

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
SOUTHERN AREA & 14/12/04

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

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN-CILLORS	NOTES
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[Further details of each planning application can be found at www.salisbury.gov.uk/planning](http://www.salisbury.gov.uk/planning)

Item	Application No. Office	Applicant's Name Location	Rec	Parish/Ward	Page Nos.	Ward Councillors
1	S / 2004 / 2284 Ms B Jones	MR & MRS JENKINS ORDNANCE HOUSE MOODYS HILL WEST DEAN	REF	WDEA	2 - 6	Cllr Devine Cllr Moss
2	S / 2004 / 1922 Mrs J Wallace	MR AND MRS P CHANT WINDRUSH FARM LONGFIELD WEST DEAN	APP	WDEA	7 - 10	Cllr Devine Cllr Moss

3	<u>S / 2004 / 2055</u> Mr A Madge	LINDEN HOMES LAND OFF DUCK LANE DOWN VIEW ROAD LAVERSTOCK	APP	LAVE	11 - 21	Cllr Bissington Cllr McLennan
4	<u>S / 2004 / 2129</u> Mrs J Wallace	MARITIME AND PROVINCIAL LIMITED THE ELMS YARMLEY LANE WINTERSLOW	APP	WINT	22 – 27	Cllr Devine Cllr Moss

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			

I	Case Officer Ms B Jones	Contact No 01722 434388	I
S/2004/2284	10/11/2004	05/01/2005	MR & MRS JENKINS
WDEA			DYER & SEY
Easting: 425440.3	Northings: 126937.5		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF ORDNANCE HOUSE AND ERECTION OF 2NO DETACHED HOUSES WITH ALTERATIONS TO EXISTING ACCESS
LOCATION:	ORDNANCE HOUSE MOODYS HILL WEST DEAN SALISBURY SP5 1JE

REASON FOR REPORT TO MEMBERS

Councillor Devine has requested that this item be determined by Committee due to: the local interest and concern shown in the application

SITE AND ITS SURROUNDINGS

The site and Ordnance House is located west of the village of West Dean, and borders the Conservation Area. The site also lies outside the Housing Policy Boundary, within the Special Landscape Area. The property was formerly owned by the Ministry of Defence. The house lies in substantial grounds, which contain a number of mature trees, including beech in the south west corner and a large beech tree in the south east corner. Open fields and farmland, except for the northern boundary, which is formed by the lane and Moody's Hill surround the site. The site is well screened by either hedges or fences on all sides.

THE PROPOSAL

The applicant has submitted a planning statement, design statement and landscape assessment, and is seeking full planning permission for the demolition of Ordnance House, and the replacement with two new dwellings. Three additional parking spaces would be provided, bringing the site total to 6. The site is currently serviced by a septic tank, and the applicant is also seeking to service the new dwellings via this method.

PLANNING HISTORY: none

CONSULTATIONS

WCC Highways	- No objection
Environmental Health	- No observations
Environment Agency	- Applicant would need to demonstrate that connection cannot be made to public sewers in the vicinity (Circular 3/99) Further details requested.
Wessex Water Authority	- Not a WW sewer area. LPA to be satisfied with disposal of foul and surface water.
Arboricultural Officer	- Land Survey , Arboricultural Survey and Impact Assessment requested.

REPRESENTATIONS

Advertisement	Yes	Expiry 23/12/04
Site Notice displayed	Yes	Expiry 9/11/04
Departure	Yes	
Neighbour notification	Yes	Expiry 1/12/04
Third Party responses	No	
Parish Council response		Awaited

MAIN ISSUES

1. Principle
2. Impact on adjacent countryside and Conservation Area
3. Highway Issues
4. Drainage

POLICY CONTEXT

Adopted SDLP Policies G2, G5, C2, C6, H23, H30, H22, CN11, R2.
Adopted Wiltshire Structure Plan DP9, and PPS7 Countryside

Principle of Replacement Dwelling on Site

Policy H30 makes provision for the replacement of an existing dwelling in the countryside. A replacement dwelling should not normally be significantly larger than the original house, and the siting should also closely relate to the existing dwelling. The fact that a particular house would not be unobtrusive on a site in the countryside would not normally be sufficient justification for a substantial increase in size. The SDLP supporting text states that the cumulative impact of proposals, if not carefully controlled, would lead to the erosion of the countryside character of the District. The proposed replacement of Ordnance House would therefore be acceptable in principle. However, the replacement of the property with two dwellings would be contrary to the countryside aims of PPS7 and the policies of the adopted SDLP.

Principle of an additional dwelling on the site

The site is located outside the West Dean Housing Restraint Area, within the Special Landscape Area. Whilst a single replacement dwelling may be acceptable in this location, the provision of a second dwelling on the site would be contrary to adopted SDLP policies, and the guidance in PPS7 (Countryside). The main issues for the application are the principle of a new dwelling in the countryside, impact on the adjacent Conservation Area and the effect of the development on the landscape and existing trees on the site. Furthermore, the Environment Agency have indicated that further details would be required to justify the proposed use of septic tanks for the new dwellings.

PPG3 (Housing) supports the principle of efficient reuse of brownfield, previously developed land,

and indicates that most additional housing developments should ideally be located within urban areas for sustainability reasons. Policy H22 of the SDLP and DP9 of the Structure Plan generally accords with advice in PPG3 regarding previously developed sites, and supports residential development on previously developed land within the **main settlements** of the District. West Dean is not considered to be one of these main settlements. Consequently, the residential development would set an undesirable precedent for new housing outside the West Dean Housing Restraint Area (HRA), contrary to Policy H23, which seeks to restrict new residential development to sites within existing settlement boundaries.

Policy DP9 of the Structure Plan only encourages *appropriate reuse* of land in the open countryside, stating that new housing would only be acceptable as an appropriate addition to an *adjoining settlement*. As the site does not adjoin the HRA of West Dean, and is separated by open countryside within the Conservation Area, the proposal would not constitute an appropriate reuse, contrary to Policy DP9.

PPS7 (Countryside) gives specific guidance on housing in rural areas and the countryside Para 9 (ii)

states that LPAs should: *Strictly control new house building in the countryside, away from established settlements or from areas allocated for housing in development plans*. The proposed development would create an expanded residential curtilage on Moody's Hill, some 36 metres from the western edge of the Housing Restraint Area. The site is visually separated from the edge of the village and HPA by open fields, which form part of the Conservation Area. Additional residential development in this location would therefore set a precedent for and also create a fragmented the pattern of residential development beyond the housing policy area, contrary to the stated aims of PPS7 and Policy C6.

Undeveloped land outside a housing policy boundary, and not identified for development in the adopted SDLP, is considered to be countryside under Policy H23. The erection of new dwellings will only be permitted where they satisfy policies H26 (Affordable Housing) or H27 (Housing for Rural Workers). The proposal would satisfy neither requirement.

Policy C2 of the adopted SDLP states that development in the countryside will be strictly limited and will not be permitted unless it would benefit the local economy and maintain or enhance the environment. It is not considered that the proposal would satisfy any of the above requirements, contrary to Policy G1, C2 and H23 of the SDLP.

Impact on Conservation Area and Special Landscape Area

A Land Survey, Arboricultural Impact Assessment and Tree Survey have been received for the site. The plans indicate that four trees would be felled, all of unidentified species. A method statement has also been submitted to ensure that trees to be retained are adequately protected in accordance with BS 5837.

The scale and design of the proposed dwellings would be considered to be appropriate, given the scale of the existing dwelling on the site. The site adjoins the Conservation Area, and is well screened at its boundary by hedges and trees. All but one of the existing trees would be retained, and protected during development. The proposal is therefore considered to be acceptable in terms of Policy D2, C8 and CN11 of the SDLP, provided sufficient screening is retained on the site to ensure that views from the Conservation Area towards Moody's Hill are safeguarded.

Drainage

Ordnance House currently utilises a septic tank on site. The applicant is proposing the use of septic tank/s for the new dwellings, and considers that there are no public sewers in the vicinity. The Environment Agency have requested further details regarding the use of the septic tanks, and evidence from the water company that there are no public sewers in the vicinity to which a connection could be made. Wessex Water has indicated in response to the LPA that the site does not lie within a Wessex Water sewered area.

Circular 3/99 requires sewerage system proposals to be resolved at the planning stage, and if these are assessed as being unsatisfactory, this would normally be sufficient to justify a reason for refusal of planning permission. Further details have been requested from the applicant, and the committee would be updated if details are received as late correspondence.

Highway Issues

The Highway Authority considers that the site is within a reasonable distance of all the facilities of the village. Although there is a lack of a footway from the site to the village, there are also no footways in the village, and therefore drivers are expected to take due care. No objection is raised, subject to conditions requiring improvement to the visibility splay to the east, a properly surfaced access, and provision for surface water disposal.

CONCLUSION

Whilst the replacement of Ordnance House with a similar size dwelling would be acceptable in principle, the creation of an additional dwelling on the site is considered to be contrary to local and national policy guidance for residential development in the countryside.

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

1. The proposal seeks to demolish Ordnance House, to provide a replacement dwelling and a new dwelling on the site. The site lies in the open countryside of the Special Landscape Area and adjacent to the Conservation Area. Furthermore, the village is not considered by the adopted Salisbury District Local Plan to be a main settlement of the district. The second dwelling would therefore create a new residential dwelling in the countryside, without any proven need or any exceptional circumstances to justify a departure from local and national policy. The development would both create, and set a precedent for similar residential development beyond the Housing Restraint Area of West Dean. The proposal is therefore contrary to Policies G1, C2, C6, H22, H23 and H30 of the adopted Salisbury District Local Plan, the guidance given in PPS7, and Policy DP9 of the Wiltshire Structure Plan.
2. In the absence of details of the drainage, it is considered that the proposal would have an adverse impact on the environment, contrary to Policy G5 of the adopted Salisbury District Local Plan and the guidance in Circular 3/99.
3. The proposed residential development is considered to be contrary to Policy R2 of the adopted Salisbury District Local Plan, as appropriate provision towards public recreational open space has not been made.

And contrary to the following policies of the adopted Salisbury District Local Plan:

G1	Sustainable Development
G5	Drainage and Sewerage
C2	Countryside
C6	Special Landscape Area

H23	Housing Restraint Area Boundary
H30	Replacement Dwellings in the Countryside
R2	Public Open Space

INFORMATIVE: It should be noted that the reason given above relating to Policy R2 of the adopted Salisbury District Local Plan could be overcome if all the relevant parties agree to enter a Section 106 Agreement in accordance with the standard requirement for public open space.

NOTES:

Part 2

Applications recommended for Approval

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

Proposal
Location

2	Case Officer Mrs J Wallace	Contact No 01722 434687	2
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S/2004/1922	07/09/2004	02/11/2004	MR AND MRS P CHANT
WDEA			MICHAEL LETHBRIDGE
Easting: 424426.721931458	Northing: 127101.150045395		

PROPOSAL:	FULL APPLICATION -REST ROOM / OFFICE FOUR ADDITIONAL LOOSE BOXES
LOCATION:	WINDRUSH FARM LONGFIELD DEAN ROAD WEST DEAN SALISBURY SP5 1HR

REASON FOR REPORT FOR MEMBERS

Councillor Devine requests that Committee decide this application in view of the controversial nature of the proposal.

SITE AND ITS SURROUNDINGS

The site comprises approximately 13 acres with an access off the West Dean Road. There is an existing barn on the site with permission to be used as stables. Access is via the existing vehicular access from the main road to the south of the site.

THE PROPOSAL

It is proposed to erect an extension to the barn to provide an additional 4stables and erect a storage barn and a separate rest room.

The main difference between this proposal and the previous refusal (S/2003/4/842) is that the 'hay barn' and 'rest room' buildings have been simplified in overall design terms so that their design more closely reflects their intended function.

PLANNING HISTORY

2001/165 Erection of barn for storage of feed, hay and machinery AC

2003/1498 Change of use of land to paddock for equestrian/stud use and provide accommodation Withdrawn

2003/2026 Change of use of land and conversion of barn for equestrian/stud use AC

2004/842 Rest room and four additional loose boxes R

The proposed development appears unsuitable and unnecessary for the intended proposed uses due to the large restroom and the overall design of the barn. Therefore, the expansion of a non-agricultural use in the open countryside where the siting and scale of the development would be inappropriate to the Special Landscape Area and unsympathetic to the retention of the high quality of the landscape would be contrary to policy C6 and C2 of the Salisbury District Local Plan and the guidance of PPG7.

CONSULTATIONS

Environmental Health Officer no observations

WCC Highways Recommend refusal on highway grounds that vehicles resulting from the proposed development leaving the site access at a point where visibility from and of such vehicles is restricted, would create additional hazards to all users of the C323 road

If however, the Committee are minded to approve the application, then I consider that visibility should be provided at the site access with nothing over 1.0metre in height above the adjacent carriageway level being erected, planted, or maintained in front of a line measured 2.4m along the centre line of the access from the C323 carriageway edge extending westwards for a distance of 30 metres

REPRESENTATIONS

Advertisement No

Site Notice displayed Yes expiry date 14/10/04

Departure Yes

Neighbour notification Yes expiry date 6/10/04

Third Party response none.

Parish Council response Object. Barn is already an overdevelopment of the site.

Alterations to barn would be inappropriate and unsympathetic to the character and appearance of SLA. Due to design, development could easily be converted into a dwelling

MAIN ISSUES

Principle

Impact on surrounding countryside

Impact on amenities

POLICY CONTEXT

G2, C2 and C6 of SDLP

PPS7

PLANNING CONSIDERATIONS

Principle and planning history

Government guidance in PPS7 is to have a positive approach towards planning applications for horse based development, which respects the rural environment, and Salisbury District Local Plan policies are similarly sympathetic to rural enterprises.

The proposed open fronted storage barn is approximately 16metres by 10metres and has a steel frame clad with sheeting. The original application stated that this building was to be used for the storage of hay and machinery. The Local Planning Authority were advised that the building would be unsuitable for the storage of hay and straw as it lacked adequate ventilation and the doors would have made access with a tractor and trailer awkward. The proposed open fronted barn overcomes these objections and appears suitable for the uses proposed

The proposed rest room of concrete block with timber cladding and a pitched slate roof and at 8metres by 10metres with an overall height of 5metres is very generous in size and accommodation when experience suggests that there should only be a few visitors and 2/3 members of staff. The internal arrangements within the building have been slightly amended but overall the building is still very domestic in scale and design.

The proposed extension to the stables would in the applicant's opinion enable the maximum permitted number of horses (20) to be adequately housed in stable accommodation.

This application could be considered to be clear evidence of an intention and ability to develop the enterprise and thus satisfy one of the criteria within PPS7 relating to the provision of accommodation, which is 'investment in new farm buildings'.

An independent assessment by an equestrian expert in connection with the previous application S/04/842 suggested that if the additional stables were permitted there would be a functional need to live on the site. However, it is not proposed to amend the permitted number of horses on the site, which is 20horses, and if there were such a functional need for accommodation then this would need to be justified in relation to the viability of this enterprise as part of a future application.

Members need to assess this proposal against the previous reasons for refusal relating to S/2004/842.

Design/impact on surrounding countryside

The existing building was approved in 2001 and has been sympathetically sited using materials/colours, which blend the building with its surroundings. The extension of that building and the addition of a traditional style hay barn and single storey building would have little impact on the visual character of the surrounding countryside.

It is considered that the overall design of the hay barn and simplification of the 'rest room' leads to a more appropriate scheme more commensurate with the intended use

Amenities

Whilst there are residential properties located to the south of the site opposite the vehicular access, it is considered that the alterations are unlikely to effect the level of traffic as overall the number of horses permitted on the site will remain at 20 and the equestrian business on the land remains personal to Mrs Chant. Consequently, it is considered that adjacent amenities would remain largely unaffected by the proposed use.

Highway Safety

Access to the site has a wide bellmouth but visibility to the west is restricted by a substantial hedge in the applicant's ownership. It is considered that if this was reduced in height in accordance with the Highway Authority's recommendations then this hazard to road safety would be removed. However, this would lose a significant amount of hedging and make the site and buildings more visible. Therefore you're officers recommend that such visibility splays are not imposed.

CONCLUSION

The previous concerns as regards the 'generous' staff/visitor facilities have been addressed by a simplification of the internal design of the building and the hay barn has been redesigned. Whilst, the approval of the additional four stables in connection with the business may result in the business being in a position where it could meet some of the functional and financial requirements of PPS7, the overall level of use of the land as a stud and equestrian business is limited to 20horses. It is considered that in the light of government guidance relating to the support of rural enterprises that on balance permission for the buildings and the extension should be granted.

RECOMMENDATION: APPROVE for the following reason

In view of government support for equestrian based rural enterprises and the limited impact on the wider landscape of the additional buildings the proposal is in accordance with Salisbury District Local Plan policies

With 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 equestrian and stud use shall ensure for the benefit of the applicant only (Mrs A Chant).

Reason In order that the Local Planning Authority may retain planning control over the use of the premises in the interests of amenity

3) Other than those permitted by this consent, there shall be no other internal changes to the buildings and extensions hereby approved without the prior consent of the Local Planning Authority as part of a planning application in that behalf.

Reason In order to limit the need for future residential accommodation on the land.

4) The number of horses kept on site at any one time shall not exceed 20

Reason In order to limit the need for future residential accommodation on the land.

5) No part of the buildings and extensions to buildings the subject of this application shall be used for any form of residential accommodation at any time.

Reason In order that the Local Planning Authority may retain planning control over the use of the premises in order to limit residential accommodation in the open countryside.

INFORMATIVE:

POLICY	PURPOSE
G2	General Criteria for Development
C6	Special Landscape Area

of the Adopted Replacement Salisbury District Local Plan .
PPS7

NOTES:

S/2004/2055	23/09/2004	18/11/2004	LINDEN HOMES
LAVE			WHITE YOUNG GREEN PLANNING
Easting: 416190.958990812	Northings: 130626.754606962		

PROPOSAL:	FULL APPLICATION -RESIDENTIAL DEVELOPMENT (125 UNITS) WITH ASSOCIATED PUBLIC OPEN SPACE AND INFRASTRUCTURE AND CONSTRUCTION OF NEW ACCESS TO HIGHWAY
LOCATION:	LAND OFF DUCK LANE DOWN VIEW ROAD LAVERSTOCK SALISBURY SPI IRR

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers due to the scale of the proposal.

SITE AND ITS SURROUNDINGS

The site comprises approximately 4.05 hectares (10 acres)) of land on the eastern edge of Laverstock, 1.5 kilometres (1 mile) east of Salisbury city centre. The site forms part of a larger agricultural field and the land rises from south to north to a ridge. Beyond this ridge the land falls away to meet a farm track, which marks the northern boundary of the larger field. Further north are located the playing fields associated with the schools complex, east of Church Road.

To the southeast is a tract of dense woodland situated on the slopes of Burroughs Hill and these slopes rise steeply, enclosing the site. At the base of the woodland a bridleway proceeds from Duck Lane in the southwest to meet other formal and informal paths adjacent the northeast corner of the site.

To the west are situated predominantly two storey residential buildings of varying ages including flats, detached, semi detached and terraced houses. The site narrows to a point at the southern boundary adjacent to a small enclosed piece of land allocated as open recreational space. This is grassland with one football goalframe.

THE PROPOSAL

The proposal is for the erection of 125 dwelling units of varying design, sizes and styles on this piece of land along with accompanying highway works, parking, open space provision and contributions towards education, open space, community hall provision as well as the provision of affordable housing.

The application is accompanied by

- Planning Statement
- Archaeological Evaluation
- Development Brief

PLANNING HISTORY

Land allocated for residential development in the local plan as adopted under policy H2G - June 2003

Development Brief- Adopted - September 2004

CONSULTATIONS

WCC Highways - Final comments where at the time of writing still to be received from

WCC Library/ Museum - Archaeological evaluation has been received. No evidence of any archaeological activity was found. On this basis I have no further comments to make on the planning application.

Environment Agency -Has no objection to this application subject to conditions relating to surface water run off and an informative regarding the surface water soakaways.

Wessex Water Authority - The site can be connected to the public foul sewerage system. The downstream public foul sewerage system has capacity for this development. New surface water drainage and disposal systems will be required to ensure the satisfactory drainage of roads and buildings.

English Nature -English Nature places a holding objection on the application, as further detail is required. The site is situated close to the River Bourne, which is part of the river Avon site of special scientific interest. Recommend that the applicants be asked to produce a method statement detailing the potential risks and how these will be addressed. Water saving measures both within the housing and for management of the landscaping should be included as a matter of course for new developments and estimates of water demand from the development should be supplied. We recommend that the applicant is asked to outline water saving measures to be incorporated. English Nature endorses the commitment to incorporate a wildlife area within the development. However there would appear to be scope for the incorporation of a wider variety of habitats within this area and English Nature recommends that the developer be encouraged to develop this further.

The site does not appear to have been surveyed for protected species. These are a material consideration when determining a planning application and, if protected species are likely to be present, a survey must be carried out by a competent person prior to the determination of the application.

WCC Education- Disappointed that the developers seem to be taking a position at variance with the draft development brief which spoke of a need for additional primary and secondary school places, the cost of which will be met by the development and secured by means of a section 106 legal agreement.

Design Forum- The forum is disappointed that the guidelines set out in the Development Brief have not been successfully achieved in the scheme. The proposed layout does not adequately create a real focal point to the new community, as required in the Brief.

The BREEAM standards on sustainability were referred to, but there is doubt over whether they have really been given thorough consideration.

The Forum is concerned over the poor choice of materials, such as concrete interlocking tiles, UPVC windows, low quality boundary treatments and the absence of real chimneys.

REPRESENTATIONS

Advertisement	Yes expired 07/10/04
Site Notice displayed	Yes expired 28/10/04
Departure	No
Neighbour notification	Yes expired 21/10/04
Third Party responses	Yes 2 letters of objection – Object to the amount of traffic that will be created using roads outside of the area in Laverstock directly effected by this site. The road infrastructure outside of Laverstock along with appropriate traffic control measures should be introduced.

Junction between the Avenue and Duck Lane is very dangerous there have been several accidents there within the last year. Increased popularity and refurbishment of the Duck Inn will add to the problems in the area. Provision for a footpath along Duck lane should be made before development is started. Site lorries should approach the site from Riverside road. This section of the road is wider and is more suitable for heavy vehicles. Lorries leaving the site should be prohibited from turning left into Duck Lane from Downview Road to prevent access to the Avenue from Duck Lane. Other road improvements should be made before development starts on site.

Parish Council response Yes

Laverstock Parish Council wish to retain all rights of ownership to Leaps. Wish to see the transfer of ownership of the piece of land between Down View Road Flats Car Park and the development Can this be linked to the proposed LEAP. If not can SDC develop it into more car parking area?

Developers to provide LEAP for under 12's and add more suitable equipment for 12-16s in adjacent SDC owned LEAP. Hoped for an activities wall and a shelter at least.

MAIN ISSUES

- 1) The Local plan process and the development brief
- 2) Scale and design of development
- 3) Highway impacts
- 4) Affordable Housing
- 5) Educational infrastructure requirements
- 6) Impact on amenities
- 7) Impact upon habitat
- 8) Recreational strategy

POLICY CONTEXT

G1 and G2 General principles of development
G3 The Water environment
D1 Design – Extensive development
H2G Housing- Land off Duck Lane
H25 Affordable Housing
C10 Nature conservation
C12 Development affecting protected species
R2 & R3 Open Space provision

PLANNING CONSIDERATIONS

1) The local plan process and the development brief

This planning application relates to land allocated for residential development within the currently adopted local plan. This site was allocated to assist in meeting the housing needs of the district up to 2011. Contained within the local plan under policy H2G the plan allocates the land for residential development, including a mixture of open space, off site highway provision and structural landscaping. The policy states that a mix of housing types and sizes will be sought including a minimum of 25% of affordable housing. The policy goes on to state that planning obligations will be sought where they are necessary, relevant to planning and directly related to the site.

As a direct result of this policy and prior to the submission of this planning application a development brief was drawn up the purpose of which was to identify the constraints that effected the site, to ensure that the development was of the highest quality and designed to preserve and enhance the character of the surrounding area and also to inform both the local community and prospective developers of the standard of development that will be expected together with any necessary improvements that may be required off site

The development brief which was seen and commented on by Southern area committee was formally adopted on 15th September 2004. The development brief laid the foundations for this application and set out the standards to which this planning application needs to accord. It is against this background that this planning application needs to be judged.

2) Scale and design of development

The overall scale of development in terms of site area accords with that set out in the development brief. The brief envisaged a 2 to 3-storey development, which would be at its densest at the southern end of the development whilst it would be most spread out at its northern end. To this end it has had to work with the topography of the existing site, which slopes from the south towards the north. For this reason the majority of the tall buildings are situated from the middle of the site southwards. The higher density parts of the development are situated close to the urban boundaries of the site where the development meets with the urban edge of Laverstock.

The design of the buildings has been in part to reflect the character and vernacular of the older parts of Laverstock. This includes features found elsewhere within Laverstock including steeply pitched roofs on houses and simple projecting porches. Although the applicants submission suggests that concrete tiles are proposed this would appear to be unlikely to be acceptable and the design panel raised concerns about the use of these as a result it is likely that upon the submission of details as a condition other forms of roofing tiles rather than concrete interlocking will be required. However this is something that can be dealt with as a condition at a later stage. Chimneys have been provided on some of the key dwellings to reflect design cues found elsewhere in Laverstock. A mixture of plain brick and painted render and painted brickwork buildings are envisaged throughout the development in a similar style to that found in the older parts of Laverstock.

It is considered that the design generally accords with policies G1 and G2 of the local plan with the exception of some of the roof materials, which can be discussed as part of the conditions at a later date.

The brief envisaged focal points at various key vistas throughout the development. The design forum considered that some of the key buildings in particular the blocks of flats do not achieve that. The architects are at the time of writing working on revised drawings as regards to these key focal buildings and it is hoped that by the time of committee that the key focal buildings will

have been redesigned to the satisfaction of members and officers. Further information on this aspect of the scheme will be given at the committee meeting along with an update of the present design proposals.

Many of the houses front directly onto the street as envisaged by the design brief although where this occurs a privacy strip between the edge of the dwellings and the road is introduced which is sometimes hard surfaced and sometimes soft landscaped. The majority of the parking is situated in courtyards to the rear of the properties in order to hide the parking away from the main street frontages. It is considered that this achieves the design principles set out in the development brief, although some parts of the layout mostly do not accord.

The overall design is such that it is considered that the design and layout of the development conforms to the development brief and meets the objectives of good design as set out in national and local plan policies. With the exception of the key focal buildings which at the time of writing officers were not convinced met the good design principles set out in the development brief it is considered that the committee approve the design of the development as proposed.

Highway Impacts

The issue of the highway impacts of such a development have been discussed and considered at length both at the time of the original local plan designation and latterly with the agreement of the development brief at the site. It is not therefore proposed to replicate the issues that were settled at that time within this report.

The design of this development allows for two main points of access to the site of which one is by Hill view road and one by Boundary road. Various links have also been put into the development in order to improve pedestrian access and permeability through the site.

The development provides for 1.5 parking spaces or over for the site as a whole and for 1 parking space for the one bed apartment. Wiltshire highways department have confirmed their approval of this level of parking provision.

In addition to the highway works contained within the site itself it is proposed to provide a new pedestrian footpath on the eastern side of Duck Lane between Downview road and the avenue. In addition build outs are proposed to Duck Lane to slow through traffic and to enhance visibility for vehicles emerging from Park road and Down View road. Anti skid surfacing at the junctions of Park Road and Down View Road with Duck Lane and on Park Road adjacent St Andrews Hall.

Highways have confirmed that the provision for off street highways works as proposed are satisfactory in so far as they go however they have asked for contributions to various other off street highway works which are still to be agreed an update on this and any final highway comments will be given at the committee.

Affordable housing

The proposals include for 33% affordable housing. The section 106 Legal Agreement will provide for 14 no 2 bedroom apartments, 17 no 2 bed houses, 8 no 3 bed houses and 2 no 4 bed houses in a number of locations on the site. This will provide a majority of 2 bedroom houses and flats meeting the council's key areas of need in terms of house sizes. The agreement will achieve phasing that delivers affordable housing through the life of the development works.

Aside from the provision of social affordable housing, the proposal will provide private housing generally focusing upon 2, 3 and 4 bed market units, thereby meeting the requirements of the Local plan inspector for new residential proposals to address the range of housing provision need and not simply concentrating provision at the upper end of the market scale.

This proposal will therefore address both the prime area of social need requirements, but also the prime areas of local market need.

The proposal for 33% affordable housing takes into account the recently produced supplementary planning guidance on affordable housing and the expectations of the development brief and policy H25 of the adopted local plan.

Educational Infrastructure requirement

The County Council has identified an educational need arising from the development for both primary and secondary education provision. The developer will need to make a significant contribution to cover the expected additional educational needs arising from this development. At the time of writing the report a contribution to secondary education had been agreed but discussions are ongoing on the level of contribution for primary education.

The exact amounts to be provided are still under negotiation, however given the need by the Diocese to provide further classroom facilities at St Andrews Primary School in September 2005 the commuted sum when agreed will be paid quickly in order to start the building of the additional facilities.

Impact on amenities

The adjoining land uses are all either residential or agricultural. To the north of the site are two storey houses where they front onto Downview road and Hill road, whilst to the west are terraces of two storey houses. The scale and residential land use proposed will clearly be compatible with the surrounding residential uses. The amenity space has been positioned towards the eastern end of the site in order that the open area can effectively blend with the open agricultural land to the east of the site.

It is considered that, as the adjoining uses are all of a relatively low impact that the development will fit within the existing land use pattern as envisaged by the development brief.

Impact upon habitat

English Nature originally raised a holding objection to this development at the time of writing the holding objection was still in place however provided further information could be provided to the satisfaction of the local planning authority the holding objection would be lifted.

The additional information is required in order to enable the local authority to assess whether this application is likely to have a significant effect on the interests of candidate Special Area of Conservation.

Specifically English Nature have asked that Wessex Water be asked to confirm whether they can meet the increased demand within existing consent conditions.

English nature have also requested that likely water usage figures should be calculated and Wessex Water asked to confirm whether they can meet the projected increase within the existing licence limits.

It is anticipated that these minor issues will be resolved by the date of the committee and a verbal update will be given.

Recreational strategy

The proposal will provide for both on site recreational provision in terms of a LEAP (local equipped area of Play) and off site provision by way of a commuted sum payment in line with the councils current off site payment schedules.

It is proposed to provide the LEAP in the western corner of the site adjacent an existing area of open land in order to effectively make the two pieces of land one and to increase the integration between this development and the existing. The LEAP is to provide a number of play activities and structures (which are detailed in the application) and will provide the play accommodation for children aged 12 years and under.

In addition to this, additional payments will be made for provision for adult and youth provision off site in accordance with the council's current standards of payment for such facilities. This money will then be spent in the Laverstock area on additional recreational facilities to meet the needs of the development.

In addition to these recreational facilities and payments a large strip of land is to be designated to the east of the site as amenity space and in accordance with details contained within the development brief this area will be designed to contribute to local biodiversity and will provide a wildlife corridor which will provide an opportunity for new habitats and a buffer zone between the edge of Laverstock and the countryside beyond. The area will be sown with a wildlife mix and maintained as a wildlife area.

The parish council have expressed an interest in taking over the future maintenance of the main amenity areas on the site and to this end a commuted sum for the future maintenance is being negotiated with the developers to be passed on to the parish council.

The amount and quality of the open space provision proposed meets the requirements of the development brief and the policies contained within policy R2 of the local plan and as such it is considered that the development will meet the needs of the development as proposed.

Material relevance of public representations and Parish response

Most of the publics concerns relating to this site have been taken into account over a considerable number of years during the local plan process, the adoption of the development brief and the finalised planning application that has now been received, concerns relating to the movement of construction traffic around the area in and out of the site will be dealt with by way of condition at the approval stage. The knock on effects of additional traffic in the area outside of the direct site area of the development have been considered in substantial detail during the sites local plan designation and the direct effects of this development on the local road infrastructure considered within the body of this application under off site highway works.

The Parish Council have asked various questions relating to the provision of recreational open space and the adjacent Leap which are to be provided for under 12's These issues are ongoing at this stage and the parish council have expressed a wish to take over the management of the open space when it is provided which at present looks likely to occur. Ongoing maintenance costs will also be provided as a commuted sum to the parish council for the continuing upkeep of the development.

CONCLUSION – REASONS FOR APPROVAL

This application represents an important element within the Replacement Local Plan's housing strategy, achieving a significant housing allocation to go along with other Brownfield sites within the local plan.

The replacement local plan process has identified the site as a housing allocation site appropriate for residential development. This has been achieved following the assessment of the need for and supply of housing land. The inspector made it clear that this site was appropriate for housing.

A development brief was subsequently developed which set out the principles for development on this site. These principles it is considered have been mostly met in the development, although there are a few areas of concern which are outlined in the report.

Aside from the principle of development the application acknowledges the need to meet local infrastructure requirements via contributions towards education, recreation and highways improvements as well as the on site provision for 33% affordable housing.

The design form adopts the framework set out by the development brief in terms of height range and density accepted within that brief.

The design statement, layout and house types demonstrate a commitment to the creation of an individual character and series of places rather than a necessarily often-repeated volume builder layout. The proposals build upon the illustrative layout and design statement, mostly in accordance with the development brief.

The design illustrates the provision of built in traffic calming measures via a home zone type concept, which should be encouraged.

Key impacts for the environment arise principally from the construction element, which can be controlled by condition.

In conclusion therefore this proposal represents an effective Greenfield development wherein the developer has indicated a higher than normal commitment to the creation of an attractive and identifiable place.

- **RECOMMENDATION:** Subject to the applicant and all necessary parties entering into a section 106 legal agreement relating to:
 - The provision and phasing of 33% affordable housing
 - The provision of a commuted sum towards an acceptable level of off site recreational facilities for youth and adult need.
 - The provision of on site provision for toddler play facilities,
 - The maintenance of on site public open spaces, including street trees
 - The payment of a commuted sum relating to the need for local educational infrastructure improvements,
 - The payment of a commuted sum towards off site highway infrastructure as required by Wiltshire County Council
 - The payment of a commuted sum towards the building of an extension at the nearby community hall

APPROVE: for the following reasons

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)Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

Reason To secure a harmonious form of development.

3)Before development commences full details of the garage buildings, sub stations and any other permanent structures including cycle stores and bin stores, to include elevations and external material treatments shall be submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter accord with the approved scheme.

Reason To secure a harmonious form of development.

4)The garages shown on the approved drawings, shall not be converted into a habitable room without the permission in writing of the Local Planning Authority. (E06A)

Reason To secure the retention of adequate off-street car parking provision.

5)Before development is commenced details at a scale of not less than 1:10 of the gables, eaves, dormers, porches, projecting string and corbel courses, bay windows and chimney stacks shall be submitted to, and approved in writing by the Local Planning Authority, and the development shall subsequently accord with the approved scheme

Reason To secure a harmonious form of development.

6)Prior to the commencement of development the applicant, or their successor in title shall enter into an Agreement with Wiltshire County Council as the appropriate Highways Authority to secure the implementation of off site highway works as detailed on page 9 of the planning application statement dated September 2004.

Reason In the interests of highways safety.

7)No development shall take place until details of the treatment to all hard surfaces, including road surfaces and typical sections to include domestic curtilage delineation, kerb and drainage channel details, have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason To secure a harmonious form of development.

8)The finished floor levels of the proposed buildings shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced.

Reason To ensure the exact finished floor levels of the buildings.

9)A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved. (G07A)

Reason To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

10) 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

To enable the local planning authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development.

Reason In the interests of visual amenity.

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

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

12) Prior to the commencement of development, details of the footpath links from the development and their connection into the existing footpath running along the site's south western boundary, to include surface materials. Shall be submitted to and approved in writing by the local planning authority.

Reason To ensure that the development provides permeable connections into adjoining pedestrian networks.

13) Prior to the commencement of development a phasing plan indicating the proposed method of construction for the overall site, to include associated landscape proposals and structural landscape planting to be undertaken in conjunction with that phase shall be submitted to and approved in writing by the Local Planning authority prior to the commencement of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; with the exception of the North Eastern amenity area which shall be planted and sown within the first available planting season following commencement of works on site and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (G23A)

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

14) The construction works hereby approved shall take place only between the following hours:- 0700 - 2100 on Mondays to Fridays; 0800 - 1300 on Saturday; and at no times on Sundays and Public Holidays. This does not apply to the internal fitting out of buildings.

Reason To avoid the risk of disturbance to neighbouring dwellings/ the amenities of the locality during unsocial hours. In the interests of health and safety for persons working at or visiting the site during the construction period.

15) Prior to the commencement of development the applicant or their successor in title shall submit to and have approved in writing by the Local Planning Authority a scheme for the management of the construction process to include measures to control:

- noise and vibration,
- traffic management and public access,
- movement, storage and treatment of bulk materials and spoil,
- dust and odour control,
- silt control,
- storage of fuels and oils and other hazardous materials,
- impact upon the water environment
- waste and ground conditions,
- method of construction

The proposed development shall thereafter accord with the approved construction management plan.

Reason To protect the ecological and residential amenity environment and setting of the proposed development.

16) 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), other than the boundary treatments approved under this permission, no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road. (VI 9A amended)

Reason In order to retain the open character of the development, in the interests of visual amenity.

17) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation, which incorporates pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details

To prevent the increased risk of flooding and to protect the water environment.

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G1, G2, G3, D1, H2C, H25, E16, C10, C12, C17, R2, and R3)

NOTES:

S/2004/2129	07/10/2004	02/12/2004	MARITIME AND PROVINCIAL LIMITED
WINT			
Easting: 423853.9	Northing: 132721.5		

PROPOSAL:	FULL APPLICATION -ERECTION OF A DETACHED DWELLING AND NEW ACCESS
LOCATION:	THE ELMS YARMLEY LANE WINTERSLOW SALISBURY SP5 1RB

REASON FOR REPORT TO MEMBERS

Councillor Devine considers that due to the public interest in this application Committee should determine the application

SITE AND ITS SURROUNDINGS

The proposed site, which originally formed part of the garden of The Elms, is within an established residential area of dwellings accessed via a narrow lane adjacent to Winterslow primary school.

THE PROPOSAL

It is proposed to construct a small chalet bungalow with an integral garage. The details propose a three bedroomed dwelling positioned towards the centre of the plot with access adjacent to boundary with The Elms

PLANNING HISTORY

None relevant

CONSULTATIONS

WCC Highways Rights of Way	No objections Object on the grounds that there is no evidence that the developer has a vehicular right of way across the footpath and the increased hazard to users of the footpath.
Wessex Water	not in our sewered area.
Southern Water	none received
Environment Agency	no comment
Environmental Health	No objection

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 11/11/04
Departure	No
Neighbour notification	Yes expiry date 1/11/04
Third Party response	10 letters of objection (including one from the Winterslow Primary School) on grounds of: -

Highway danger caused by additional development so close to school access where there is considerable congestion at beginning and end of school day
 Will add to hazards at junction
 Increase in vehicular activity will increase danger to pedestrians
 Emergency services will have problems accessing properties
 Lane is unadopted and in very poor condition
 Lane is a footpath
 Lane used as pedestrian access to playing fields
 Lane is very narrow, has no footway turning or parking places
 Lane has no turning facility
 Plans show a turning area but in practice it is too small and vehicles will encroach upon Yarnley Lane
 Proposed off street parking is inadequate
 Inadequate access and parking provided

Will increase density so that it is out of keeping with rural nature of lane
 Will create a precedent

Cramped development
 Loss of trees which screen development from open countryside
 Loss of light, privacy and feelings of seclusion
 Water pressure is low; this new dwelling will exacerbate the situation
 Access to sewer is over private land
 Dwelling is out of character with existing bungalows
 Will change of character of area
 Will urbanise the area
 Loss of light and privacy
 In comparison with other dwellings along lane, will have inadequate garden area

Parish Council response **Object**
 Yarnley Lane is a footpath, which is very narrow
 Footpath gives access to recreation ground
 Plot is too small for a dwelling
 Lane could not sustain construction traffic

MAIN ISSUES

Principle of development
 Impact on locality
 Impact on neighbours' amenity
 Highway safety

POLICY CONTEXT

G2, D2, H19 and R2 of Adopted Salisbury District Local Plan June 2003
 PPG3, which advocates the more efficient use of land within settlements with a good level of local services and good access to transport.

PLANNING CONSIDERATIONS

Principle of development

The area is included within the Housing Restraint Area in the Approved Salisbury District Local Plan. The principle of the erection of a new dwelling is therefore acceptable only if the criteria within the Local Plan including those in policies G2 and D3 can be met.
 Government guidance in PPG3 encourages the efficient use of land in order to halt the trend towards the outward expansion of development by concentrating development within settlements. However, cognisance must be taken of the quality of the local environment and any new development should respect and enhance the character of the area. The appearance

of the local area and the relationship of the proposed development to its surroundings are therefore material considerations.

Normally the character of a Housing Restraint Area is derived from its open, informal, irregular or

Loose knit pattern of development and it is considered that development, which affects this character, would adversely change the character of the settlement.

For any development to be acceptable within a Housing Restraint Area, it will need to be demonstrated that there will be no adverse impact on the character of the settlement, there will be no loss of important open areas, which contribute to the character of the area, and that the proposal is in keeping with immediately neighbouring properties in terms of plot size, dwelling size and design.

In this case the plot, which was originally part of the garden of 'The Elms', is smaller than the average in the immediate area, even though there is variety in the plot shapes and sizes in Yarmley Lane. However, if the proposal were acceptable in terms of its relationship to adjacent dwellings and the character of the area then the smaller size of the plot would not be an automatic reason for refusal. In this case it is considered that though the site is small, the properties facing on to the eastern side of Yarmley Lane are comparatively much less open than those elsewhere within this Restraint Area. The site, which was the garden of the adjacent property, contributed somewhat to the character of the area but as it was the garden of an existing dwelling and was located between two of the existing properties in this small group; the impact was limited

It is considered that on balance the development of the plot with a small dwelling of an appropriate design and materials would not automatically be harmful to the character of this part of the Housing Restraint Area

On balance it is considered that in view of the character of the properties on to this eastern side of Yarmley Lane it would be difficult to argue that this proposal would be so unlike the adjacent development as to so adversely effect the character of this part of the Housing Restraint Area as to warrant refusal on these grounds alone.

Impact on neighbours' amenity

The Elms

The proposed dwelling would be to the south of the Elms and will because of its presence will somewhat affect the daylight and sunlight in the garden of the property. The elevation closest to the property will have no windows at the first floor level and thus there would be minimal overlooking and loss of privacy; and though there would still be some loss of light and sunlight in comparison to the existing situation by the presence of the new development, on balance it is not considered that there will be such a loss of privacy and light as to warrant refusal on these grounds alone.

Bramblings

The proposed new dwelling is would be to the north of this bungalow and the outlook would be affected by the removal of the substantial tree belt as well as by the presence of the new dwelling. The loss of daylight and sunlight will be minimal as the new dwelling is located to the north of Bramblings and as the elevation closest would have no windows at the first floor level, there would be minimal overlooking and loss of privacy. On balance it is not considered that there will be such a loss of privacy and light as to warrant refusal on these grounds alone.

Highway safety

Access and parking for the new dwelling is proposed adjacent to the northern boundary of the site. The turning area is minimal and it is unlikely that vehicles will be able to enter and leave the garage in a forward gear, and there is likely to be some use of Yarmley Lane to facilitate turning.

Concern has been expressed because the proposed access uses a footpath/bridleway and the lane is unadopted. Also there is much concern because the lane will be increasingly be used by pedestrians to access the nearby recreation ground and there is much concern because the lane is very narrow and experiences considerable congestion at its junction at the beginning and end of the school day. The concerns of the school as regards the safety of the children are acknowledged however it would be difficult to justify a refusal of this proposal on the grounds that the addition of one dwelling (with perhaps 2 additional vehicles) would create so great an increase in the level of traffic congestion that the refusal of this development was reasonable. Also the Highway Authority has no objections to the development.

This view is made on the basis that the access track is in a reasonable condition and, although single width, has good inter-visibility along its length and only serves a small number of dwellings. The access point to Middleton widens out and good visibility is available to the right, and footways are provided both side of the access. Although visibility is poor to the left (school side), the footway provides some protection for school children and also provides some visibility for emerging vehicles in this direction, which is not the on-coming direction.

Confirmation that the applicant has the right to use the footpath to access the property is being sought

R2

A contribution for recreational facilities would be required for the one dwelling pursuant to the above policy. The applicant is willing to sign the appropriate S106 Agreement.

CONCLUSION

This is a finely balanced judgement. This application could be considered to be the development of a plot slightly smaller than the norm, and within a Housing Restraint Area but in view of the criteria within the Local Plan and government guidance in PPG3 it is considered that on balance, this site could be developed residentially. Consequently, because of the proposed design, the small size and limited bulk it is considered that in the main, the scale and design of the development is acceptable.

The concerns of the Parish Council, Rights of Way officer, the neighbours and the school regarding the likely congestion and highway danger to pedestrians using Yarmley Lane have been noted, however, in view of the Highway Authority's views it is considered that refusal on these grounds could not be supported on appeal.

RECOMMENDATION: APPROVE for the following reason

This is a finely balanced judgement but it is considered that on balance the proposal is in accordance with Salisbury District Local Plan policies

With 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 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.

3 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

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

4 Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason 0107 To enable the Local Planning Authority to retain control over the development in the interests of amenity.

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

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

6 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 Saturdays and there shall be no activities/working on Sundays, Bank and Public Holidays.

Reason 0079 To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

7 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 Yarmley Lane

INFORMATIVES

Policy Purpose

G2 General criteria for development
D2 Design Criteria,
H19 Housing Restraint Area
R2 Open Space Provision
of Adopted Salisbury District Local Plan June 2003
PPG3 Government guidance.

1) Party Wall Act

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

2) The developer should note that this permission does not permit the obstruction of Yarnley Lane. The developer should make every effort to keep Yarmley Lane clear of all obstructions during development works, and all plant / machinery / materials and perhaps vehicles should be kept within the site.

NOTES: