

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
Southern Area Committee 02/09/2004

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

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

ITEM NO	APPLICATION NO./ OFFICER	LOCATION	REC	PARISH/ WARD	PAGE NOS	WARD & COUNCILLORS	NOTES
1	SV* S / 2004 / 1009 Mrs J Wallace	MR G SYMONDS, GREEN MEADOWS, COMMON ROAD, WHITEPARISH.	APP	WHIT	3 - 9	Cllrs Mrs Bissington, Britton and Randall Alderbury & Whiteparish	
2	SV* S / 2004 / 1073 Mrs J Wallace	MR J ADAMS, 39 FIRS ROAD, FIRSDOWN.	APP	FIRS	10 – 15	Cllrs Devine and Moss Winterslow	
3	SV* S / 2004 / 1490 Mrs J Wallace	MR GILES GOULD & MRS GALE PETTIFER, BRIDGE FARM, LOWER ROAD, BRITFORD.	APP	BRIT	16 - 19	Cllr Rycroft Ebble	

Agenda Item 8

SV = Site Visit for Members

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

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

ABBREVIATIONS USED THROUGHOUT THE TEXT

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

Part 1

Applications recommended for Refusal

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

No Refusals

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			

1	Case Officer Mrs J Wallace	Contact No 01722 434687	1
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S/2004/1009	05/08/2004	30/09/2004	MR G SYMONDS
WHIT			MR S P MANKIN
Easting: 424701.5	Northing: 123321.9		

PROPOSAL:	O/L APPLICATION -OUTLINE APPLICATION FOR ERECTION OF 2 BUNGALOWS
LOCATION:	GREEN MEADOWS COMMON ROAD WHITEPARISH SALISBURY SP5 2SU

REASON FOR REPORT TO MEMEBERS

Contrary to Highways recommendation of refusal.

SITE AND ITS SURROUNDINGS

The site having an area of around 0.07 hectares is situated off an unmade lane off Common Road, within the village of Whiteparish. The unmade lane, which is the access driveway, also serves as Footpath no. 8.

One bungalow and a range of garage/storage buildings currently occupy the site. It is largely level and laid mainly to hardstanding which is used to park commercial fairground equipment and vehicles and caravans.

THE PROPOSAL

The proposal is an outline application to erect two detached single storey for occupation by the sons of the applicant who are employed full -time in the business.

The drawings show the two dwellings to be sited on part of the garden area of the existing bungalow and on a small area of hardstanding and garaging at the rear of The School House.

The existing vehicular access is to be used

PLANNING HISTORY

2482	Site Clearance for the erection of a workshop and bungalow	A
2813	Bungalow and workshop	A
3858	Stationing of caravan	A
4661	Stationing of caravan	A
5356	Engineer's workshop and office	A
7147	Retention of caravan	A
71/0336	Retention of caravan	A
72/0137	Revised details of bungalow	A

73/0360	Outline erection of bungalow	R	
88/0508	Residential development	R	Appeal
	Dis		
90/1644	Outline for erection of dwelling	R	
95/13/ENF	Stationing of fairground vehicles and equipment	NFA	

2003/596 O/L for erection of 2 dwellings R for the following reasons

- 1) *The development of the site would result in vehicles crossing a Public Right of Way and entering Common Road from the site access at a point where visibility towards the south, from and of such vehicles, is restricted. The proposal would therefore create additional hazards to all road users to the detriment of highway safety, contrary to policy G1 (iii) & (iv) of the Adopted Salisbury District Local Plan.*
- 2) *In the absence of clarification from the applicant regarding the future of the commercial parking areas adjacent to the site or the future occupation of the proposed dwellings, it is considered that the development of the site for residential dwellings would result in likely conflict between the new dwellings and the adjacent commercial use, which would significantly reduce the amenities enjoyed by future occupiers. The proposal would therefore be contrary to policy G1 (x) of the Adopted Salisbury District Local Plan.*
- 3) *The proposal would be contrary to policy R2 of the Adopted Salisbury District Local Plan in that it makes no provision of public open space.*
- 4) *Based on the information submitted, the Local Planning Authority remains to be convinced that two bungalows, together with suitable amenity space and parking and turning area could be provided on the site in a manner which would not result in a cramped and congested development, and which would not adversely affect the amenities and living environment enjoyed by residents, contrary to policy G1 of the Adopted Salisbury District Local Plan.*

