valid:	11 March 2008	Expiry Date	6 May 2008
Case Officer:	Mrs C Easter	Contact Number:	01722 434570

### REASON FOR REPORT TO MEMBERS

Applicant is a Council employee

### SITE AND ITS SURROUNDINGS

The site is in open countryside adjacent to the main A338 on the southern edge of Salisbury, broadly opposite the Britford Park & Ride site. There are pleasant unrestricted views over agricultural land towards the River Avon to the north and to Salisbury Cathedral to the north west.

The site falls within the Landscape Setting of Salisbury and Wilton and is designated an Area of Special Archaeological Significance.

### THE PROPOSAL

The applicant seeks retrospective advertisement consent for the erection of two advertising signs for the purpose of directing potential customers to their business, situated within the village of Britford, around half a mile north of the A338. There are two signs, both measuring 120cm x 120cm.

### PLANNING HISTORY

None.

### CONSULTATIONS

WCC Highways: No objection.

### REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes – expired 10/04/08
Departure	No
Neighbour notification	Yes
Third Party responses	No
Parish Council response	No comments received.

### MAIN ISSUES

Impact upon Visual Amenity  
Impact on Highway Safety

## **POLICY CONTEXT**

The following saved policies of the Adopted Salisbury District Local Plan (June 2003) are relevant to this application: G2 – General Design Criteria, G11 – Outdoor Advertisements and C7 - Landscape Setting of Salisbury & Wilton.

PPG 19  
Circular 03/07

## **PLANNING CONSIDERATIONS**

### **1. Impact upon Visual Amenity**

The signs are attached to metal posts within the field and are fabricated of thick plastic attached to a wooden board with plastic lettering attached. Both signs are particularly noticeable as they stand around 1.8metres above ground.

Although of relatively modest size, the signs – by reason of their height and prominent method of display, colours and use of bold graphics do not respect the more muted, naturalistic landscape or historic context and are out of place in the semi-rural setting. The southernmost of the two signs, is particularly noticeable upon approach to Salisbury from the Downton direction and detracts from the initial view of the Cathedral. Furthermore, the cumulative effect of these signs and the signs being dealt with under application S/2008/0504 (being dealt with under delegated powers) should be considered. Overall, it is considered that the proliferation of indiscriminately sited and designed signage further detracts from the character and visual amenity of the locality.

### **2. Impact on Highway Safety**

Having regard to WCC Highways' comments, it is considered that there is no highway safety issue arising from retention of the signs.

## **CONCLUSIONS**

These signs, both individually and cumulatively with other signage in the locality, seriously detract from the visual amenities of the locality that play an important part of the setting of the historic City. Whilst recognising that rural businesses should be adequately signed, this is not considered to outweigh the harm to visual amenity caused by the current signage.

## **RECOMMENDATION:**

### **A. REFUSE**

#### **Reasons for Refusal:**

1. The signs, by reason of their design, siting and method of display appear as unduly prominent and incongruous features and contribute to a proliferation of indiscriminately sited and poorly designed signage in this semi-rural context which forms an important part of the wider setting of the City of Salisbury, all seriously detracting from the visual amenities of the area. To continue to retain the signage would also therefore be contrary to Policy C7 (Landscape Setting of Salisbury and Wilton) and Policy G11 (Outdoor Advertisements) of the Adopted Salisbury District Local Plan (June 2003).

**B. That the Head of Development Services is authorised to take all further steps necessary, including prosecution proceedings, to secure the removal of the sign(s).**



## Part 2

### Applications recommended for Approval

3

Application Number:	S/2008/0187		
Applicant/ Agent:	PAUL STEVENS		
Location:	HOLMESDALE, APPLETREE ROAD, REDLYNCH, SALISBURY SP5 2JQ		
Proposal:	ERECT A TERRACE OF 4 DWELLINGS AND BLOCK OF GARAGES		
Parish/ Ward	REDLYNCH		
Conservation Area:		LB Grade:	
Date Valid:	1 February 2008	Expiry Date	28 March 2008
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

#### REASON FOR REPORT TO MEMBERS

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

#### SITE AND ITS SURROUNDINGS

The site was formerly part of the garden of Holmsdale, a now demolished small cottage sited adjacent to Vine Cottage. The site of this application fronts onto Appletree Road, a narrow road, with a pavement on the opposite side of the road to the site. The site slopes downwards away from the road and then rises towards the former rear part of the garden of Holmsdale, where three dwellings are currently under construction.

To the north of the site are modern style two-storey detached houses, set well back from the road in the centre of long deep plots. The dwellings therefore have large gardens to front and rear.

To the south of the site the two-storey older style dwellings are sited close to the road behind small front gardens, though these properties too have long rear gardens.

To the east of the site, on the opposite side of Appletree Road, the land rises above the road level and the small semi-detached pairs of bungalows with small front and rear gardens overlook the site.

#### THE PROPOSAL

This application seeks planning permission to construct a terrace of four two-bedroomed dwellings adjacent to Appletree Road, with four garages and a turning area to the rear. The dwellings will have solar panels on their roofs and the garages will also have green roofs.

#### PLANNING HISTORY

2004/1271 O/L application for 5 dwellings. This application was refused for the following reasons:

1. "The proposed access road would be unsafe by reason of the substandard width of Appletree Road particularly as parking opposite reduces the available road width, contrary to policy G2 of the Adopted Salisbury District Local Plan, 2003.

2. The site would have insufficient frontage to enable an access to be satisfactorily laid out incorporating the necessary visibility splays and sight lines essential in the interests of highway safety and contrary to policy G2 of the Adopted Salisbury District Local Plan, 2003.

3. Given the ambiguous description used by the applicant and notwithstanding the indicative status of the submitted plans, the local planning authority assumes that the indicative footprints shown represent multi-storey dwellings. On that basis, the siting shown for the five dwellings would result in loss of amenity by way of dominance and overlooking of adjoining properties, contrary to policies G2 and D2 of the Adopted Salisbury District Local Plan, 2003".

2005/1716	O/L Demolition of existing dwelling, erection of three dwellings and garages and creation of a new vehicular access.	AC
2006/1288	Erection of 2 detached houses with garages and a split-level bungalow and creation of a new vehicular access.	Withdrawn
2005/1293	Erection of 3 detached houses with garages and a split-level bungalow and creation of a new vehicular access.	Withdrawn
2006/2348	Erection of 3 detached houses with garages and a split-level bungalow and creation of a new vehicular access.	Withdrawn
2006/2498	Erection of 2 detached houses with garages and a split-level bungalow.	AC
2007/0445	Erection of 3 detached houses with garages and creation of a new vehicular access.	AC
2008/0187	Amend conditions on 2007/0445 by combining the two wildlife areas, relocation of a garage and the alteration of the position of the vehicular access to the site. This application has not yet been determined.	

## CONSULTATIONS

### WCC Highways:

Recommend refusal on the grounds that the proposed development is substandard from a highway safety viewpoint and will increase the risk for users of the public highway in view of restricted visibility at the access point, obstructive parking on Appletree Road and insufficient pedestrian facility.

Amended plans have been received which address these points and the Highway Authority has indicated that its reasons for refusal have been overcome. A formal response is awaited and will be reported at the meeting.

### Wessex Water:

There is a foul sewer crossing the site, which must be protected during and after construction works.

**Bournemouth and West Hants Water:** None received.

**Environment Agency:**

On previous applications on this site, no objections were raised though as this is an application for residential development, in the River Avon Catchment, an appropriate condition to ensure that the development includes water efficiency measures should be applied.

**Wiltshire Fire and Rescue Services:**

Comments relating to need for satisfactory access for fire engines, adequate water supplies, necessary and appropriate fire safety measures and encouragement for the provision of domestic sprinklers.

**REPRESENTATIONS**

Advertisement	No
Site Notice displayed	Yes expiry date 06/03/08
Neighbour notification	Yes expiry date 25/02/08
Third Party response	11 letters and e-mails have been received raising the following comments:-

- Too much redevelopment in the area is effecting its character;
- Salisbury District has exceeded its housing target (8000 houses by 2016) as outlined in the Structure Plan;
- Scale of redevelopment of site is excessive;
- Overdevelopment of site;
- Double layering of houses will set a precedent;
- Terrace housing is out of keeping;
- Proposal is out of character with the area;
- Proposal would be totally unlike existing character and style of development;
- Multiple applications on this site causes confusion;
- Multiple applications on the site seek to circumvent/undermine planning process and original decisions for redevelopment of the site;
- Relentless development in the area does not benefit the community;
- Site is being marketed as 'Russet Meadows' under two phases. Phase1 for three houses currently under construction, phase 2 has planning permission for 1 detached and a terrace of 4 two-bedroomed dwellings;
- Detrimental effect on neighbours;
- Loss of openness;
- Loss of views and outlook;
- Lack of play facilities for children;
- Noise and disturbance;
- Loss of privacy;
- Loss of light and creation of overlooking;
- Concerns regarding effects of changes in levels on longevity of boundary hedges;
- Local highway network inadequate to cope with more traffic;
- Concerns regarding highway safety;
- Told that Highway Authority will not support more dwellings in this location;
- More development will have an unacceptable impact on local roads; and congestion will increase.

In addition, a petition signed by 65 people has been submitted and states:

*"We the undersigned believe that the current planning permission for three houses now under construction was acceptable and object to any further development at Holmsdale*

*as the construction of 4 more dwellings in front of these will create unacceptable visual intrusion to both the existing residents and the future residents of those houses now under construction. It will also mean the complete removal of the ancient roadside hedge, which will destroy the rural character of Appletree Road and the surrounding 'Special Landscape' area. It will further introduce yet more unacceptable traffic and parking problems. Please do not allow this development to spoil our environment further".*

Parish Council: Letters of objection received overdevelopment for site and area.

## **MAIN ISSUES**

1. Principle of development
2. Impact on character of locality
3. Scale and design
4. Impact on amenities of neighbours
5. Highway safety
6. Slow worms
7. Policy R2 – Provision of Recreation Facilities

## **POLICY CONTEXT**

Saved policies G2, C6, C12, C8, D2, H16, TR11 and R2 of the Adopted Salisbury District Local Plan (June 2003) are of relevance to this current application.

PPS3

Supplementary Planning Guidance "Creating Places".

## **PLANNING CONSIDERATIONS**

### **1. Principle of development**

Government guidance encourages the efficient use of previously developed land in order to concentrate development within existing settlements. This application site is previously developed land and as such is an opportunity for redevelopment where the emphasis can be on optimising the site's potential, though within the terms of the guidance offered by the criteria of the Local Plan.

In this case, as the site is within the built-up part of the settlement and is included within the Housing Policy Boundary of Morgan's Vale as designated by the Adopted Salisbury District Local Plan (June 2003), infilling and small scale residential developments are acceptable in principle, though subject to the criteria of the Local Plan. Therefore, even though a site falls within a Housing Policy Boundary it does not necessarily follow that it will receive planning permission. All development must conform to the general criteria of Policy G2 and the other Local Plan policies, in particular those relating to design as well as the guidance offered by the Council's Supplementary Planning Guidance "Creating Places". It is also important to ensure that all new development can be assimilated into existing settlements.

Policy H16 specifically refers to tandem or inappropriate backland development, which this proposal could be considered to be. However, whilst the Policy H16(i) appears to be very firm in that tandem or inappropriate backland development will not be permitted, the supporting text is less specific and qualifies this negative view so that whilst proposals within front and back gardens are not generally considered favorably where they would result in tandem or unacceptable backland development, it states that proposals for such development will only be allowed where there is a proper means of

access which is convenient and safe for both drivers and pedestrians, there is adequate space for car parking, and adequate space between old and new buildings to avoid spoiling the amenity of neighbouring houses.

In this case, though the three dwellings to the rear are not yet completed, the proposed terrace would appear to be classic tandem development, being effectively in the front gardens of plots 2 and 3. However, it is the context of the relationships of the proposed terrace of dwellings with the means of access as well as to the existing cottage to the south (Lindor) and the three dwellings currently under construction to the rear of the site, that the acceptability of this proposal must be assessed.

Moreover, in this case, where the site of this proposal originally formed part of a larger site where planning permission has been granted for a variety of schemes, these consents are also a material consideration to the determination of this current proposal.

## **2. Impact on character of locality**

This site forms part of the garden of the former small cottage (Holmsdale) that has now been demolished. The substantial hedge to the road, is an important aspect of the current character of the area and along with other hedges in the vicinity is prominent in the streetscape.

The character of the residential development in this locality is created by the informal pattern of development. Though most of the dwellings have a road frontage, there is a variety in the size, ages and designs of the dwellings, as well as in the sizes of the plots. To the north, the dwellings tend to be both larger and more modern and are set in the centre of very deep plots creating the characteristic long front and rear gardens of this area. The previous proposals for the redevelopment of Holmsdale considered that the site was transitional from this form of development to that just south of the site where the character is very different. Dwellings to the south of the site tend to be modest cottages and houses set behind small front gardens within narrow and less deep plots. Prior to the loss of the Appletree Inn this area had a tightly knit, fairly urban character with the houses and cottages close to the road frontage.

The proposal is to create a small terrace of four dwellings with a separate garage block and the details suggest four very small two-bedroomed dwellings on narrow plots with rear vehicular access. This would continue the slightly more urban street scene of the area to the south of the site across the frontage, allowing the vehicular access to the dwellings at the rear to act as a visual demarcation between this and the more open and spacious area to the north.

In considering the previous proposals (S/2006/2498), it was accepted that part of the road frontage of the site adjacent to Lindor, could be redeveloped in such a manner as to continue that style of road frontage development. In order to minimize the impact of a large dwelling on the neighbours, particularly to the bungalows to the east, the scheme which was approved used the slope of the site to create an apparently single storey dwelling on the road frontage with two-storeys at the rear. This scheme has not been commenced, however, it is a material consideration, when considering the impact of this scheme on both existing and future occupants as it remains extant.

To the south of the site, the dwellings are arranged in a relatively linear built form, facing the various main roads. It is therefore considered that the proposed linear style development, with the houses immediately behind small front gardens would be in keeping with the character of the surrounding area.

The submitted plans indicate that the proposed new dwellings will have a very simple architectural form that would be similar to the existing vernacular in the area and would be in keeping with some of the existing dwellings in the surrounding area. As there has been a lot of infill development of no particular character in this area, it is considered that the proposed form, and scale of the proposed residential development would enhance the character and appearance of the area.

The proposed setting back of the dwellings could result in the loss of much of the screening to the road. However, the applicant proposes to transplant, the existing hedge, during the dormant season. It is proposed to move it back by 1.5 metres so as to improve the sight lines as required by the Local Highway Authority whilst retaining an important amenity for the area. Moreover, as the site is not within the Conservation Area and as the majority of the vegetation consists of bushes and brambles, rather than trees that might be worthy of a TPO, there is no statutory protection for the hedge. Whilst the applicant intends to transplant the hedge, if such a proposal is unsuccessful, the loss of this distinctive feature of this part of Morgan's Vale would be regrettable. Therefore, it is considered appropriate to impose a condition requiring the submission of a landscape scheme that includes the planting of a replacement hedge, if this becomes necessary, to ensure that the character and appearance of the site and surrounding area is preserved.

Overall, whilst concerns have been expressed regarding the impact of the dwellings on the character of the area, it is considered that the creation of a small terrace of houses which reflects the character of the smaller dwellings in the locality, set back slightly from the road and screened by the hedge would not have a detrimental impact on this locality.

### **3. Scale and design**

The applicant has submitted a design statement with the application that explains the ethos behind the scheme that is to provide much needed smaller properties with a low carbon footprint and that complement the character of the area. The design statement emphasises that the applicant believes that the proposed design has conformed to the essential characteristics of dwellings within the area.

The design of the two-storey dwellings is simple, architecturally conservative with traditional fenestration so that the dwellings could be considered to reflect some aspects of the architectural vernacular that is evident in the locality, particularly the dwellings to the south. In scale, the houses would be appropriate to the area and the proposed mix of materials including the use of slate for the roofs is considered acceptable in that it reflects the character of the locality that is on the edge of the New Forest.

### **4. Impact on amenities of neighbours**

Concern has been expressed by neighbours regarding the loss of amenity due to the likelihood of being overlooked. Whilst there will be some overlooking of the gardens of the properties immediately to the south, notably Lindor, from the first floor windows of the new dwellings, any views from these windows would be sufficiently oblique so as not to result in a material loss of privacy.

With regards to the relationship of the proposed dwellings to other surrounding properties, they will be at some distance from the dwellings currently under construction towards the rear of the site and will be separated by the street from the bungalows on the opposite side of Appletree Road. These bungalows are also set at a slightly higher level than the proposed terrace of dwellings and in a village situation a separation

distance of approximately 20 metres between the front elevations of properties provides a substantial separation. As such, it is not considered that the amenities of these properties would be adversely affected by the proposal.

In relation to the dwellings currently under construction behind the application site, the rear of the terrace of the proposed dwellings would be some 40 metres from the front elevation of these properties. Furthermore the proposed dwellings would also be separated and partially screened from the dwellings that are currently under construction behind the application site by the garage to Unit 1, as well as the garage block that will serve the proposed dwellings. The proposed gardens whilst smaller than many in the vicinity are considered acceptable for two bedroomed dwellings and any future occupiers of the dwellings to the rear will be aware of the degree of overlooking.

There is some concern that the proposed development of a terrace of four dwellings forward of the three dwellings under construction will create noise and disturbance. Clearly as there will now be occupation of the site by additional dwellings there will be some increase in noise within the site, but within the settlement's Housing Policy Boundary this in itself is not considered sufficient reason for refusal.

The terraced dwellings are not considered to be dominant in the street scene or in relation to neighbouring properties. In addition, it is also assessed that they would not give rise to any undue loss of light to or an unreasonable degree of overlooking of neighbours. Whilst there will be some impact on the amenities of the properties in the vicinity, simply because of the presence of dwellings in a previously open garden area; in general terms it is considered that the loss of amenity is not so great that a reason for refusal of the proposal could be substantiated on these grounds.

## **5. Highway safety**

Concerns have been raised regarding the proposed effect of more vehicles in the immediate area. However, in the light of the amended plans that have been received, the Local Highway Authority has verbally indicated that the reasons for refusal that it had originally suggested have been overcome, although the formal consultation response is currently awaited and will be reported in the schedule of additional correspondence.

## **6. Slow worms**

Whilst it was identified in respect of previous applications that slow worms were present on this site, they have been subsequently been relocated to an area of retained grassland to the rear of those properties that are currently under construction to the rear of the application site. Although a condition was imposed on the earlier planning permissions (S/2006/2498 and S/2007/0445) to retain two areas of grassland as wildlife habitats, one of which was located within the current application site, a separate planning application has been submitted to combine these into one single area located to the rear of the properties that are currently under construction to the rear of the application site. Whilst at the time of writing this application remains undetermined, both Natural England and the District Ecologist have stated their support for this proposal.

## **7. Policy R2 – Provision of Recreation Facilities**

A financial contribution for recreational facilities would be required for the new dwellings pursuant to the above policy.

## **RECOMMENDATION:**

### **APPROVE SUBJECT TO S106**

#### **Reasons for approval:**

The proposal will have some impact on amenities of the adjacent dwellings including those currently under construction, by virtue of the replacement of proposed gardens by a terrace of two-storey dwellings. However, the design is considered acceptable within the settlement of Morgan's Vale and on balance as the site is within the Housing Policy Boundary where the efficient use of land is expected the proposal is acceptable.

#### **SUBJECT TO**

(a) The applicant and any other relevant parties undertake, under Section 106 of the principal act to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then this authority is minded to grant planning permission to the above application 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. No development shall take place until 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 have been submitted to and approved in writing, by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

3. No development shall take place until full details of the improvements to the frontage to Appletree Road, as shown on sketch scheme drawing 322/01E RevA, shall be submitted for the further approval of the Local Planning Authority and the development shall be completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

Reason: In the interests of highway safety

4. No development shall take place until details of a properly consolidated and surfaced access (not loose stone or gravel) over a distance of 5 metres from the edge of the highway as well as details of a scheme to dispose of highway drainage, have been submitted to and agreed in writing by the Local Planning Authority. The development shall subsequently be carried out and completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure that the development is provided with a satisfactory means of drainage and in the interests of highway safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/roof lights [other than those



expressly authorised by this permission] shall be inserted in any elevation (such expression shall be taken to refer to both walls and roofs) of any of the dwellings hereby approved.

Reason: To ensure adequate privacy for the occupants of neighbouring premises. (0018)

6. Notwithstanding the provisions of Class[es] A To F 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 dwellings nor the erection of any structures or enclosures within the curtilages and no additions or alterations to the roofs of the dwellings, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of neighbouring amenities and the character of the area.

7. 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. Development shall thereafter be carried out in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved.

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

8. If within a period of 5 years from the date of the planting of any tree, shrub or plant, that tree, shrub or plant or any tree shrub or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (G12A)

Reason: To ensure the satisfactory establishment of the approved scheme for the landscaping of the site.

9. During construction works, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following time 0800 to 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. There shall be no activities/working on Sundays, Bank and Public Holidays.

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

10. During construction works, all plant, machinery, and building materials shall be contained within the application site.

Reason: In order to limit the impact on the narrow Appletree Road.

11. No development shall take place until a scheme for the implementation of water efficiency measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the agreed details, prior to the first occupation of any of the dwellings hereby approved.

Reason: In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes

the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

12: 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 first occupation of any of the dwellings hereby approved.

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

(b) If the applicant does not comply with (a) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2.

### **INFORMATIVES:**

Informative: 1 Policy

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

Saved Policy Purpose

- G2 General Criteria for Development
- D2 Design of Infill Development
- R2 Public Open Space
- C6 Landscape Conservation
- H16 Housing Policy Boundary
- C12 Protected Species
- TR11 Off-street car parking provision

Informative: 2 Highways

The applicant should be aware that the widening to Appletree Road should be undertaken via a Section 38 or Section 278 Agreement with the Highway Authority to ensure the future maintenance of the works, once adopted, will be at public expense. It may also be necessary to include satisfactory positive drainage to the channel of the new widened carriageway, via a road gulley connected to a soakaway within the development.

Informative: 3 Wessex Water

The developer is advised to contact Wessex Water in respect of the foul sewer, which crosses the site. The integrity of the infrastructure must be protected and prior to the commencement of any works on the site, arrangements for the protection of the infrastructure crossing the site must be agreed with Wessex Water.

Informative: 4 Wiltshire Fire and Rescue Service

The attention of the applicant is drawn to the comments of the Wiltshire Fire and Rescue Service, a copy of which is attached.