CONSULTATIONS

WCC Highways - Recommend refusal for the following reason
Vehicles resulting from the proposed development entering Common Road from the site access (FP8) at a point where visibility towards the south from and of such vehicles is restricted, would create additional hazards to all road users to the detriment of highway safety.
Environmental Health Officer - no observations

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 8/07/04
Departure	No
Neighbour notification	Yes expiry date 29/06/04
Third party response	Yes- one letter of objection on grounds of: -

- 1) Highway hazard to users of Common Road when vehicular traffic is emerging from access
- 2) Green Meadows has a right of access only over the lane. Another party owns the lane.
- 3) Garden of one proposed dwelling is outside Housing Policy Boundary
- 4) Is Green Meadows a business area or a residential area? It can't be both

Parish Council response inappropriate backland development that will produce an unacceptable increase of traffic along an inadequate access road contrary to SDC Local Plan H16 (i). Will not maintain or enhance the environment contrary to C2. Will result in an overcrowded site contrary to D1(iv) and D2 (i)

MAIN ISSUES

Principle
Impact on residential amenities
Effect on highway safety

POLICY CONTEXT

The site is within the Housing Policy Boundary of Whiteparish.

G2, D2, H16 and R2 of Replacement Adopted Salisbury District Local Plan

PPG3, which advocates the more efficient use of land within settlements with a good level of local services and good access to transport, is also relevant.

PLANNING CONSIDERATIONS

Principle

Within the Housing Policy Boundary infilling and small -scale residential development can be acceptable in principle, provided among other things the proposal will not constitute tandem or inappropriate backland development that there is no loss of open areas which make a positive contribution towards the character of the settlement or a detrimental impact on the amenities of neighbours. Concern has been expressed that the development could be considered to be contrary to the Local Plan, in that it could be considered to be backland development. However the policy refers to unacceptable backland development. Proposals for backland development will 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.

The whole site is relatively generous in size and the two identified areas, which it is proposed to convert to residential use, are large enough to fit two small bungalows with their amenity space on. The use of part of the site to provide additional accommodation is broadly within the aims of PPG3 and the site where the fairground equipment is stored is within the Housing Policy Boundary where development for residential purposes is acceptable.

As the site is accessed off Common Road, it is not prominent in the streetscape nor does the site make such a significant contribution to local character that the principle of its residential development should be resisted, subject to the other criteria in Local Plan policies being satisfied.

Impact on residential amenities

The pattern of development and character of the built form in the immediate vicinity is mixed, including traditional style properties, with later and modern infill, all in a variety of different sized/shaped plots. The proposed outline is for small dwellings on small plots and immediately adjacent to the entrance to the unmade lane, permission was recently granted for a small bungalow on a small plot

School House lies to the south west of the site adjacent to a garage/storage block, which it is proposed to demolish in order to erect one of the bungalows. Whilst objections have been received regarding the impact of two new dwellings and the consequent re-organisation of the storage of the fairground equipment adjacent, it is considered that in principle the careful siting of two new dwellings would be unlikely to have an adverse impact on the amenities of the adjacent dwellings subject to the design, massing and overall bulk and the positioning of windows of any new dwellings. Overall it is considered that the proposal would not have an adverse effect on the current standard of residential amenities enjoyed by nearby residential property.

The whole of the existing site, only part of which it is proposed to use for the erection of the two bungalows, is used for the parking and storage of fairground equipment and residential caravans. Two of the caravans are occupied when parked on this site by the children of the applicant and all are taken away with the fairground equipment when the applicant and his children go to the fairs.

The conversion of part of the site to full time residential use would be likely to have an adverse impact on the amenities of any occupiers of those new dwellings especially in view of the noise and general disturbance caused by the coming and going of these fairground vehicles. However, the accommodation is required for the two children who are employed in the business and the

applicant is willing to enter into a section 106 Agreement control the occupation of these dwellings to members of his family who are employed in the business. On this basis the detriment impact on the amenities of any future occupants is considered acceptable.

Effect on highway safety

Concern has been expressed regarding the increased use of a hazardous entrance on to Common Road. On balance, it is considered that despite the view of the Highway Authority that as the site is in residential use at present by virtue of the presence of the residential caravans which periodically depart the site with the fairground equipment that therefore the proposal would not increase the traffic using the access on to Common Road and therefore a refusal on these grounds might be difficult to justify on appeal. Additionally the applicant is prepared to improve the quality of the access by surfacing properly the first 10metres of the unmade access track so that the unconsolidated loose stone or gravel no longer scattered and strewn on to the carriageway.

Footpath

Concerns have been raised regarding the impact of this development on the public right of way, which uses the vehicular access. However, if there is no additional traffic using this vehicular access, it is difficult to justify refusal on the grounds of an additional hazard to users of the footpath.

R2

A contribution for recreational facilities would be required for the new dwelling pursuant to the above policy. This could be secured through a condition.

CONCLUSION

Whilst the use of part of this site for residential purposes may be acceptable in principle, as it is within a Housing policy Boundary, the redevelopment of the site in the manner proposed would be likely to have a detrimental impact on the residential amenities of any future occupiers of the dwellings and there are concerns regarding the impact of this development on highway safety. However, with a condition to tie the proposed new dwellings to Green Meadows and the Fairground business as one planning unit, it is considered that on balance the proposal is acceptable.

Officers therefore consider that this proposal has overcome all the previous reasons for refusal except the highways reason. However, as the future occupants of the dwellings already live on site for part of the time, it is considered that whilst visibility from the access may be sub-standard the actual use of the access will not be materially altered or increased by this proposal. Therefore on balance officers consider that a refusal solely on visibility grounds would be difficult to support

RECOMMENDATION: SUBJECT TO

1 To no material issues arising from the service of Certificate C in the Salisbury Journal on 12 August 2004 being brought to the attention of the Local Planning Authority within 21 days (2 September 2004)

APPROVE subject to the following conditions:

1 Approval of the details of the siting, design and external appearance of the building[s], the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. (A01A)

Reason This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995. (0001)

2 Plans and particulars of the reserved matters referred to in condition above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. (A02A)

Reason This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995. (0001)

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (A03A)

Reason This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995. (0001)

4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. (A04A)

Reason This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995. (0001)

5 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.

6 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development hereby permitted. These details shall include; the boundary hedges and trees to be retained, the means of enclosure and hard surfacing materials

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.

7 Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]. (G02A)

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.

8 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. (G03A)

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

9 The first 10metres of the unmade access track measured from the edge of carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason 0052 In the interests of highway safety.

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

Reason 0064 To ensure that the development and the improved are provided with a satisfactory means of surface water disposal.

11 No development shall take place until details of provision for recreational open space in accordance with policy R2 of the Salisbury District Local Plan have been submitted to and agreed in writing by the Local Planning Authority

Reason In order to comply with Policy R2 of the Salisbury District Local Plan

12 The occupation of the dwellings shall be limited to a person solely or mainly working, or last working, in the Fairground Business operated by the owner of Green Meadows, or a widow or widower of such a person, and to any resident dependants.

Reason The site of the proposed dwellings is within an area where planning permission would not normally be granted for residential development in the interests of amenity of the future occupants of the dwelling(s).

INFORMATIVE:

Policy Purpose

G2 General criteria for development
D2 Design criteria for infill development
H16 Housing Policy Boundary
C2 Development in the open countryside
R2 Contribution to public open space
Of Adopted Salisbury District Local Plan

HUMAN RIGHTS

1. **State the right(s)**
Article 6 – The Right to a Fair Hearing
Article 8 – The Right to Respect for Private and Family Life
Article 1, Protocol 1 – Protection of Property
2. **Give details of the victims and how their rights are affected – consider third parties as well as the person affected directly by the decision.**
Applicants The right to acceptably improve/extend/alter their property
Neighbouring Residents The right not to be detrimentally affected
General Public The right not to be detrimentally affected
3. **Give details of how the right is qualified and the interference is legitimate**
Article 8 and Article 1, Protocol 1 are qualified.
Article 6 is absolute.
Interference is legitimate in that is necessary in the public interest for the protection of the rights and freedoms of others and/or for protection of the environment
4. **Give details of the laws with which the decision is in accordance.**
Town & Country Planning Act 1990
5. **Details of the legitimate aim being pursued**
Aim – To control development in accordance with the Development Plan and National Policies contained in the accompanying report.

6 Give details of how the decision is proportionate and the relevant and sufficient reasons for it.

The balance of the considerations is such that the applicants' property rights outweigh any interference which there may be with the rights of neighbours and the general public – for the reasons set out in the report.

- 7. Give the reasons why there is no discrimination.** If there is discrimination give details.
It has been dealt with no differently from any other planning application and the decision is in accordance with the Development Plan and National Policy Guidance.

NOTES:

S/2004/1073	10/05/2004	05/07/2004	MR J ADAMS
FIRS			RELPH ROSS PARTNERSHIP
Easting: 421240.3	Northing: 133253.4		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 2 NEW DWELLINGS AND ALTERATION TO ACCESS
LOCATION:	39 FIRS ROAD FIRSDOWN SALISBURY SP5 1SJ

REASON FOR REPORT TO MEMBERS

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

SITE AND ITS SURROUNDINGS

The application site is within the existing residential area of Firsdow, an area of mixed residential development, usually on substantial plots and generally with direct vehicular access off Firs Road.

On this site the ground levels fall from the road towards the rear of the site and rise slightly to the north making the ground level of no.41 Firs Road slightly higher than the application site and the ground level of no 37 slightly lower.

THE PROPOSAL

It is proposed to erect a pair of three- bedroomed detached dwellings on the site of the existing single storey dwelling between no.37 and no.41 Firs Road. The design of the dwellings is two storeys with a hipped roof and gable front extensions. No garaging is proposed. Two parking spaces are to be provided to the front of the dwellings off the joint access.

PLANNING HISTORY

2003/1135 Demolition of existing dwelling and construction of 2 new dwellings and access
Withdrawn

CONSULTATIONS

WCC Highways	No objections
Environmental Health	no objections
Wessex Water Authority	Not in a sewered area. Water connection can be agreed at the design stage
Southern Water	Not in our area
Environment Agency	No public foul sewer; a consent to discharge will be required
Archaeology	No known archaeological sites affected. No comments

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 10/06/04
Departure	No
Neighbour notification	Yes expiry date 3/06/04
Third Party response	1 letter of support and 10 letters of objection;

- Object to neighbours vociferously lobbying against application
- Out of keeping with area
- Site is too narrow for two dwellings

- Individuals exploiting rising house prices
- Existing dwelling is perfectly sound
- No garages on plan, so cars will end up parked on the road
- The addition of another dwelling on the bend will be a hazard to highway safety
- Speeding is a serious problem in this area and a new access will make it more dangerous
- Proposed dwellings are houses, which are out of keeping with area.
- Development would be too dense for area
- Size of dwelling will increase
- Out of character with other properties in the locality
- Loss of privacy
- Windows will look into property
- Create a precedent for similar development
- New dwellings too close to boundary
- Will devalue adjacent properties
- Plot sizes will be much smaller than norm.
- Contrary to 4.42 of SDLP (tandem or inappropriate backland development)
- The settlement has no amenities or facilities.
- Lack of services
- Improve infrastructure and services before population density increases.
- There is no mains drainage and this development will increase effluent locally. No details provided regarding land drainage

Parish Council response none received to original plans.

Subsequently amended plans were received which corrected errors in the details of the side elevations so that they corresponded with the floor plans.

Following notification of the receipt of these plans, a further 6 letters of objection have been received. These letters raise no new issues but re-iterate previous concerns and can be summarised as follows: -

There is a lack of services available in Firsdown and there is a need to improve the infrastructure before there is an increase in development.

The proposed development of two dwellings on this site is unacceptable as it is the demolition of a sound dwelling, and the creation of a development which is out of character with the area by virtue of the narrow width of the plot the design of the dwellings and the lack of garaging resulting in parked cars in the front garden.

Parish Council response to amended plans The Parish Council object because the building of two large properties - to all intents -Houses, would be out of keeping with the low roof profile of the surrounding homes. If we allow the replacement of bungalows and the infilling of every plot with much larger properties the spacious feel of the area will be lost. The height of the proposed new dwellings far exceeds those in the area & would be out of keeping with the surroundings. We are informed that we are a non-sustainable village, as there are no amenities apart from a bus service. If all the owners of plots along Firs Rd were to apply, on mass, for planning permission to replace one bungalow with two or even three dwellings the numbers of residents would triple overnight, with no infrastructure to cope. This drip feed development must not be allowed. The Parish Council object strongly to this application in its present form.

MAIN ISSUES

- 1Policy
- 2Design and siting
- 3Impact on amenity
- 4Impact on highway network

POLICY CONTEXT

G1, G2, D2, C6, CN21, H16 and R2 of Adopted Salisbury District Local Plan
PPG3

PLANNING CONSIDERATIONS

Policy

The site is within the Housing Policy Boundary of Firsdown, so in principle, small scale infill development is acceptable. The site is also within the Special Landscape Area but as it is within the Housing Policy Boundary this policy does not constrain the site.

Most of this part of the District is designated as being within the Area of Archaeological significance, however as the site is not a known or potential site of interest, the County Archaeologist has not in this case requested an archaeological evaluation of the site.

PPG3 advocates the efficient use of previously developed land and would in principle support the redevelopment of this site with two dwellings. This would in principle, create a precedent for similar developments in this part of Firsdown on the southern side of Firs Road, but bearing in mind the requirements of PPG3 and policy G1 (iv) (effective use of land in urban areas) of Salisbury District Local Plan, this is not necessarily undesirable.

2 Design and siting

The ultimate aim of the Local Planning Authority is to ensure that new development respects the built and natural environment of the District, that its quality and character is conserved and achieved in successive development. The design policies within the Salisbury District Local Plan are not sufficient in themselves to ensure design quality. They can only provide a strategic framework.

In principle as infill development is acceptable in an urban areas (such as Firsdown), this particular proposal will also need to satisfy the criteria of policies G2 and D2

The proposed redevelopment of the site would be permitted if the proposal respects or enhances the character of appearance of an area in terms of

- (i) the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths;
- (ii) the architectural characteristics and the type, colour of the materials of adjoining buildings; and
- (iii) the complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings and the new development proposes to replicate such richness

Within the general locality, on the southern side of Firs Road, the dwellings are set well back from the road, currently no39 is apparently set slightly forward of its neighbours. The proposed redevelopment sets the two replacement dwellings slightly further back than the existing dwelling, and located to reflect the adjacent dwellings; i.e. that adjacent to no.41 slightly forward and that adjacent to no.37 slightly back.

A street scene drawing submitted by the applicant shows, that taking into account that the land rises towards the east, that the proposed new dwellings will have ridge heights of a similar level as those of the adjacent dwellings. The massing and bulk of the dwellings would be similar to the large chalet bungalow to the east though more than that to the west, but, there is considerable variation in the style, massing and bulk of dwellings in Furzedown. With a proposed overall height of approximately 6.4metres and with the first floor habitable rooms accommodated in the roof these proposed dwellings are similar in style to many chalet bungalows and it is considered that the general style of the proposed dwellings is not dissimilar to others in the locality.

In the general locality, plot widths vary from about 12metres to 30metres, and on the southern side of Firs Road, the plots have an average depth of 100metres though some are shorter. The plots the subject of this application whilst having a depth of 100m would be only approximately 10metres wide, which is narrower than all in the vicinity.

The application site is acknowledged to result in two narrower plots than all others in the vicinity. However if the proposal would be acceptable in terms of its relationship to nearby dwellings and the character of the area then in view of current Government guidance in PPG3 to use land efficiently the narrower width of the plot is not be an automatic reason for refusal.

Whilst the development of two dwellings on this plot would result in two narrower plots than others locally, it is considered that the development on the plot of dwellings of appropriate design and materials would not be harmful to the amenities of this locality. It is considered that in principle, low-ridged dwellings with rooms in the roof would not be out of keeping with the character with the local area.

The traditional building materials of this eastern part of the District are generally of brick, and clay tiled roofs are common. Any new development should seek to respect the building character of each locality and the proposed materials of brick; tile hanging and tiles are considered appropriate to the area.

Impact on street scene

The Local Planning Authority recognises that high quality modern design can contribute to and enhance the built form. It wishes to encourage such development in appropriate locations where it can be demonstrated that due regard to the local context has been given and that the scheme would be successfully integrated.

The proposed design for two three bedroomed dwellings, with low ridge heights and rooms in the roof, set well back into the site, would result in two replacement dwellings which whilst larger than the existing modest bungalow would not be unduly prominent in the street scene

The proposed two dwellings will be on narrower plots than the others in the locality and whilst they would not cover the full width of the plot they would cover a higher proportion of the width of the plot than the dwellings immediately adjacent, however, in the immediate locality some dwellings have a similar relationship to their site. On balance, it is considered that the proposed development would not be so out of character with the street scene as to warrant refusal.

Parking

Unusually, it is proposed to provide no garaging but only off street parking in front of the dwellings. Many other dwellings in this locality utilise the substantial front drive areas to provide additional off street parking, but in the immediate vicinity, some parking is generally provided immediately adjacent to the dwelling. Considerable concern has been expressed by third parties that the lack of garaging on the site would result in cars being parked on the highway adjacent to the bend to the detriment of highway safety. However, without the support of the Highway Authority, a refusal based on this is unlikely to be supported on appeal.

3 Impact on amenity

Amended plans have been received which correct errors in the details of the side elevations so that they correspond with the floor plans.

Neighbours

No 37

The proposed development would be to the west of no37 Firs Road which would limit the loss of daylight and sunlight and as the eastern elevation of the new dwelling would have no windows at the first floor level, there would be minimal overlooking and loss of privacy, though there would still be some loss of light and sunlight in comparison to the existing situation by virtue of the presence of the new development.

No 41

The proposed development would be to the east of no41 Firs Road, however, that dwelling is set on the western edge of the plot and there would be a limited loss of daylight and sunlight to the rear habitable rooms by virtue of the new development. On the side elevation of the new dwelling no windows at the first floor level are proposed adjacent to no.41 and though there would be some loss of light in comparison to the existing situation by virtue of the presence of the new development. It is not considered that the new development would dominate the existing development.

Occupier's of proposed new dwellings

The proposed two dwellings created by this sub-division would be narrower than those in the immediate vicinity, however the rear gardens for both the new dwellings will still be substantial, having a depth of approximately 100 metres which is considered to be characteristic of the locality and suitable for this setting. Some first floor windows are proposed on the first floor elevations between the two new dwellings, however, these are for bathrooms/ ensuites and staircases and it is considered that if the windows are obscure glazed and those for the bathrooms/ensuites are also fixed to limit opening that there will be no mutual overlooking created which could result in a detrimental impact on the amenities of the occupiers of the two dwellings.

4 Impact on highway safety

The proposal is to use the existing access but to improve it by widening it to 7metres to permit adjacent but separate accesses to the two new dwellings. The local Highway Authority has no objection to this proposal.

Conclusion

On balance as the site is within the Housing Policy Boundary where in principle, small scale infill development is acceptable and PPG3 advocates the efficient use of previously developed land; in principle the redevelopment of this site with two dwellings is acceptable. The proposal will have some impact on amenities of adjacent dwellings, by virtue of the replacement of a single storey dwelling albeit with a steeply pitched roof by two-storey dwellings; the proposed development it is considered largely acceptable.

RECOMMENDATION: 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:

Approve, 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.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. (B05A)

Reason 0007 For the avoidance of doubt.

3. The dwelling shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority. (L04A)

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied (in accordance with a timetable agreed in writing with the Local Planning Authority). Development shall be carried out in accordance with the approved details.

Reason: To provide screening for the development and protect the privacy of the neighbouring dwellings.

5 If within a period of 5 years from the date of the planting of any tree, that tree, or any tree 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 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. (0040)

6 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 walls and roofs 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: To secure a harmonious form of development. (0014)

7. 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/rooflights [other than those expressly authorised by this permission] shall be constructed. (V20A)

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

8. 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), there shall be no 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: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

9 Before occupation of the two dwellings, all the proposed windows above ground floor level on the side elevations shall be glazed with obscure glass to the satisfaction of the Local Planning Authority and shall be maintained in this condition thereafter

Reason 0019 To prevent the undue overlooking of adjoining dwellings.

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

1 Party Wall Act

2 Policy	Purpose
G1	General principles of development
G2	General criteria for development
D2	Design Policies for new dwellings
C6	Special Landscape Area
CN2	Area of Archaeological Significance
H16	Housing Policy Boundary
R2	Public Open Space contribution

3 Environment Agency Informative

NOTES:

S/2004/1490	12/07/2004	06/09/2004	MR GILES GOULD & MRS GALE PETTIFER
BRIT	BRI		
Easting: 415619.406736136	Northing: 128339.569529295		

PROPOSAL:	CHANGE OF USE -FROM OFFICE TO FARM SHOP
LOCATION:	BRIDGE FARM LOWER ROAD BRITFORD SALISBURY SP5 4DY

REASON FOR REPORT TO MEMBERS

Council employee application

SITE AND ITS SURROUNDINGS

A building within the Bridge Farm complex currently in use as offices

THE PROPOSAL

It is proposed to change the use of the ground floor of the building from offices to a Farm Shop

PLANNING HISTORY

- 97/1467LB Reorganisation of first floor and new window to front elevation at Bridge Farm
AC
- 98/0464 Conversion of outbuilding (used for storage) to four holiday lets with ancillary office
and utility room at Bridge Farm AC
- 98/0465LB Conversion of outbuilding (used for storage) to three (previously four) holiday lets
with ancillary office and utility room at Bridge Farm AC
- 98/1718 Inclusion of three bedrooms for the purposes of nursing patients within the Cheese
House and the conversion of outbuilding to 3 units accommodation for elderly
/nursing patients (Cheese House No 9) AC
- 99/0972 C. A. Demolition of steel framed barn at the Cheese House,
00/173 Change of use of various farm buildings to specified workshop, storage and office
uses. Associated parking and surfacing of access track. AC
- 00/773 Erection of carports at The Cheese House. AC
- 03/0339 Installation of two casement windows in the Granary barn AC
- 03/0340 Installation of two casement windows in the Granary barn AC

CONSULTATIONS

WCC Highways No objections

REPRESENTATIONS

Advertisement No

Site Notice displayed Yes, expiry date 12/08/04

Departure No

Neighbour notification Yes, expiry date 4/08/04

Third Party response 2 letters of objection on the following grounds

Loss of peace and quiet

High rates and taxes paid to live in a quiet village, and it is being spoilt

Appreciate need for farming to diversify but it has gone far enough - site has B&B, industrial
units, holiday apartments and accommodation for the elderly

Increase in traffic through the village

This development, combined with Park and Ride will make access to/from A338 more difficult

How will it be controlled as 'farm shop' as products will not be limited to Bridge Farm produce?
Will result in more signage on junction of village road with A338

Parish Council no objections in principle to a farm shop, but any consent should preclude any change in the nature of the retail use.
Concerns regarding impact of increased traffic movements as Park and Ride is almost opposite
Any signage should not direct traffic through the village
Any signage should not distract drivers

MAIN ISSUES

Impact on character and vitality of area
Impact on Listed Building/Conservation Area

POLICY CONTEXT

G2, CN5, CN8, C21, E16, TR11 and S11 PS1, PS3 of Replacement Salisbury District Local Plan

PLANNING CONSIDERATIONS

1 Impact on character and vitality of area and local amenities

The building is within the Bridge Farm complex and the ground floor of the building, a former milking parlour has been in use as an office since permission was granted in 2000. There is also an office use on the first floor of the building, which it is intended to retain.

The village of Britford has no village shop and the nearest general shops are in Downton or Salisbury, so the development of a 'farm shop' in Britford will not affect the vitality of these retail outlets. In view of the limited size of the proposed shop, approximately 78sq.m. it is considered that a farm shop is an acceptable use of the building.

The farm complex is in use for a variety of commercial/employment uses following diversification. A new access has been provided directly off Lower Road before the entrance to the village, which will reduce any impact of increased traffic resulting from this development on the village. Adequate parking for visitors to the shop is available within the complex and the Highway Authority has no objections to the alteration in use of the building. Therefore on balance, it is considered that the amenities of the village would not be significantly affected.

2 Impact on Listed Building/Conservation Area

The application is for a change of use and it is considered that this will have no impact on the Conservation Area, as it not proposed to make any external alterations to the brick building; the external appearance of the building will be retained, including the timber door. The door is currently blocked internally but it is proposed to unblock it and re-use that entrance.

The Conservation Officer considers that the proposal will enhance the setting of the adjacent Listed Buildings and has no objections to the development.

Reasons for Approval

The change of use of the ground floor of this building within an existing farm complex, from offices to a 'farm shop', is considered appropriate in this area in accordance with Salisbury District Local Plan policies S11 and C21, PS1 and PS3.

RECOMMENDATION: **APPROVE** 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 The permission hereby granted shall relate to the ground floor only.

Reason To enable the Local Planning Authority to retain planning control over the development.

3 The premises shall be used for a farm shop only and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). (V01A)

Reason To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating any alternative kinds of retail activities/operations which could have an adverse effect upon the vitality and viability of nearby village shops

4 There shall be no hot food sales from the premises.

Reason To enable the Local Planning Authority to retain planning control over the development

5 The operational use of the premises shall be restricted to the following times: 8.00am to 7.00pm

Reason To enable the Local Planning Authority to retain planning control over the development.

Informatives

1 Policy Purpose

G2 General criteria for development
CN5 development within curtilage or adjacent to Listed Buildings
CN8 Development in Conservation Areas
C21 Farm Diversification
E16 Loss of employment
TR11 Car parking Standards
S11 Farm Shops
Of Adopted Salisbury District Local Plan

2 For the purposes of this consent a Farm Shop is defined as a shop, which sells products, produced on farms or smallholdings

HUMAN RIGHTS

1 State the right(s)

Article 6 – The Right to a Fair Hearing
Article 8 – The Right to Respect for Private and Family Life
Article 1, Protocol 1 – Protection of Property

2. Give details of the victims and how their rights are affected – consider third parties as well as the person affected directly by the decision.

Applicants The right to extend/improve their property
Neighbouring Residents The right not to be detrimentally affected
General Public The right not to be detrimentally affected

3. Give details of how the right is qualified and the interference is legitimate

Article 8 and Article 1, Protocol 1 are qualified.
Article 6 is absolute.
Interference is legitimate in that is necessary in the public interest for the protection of the rights and freedoms of others and/or for protection of the environment

5. Give details of the laws with which the decision is in accordance.

Town & Country Planning Act 1990
Listed Buildings and Conservation Area Act 1990

5. Details of the legitimate aim being pursued

Aim – To control development in accordance with the Development Plan and National Policies contained in the accompanying report.

6. Give details of how the decision is proportionate and the relevant and sufficient reasons for it.

The balance of the considerations is such that the applicants' property rights outweigh any interference which there may be with the rights of neighbours and the general public – for the reasons set out in the report.

- 8. Give the reasons why there is no discrimination.** If there is discrimination give details.
It has been dealt with no differently from any other planning application and the decision is in accordance with the Development Plan and National Policy Guidance.
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NOTES: