

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE SOUTHERN AREA 26/01/2005

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 & COUNCILLORS	NOTES
1	SV S / 2004 / 2481 Mr R Hughes	WIMS (UK) LTD THROGMORTON HALL PORTWAY OLD SARUM	APPC	LAVE	3 - 10	Laverstock CLLRS Bissington and McLennan	
2	S / 2004 / 2552 Mr T Wippell	MR AND MRS J MILLS 3 CHURCH LANE CHARLTON ALL SAINTS	APPC	DOWN	11 - 12	Redlynch & Downton CLLRS Anderson, Leo and Mrs Peach	
3	S / 2004 / 2599 Mrs J Wallace	TEMPLETON WALKER THORNHILL ROMSEY ROAD WHITEPARISH	APPC	WHIT	13 - 20	Alderbury & Whiteparish CLLRS Bissington, Britton and Randall	

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
Ward/Parish

Date Received
Cons.Area

Expiry Date
Listed

Applicant's Name
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			

I	Case Officer Mr R Hughes	Contact No 01722 434382	I
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S/2004/2481	19/11/2004	14/01/2005	WIMS (UK) LTD
LAVE			S W PARKES ARCHITECTS
Easting: 415721.960168362	Northing: 133818.326916456		

PROPOSAL:	FULL APPLICATION -DEVELOPMENT OF THREE RESIDENTIAL UNITS IN GROUNDS OF THROGMORTON HALL
LOCATION:	THROGMORTON HALL PORTWAY OLD SARUM SALISBURY SP4 6BN

REASON FOR REPORT TO MEMBERS

Councillor Bissington considers that this matter should be discussed by Southern Area Committee due to the considerable local interest.

SITE AND ITS SURROUNDINGS

The site is located to the rear of Throgmorton Hall which was recently converted to 15 apartments, and forms a large open grassed area, containing numerous trees. The site lies adjacent to the Old Sarum Airfield.

Throgmorton Hall has one main vehicular access onto the Portway, with a secondary access onto the adjacent Green Lane, which appears to be disused. (Locals have indicated that this access may be for emergency purposes relating to the adjacent airfield use, although Old Sarum Flying Club have made no reference to this in their response).

THE PROPOSAL

It is proposed to construct 3 new dwellings and garaging on the site, utilising the existing vehicular access onto the adjacent Portway.

The applicants have also proposed to contribute to improvements to the highway system.

PLANNING HISTORY

Various applications including:

S/04/ 748 – Erection of 3 dwellings. Withdrawn

S/02/1418 – Erection of 5 dwellings. Refused for 3 reasons, centring around (i) Piecemeal development leading to residential development divorced from facilities (ii) Highway safety (iii) Recreational open space.

S/02/0015 – 4 detached dwellings & garages. Withdrawn

S/01/2085 – 10 Apartments and garages with office accommodation. Withdrawn

S/99/0148 – Garage and stores for 15 residential units and child's play area. Approved 1/4/99

98/1466 – Conversion of existing buildings into residential units with associated parking. Approved 24/2/00

CONSULTATIONS

WCC Highways - No objection, subject to:

- i) The development hereby permitted shall not commence until a legal agreement has been entered into with the County Council in order to provide a financial contribution for the traffic calming measures included within the application proposals.
- ii) The stopping up for vehicular use of the Green Lane site access when the dwellings are first occupied.

WCC Library/ Museum - Archaeology evaluation undertaken elsewhere previously, so new one not needed.

Environmental Health - No objection. Aircraft safety is outside remit of EHO, and dwellings are probably within the limit (51db contour).

Wessex Water Authority - None received

Environment Agency - No comments

Old Sarum Flying Club - The proposed development does not infringe the physical criteria required by the CAA to maintain our Aerodrome Licence. However, the results of the Council Noise Survey by Mr N House should be carefully considered by the committee. The proximity of this development to the take-off and landing approach path will inevitably fall into a higher noise level contour as demonstrated in the Noise Survey, possibly resulting in noise complaints about aircraft noise.

CAA - The procedures concerning the safeguarding of aerodromes and technical sites in the UK have been changed by the arrangements described in circular 01/2003. These should be carefully followed. At the initial application stage at which the planning authority must decide whether a Planning Application will be required, any safeguarding maps issued under Circular 1/2003 should be checked. If this indicates that safeguarded airspace will be infringed by the development, the safe course is to carry out the consultation indicated as necessary by the maps.

REPRESENTATIONS

Advertisement No

Site Notice displayed Yes. Expiry 23/12/04

Departure No

Neighbour notification Yes. Expiry 14/12/04

Neighbour response Yes. 12 letters objecting to the proposal on the various grounds including:

- a) Impact of construction traffic and new traffic on amenities
- b) Aircraft safety implications for new houses in flightpath
- c) Loss of views
- d) Impact of additional traffic on highway safety
- e) Use of existing access onto Portway would be dangerous
- f) Security implications of works

- g) Poor design
- h) Private covenant restricts height of buildings, and use of existing tennis courts and open area
- i) Does not overcome previous reasons for refusal

Parish Council response No comments.

MAIN ISSUES

- 1. Principle
- 2. Design /Impact on Landscape
- 3. Impact on amenities/noise issues
- 4. Impact on highway safety
- 5. Archaeology
- 6. Open space

POLICY CONTEXT

G1 G2 D2 C6 C7 H2(D) SDLP

PLANNING CONSIDERATIONS

1.Principle and planning history

The site forms a small part of land allocated for mixed development at Old Sarum within the Salisbury District Local Plan. Policy H2 (D) covers not only the Throgmorton Hall site, but also a much large tranche of land on the opposite side of The Portway, and states that the land is allocated for a mixed development including housing, employment, retail, and educational, recreational and community facilities. The policy goes onto to state that a mix of housing types and sizes is sought including a proportion of affordable housing. However, the application site has not been included in the Development Brief for the mixed development.

The main issues for Members to consider should be whether this revised scheme overcomes the previous refusal reasons. Of course, members should also assess the other impacts of the scheme as well.

These matters are dealt with in the following paragraphs.

2.Design /Impact on Landscape

The proposed dwellings are of a simple, plain design with limited architectural detail. However, it is considered that in this particular instance, particularly given the reduction in the number of dwellings proposed from 5 to 3, the overall design of the dwellings helps to retain the visual dominance of Throgmorton Hall, and does not detract from the visual attractiveness of the main building or the site. Furthermore, the dwellings as design, due to their small scale and limited height, would have no adverse impact on the surrounding landscape, particularly with the retention of most of the existing trees on the site.

Members should note that the actual detailed design of the 3 dwellings is the same as the previously refused scheme. The previous reasons for refusal did not refer to the design of the scheme. Therefore, it is considered that it would be difficult to now defend a new reason for refusal based on these issues.

3.Impact on amenities/noise issues/safety

- a) The site lies immediately adjacent to the Old Sarum airfield and its runway.

Concerns have been raised by adjacent third parties and the Flying Club with regards the noise and safety implications on the proposal.

It had been previously accepted by this Council that any residential development within the 51db contour line (as drawn around the airfield) would be adversely affected by the noise from the adjacent airfield.

As part of the previous refused application S/02/1418, (but not as part of this current application), the applicants submitted a noise assessment report, which in conclusion, indicated that it would be unlikely that the amenities of the occupiers of the proposed dwellings would suffer adversely from noise from within the dwellings.

As there was clearly a difference of opinion on this matter, Members will recall that an independent noise consultant was asked to assess the applicants submitted report, and its conclusions in the light of the Council's stance on the noise contour line. The independent consultant concluded that the Council's stance on this matter was correct.

The applicant then amended the (previously refused) scheme for S/02/1418 to reposition the dwellings behind the 51 db line, and subsequently, the Council's EHO withdrew his objection to the proposal. Members went onto refuse the application, but no reference was made in the refusal reasons to noise or safety implications with regards the proposal.

Members should note that whilst the number of dwellings has been reduced to 3, the dwellings proposed are located in the same position as previously proposed on the previous refused application.

Furthermore, as previously, the EHO has raised no objections related to noise or safety issues regarding the close proximity of the airfield.

Consequently, whilst the comments of adjacent residents are noted, it is considered that a refusal on noise and safety grounds would be difficult to sustain given the comments of the EHO and given the previous lack of objection by the LPA on these issues.

b) Amenities of existing residents in Throgmorton Hall

In terms of more general amenity issues, a significant amount of concern and objections have been received from adjacent neighbours, particularly residents of Throgmorton Hall. The objections centre around the general impact of the new dwellings on the amenities of adjacent residents in terms of additional noise, disturbance, and privacy issues, and also that the area land subject of this new proposal would result in the loss of the substantial part of the grassed area to the rear of Throgmorton Hall, which residents consider as their open space.

It is considered that the positioning of 3 new dwellings on the land as proposed would have no significant impact on the amenities currently enjoyed by residents of Throgmorton Hall, as the increase in traffic, general disturbance, and loss of privacy is not considered so significant as to warrant refusal.

Furthermore, in planning terms, the area of land subject of this application was not apparently earmarked or otherwise restricted for open space to serve adjacent residential properties as part of the original planning application. Consequently, it is considered that the redevelopment of the site for 3 new dwellings would not adversely affect adjacent amenities.

Many of the objectors have recommended that construction and other traffic utilise Green Lane rather than the existing main access and internal driveway.

It is accepted that construction traffic can have an adverse impact on amenities due to noise and general disturbance, as well as raising safety issues.

However, whilst the use of Green Lane for construction and/or other traffic is feasible, it is the officers opinion that the use of the Green Lane access would simply relocate the noise and disturbance issues, and would still have some impact on Throgmorton Hall Residents, as well as having a greater adverse impact residents to the south west of Green Lane. Notwithstanding construction traffic, residential traffic using Green Lane would put further pressure on a lane which has very limited visibility onto the Portway.

Consequently, it is considered that the use of the existing main access and driveway for construction traffic, whilst having some impact on Throgmorton Hall residents, would be preferable to the use of Green Lane, which has the potential to cause nuisance to a greater number of residential properties, and be less acceptable in safety terms.

However, hours of construction could be controlled via condition, a version of which is suggested below. Members comments on the hours of operation suggested are invited.

However, Members should note that the previous reasons for refusal were not based around this issue, and given the similarity in the location of the dwellings and the reduction in number of dwellings, it is considered that it would be difficult to now defend a new reason for refusal based on these issues.

4.Impact on highway safety

The previous scheme for 5 dwellings was refused for the following reasons:

“2 It is considered that the proposal would have an adverse impact on highway safety, due to the inability of the site to provide sufficient frontage to the north-east to enable an access to be satisfactorily laid out incorporating the necessary visibility splays which are essential to highway safety. The proposal would therefore be contrary to policy G2 (I) & (II) of the adopted Salisbury District Local Plan”.

The current scheme would result in a reduction to 3 additional dwellings using the existing vehicular access onto the Portway, with the other access onto Green Lane being stopped up. The applicants have also proposed to contribute to a traffic calming scheme along the Portway adjacent to the main entrance to Throgmorton Hall.

WCC Highways no longer object to the scheme subject to two criteria being met as outlined in detail elsewhere in this report, and include a financial contribution and stopping up of the existing secondary access onto Green Lane.

In order to satisfy highway concerns, WCC have suggested that a legal agreement is entered into by the applicants, whereby a financial contribution is paid to WCC, to facilitate the highway improvements. However, given that Members have previously acknowledged that mitigating highway measures need to be undertaken, it would seem more appropriate that a Grampian style condition could be imposed which restricts the occupation of the dwellings until the highway works have been completed. Any legal agreements or other arrangements could occur between the applicants and WCC directly outside the planning system.

5.Amenities and local facilities

The previous reason for refusal number 1 for application S/02/1418 considered that the granting of the proposal (for 5 dwellings) at that particular time would amount to piecemeal development and would consequently result in residential development which would be located in an unsustainable location divorced from facilities and services.

Members need to assess what if anything has changed since this last refusal.

The existing development brief for the policy H2 allocation indicates that the planned area is intended to form a new community, with employment facilities as well as housing and recreational areas, together with local facilities. A planning application is expected shortly if the Council agree the development brief for the site.

Furthermore, since the previous refusals, a new retail shop has opened within the existing residential development on the west side of the Portway.

As a consequence, these recent changes are material considerations which were not available to Members previously, and which must now be taken into consideration when determining this current application.

Your officer's view is that given the opening of the small shop in the area, and the increased likelihood of the allocated land being developed in the near future, these events have addressed the concerns expressed in the previous reasons for refusal.

6. Archaeology

WCC have indicated that no form of archaeological evaluation or watching brief will be required.

7. Affordable housing issues

The land to the rear of Throgmorton Hall (the site) is part of the allocated land with the Local Plan but has been excluded from the emerging development brief for the adjacent housing development.

Therefore, whilst the emerging development brief includes reference to the provision of affordable housing and a generally mixed employment/housing scheme on the western side of the Portway, the development brief is ambiguous about the future uses intended for the Throgmorton Hall site. The policy situation is further complicated by the fact that the Throgmorton Hall development did not include any provision for affordable housing or other mixed facilities.

As a consequence of this policy stance and planning history, it is considered that it would be difficult to request affordable housing as part of this development. Notwithstanding this matter, it is considered that the emphasis of the new policy is to create a new mixed community on the northern side of The Portway, and that the Throgmorton Hall site is not particularly best suited to provide affordable housing or to provide other mixed facilities. Other mixed uses such as community or employment uses would also seem inappropriate on this site.

Members should note that the LPA did not refuse the previous schemes on this basis, and therefore it would be difficult to defend any such refusal at this time.

8. Open space issues

The supporting documentation submitted with the application appears to indicate that the occupiers of the proposed dwellings would be able to utilise the existing play equipment on the existing Throgmorton Hall site. However, this is contrary to the claims of existing occupiers of Throgmorton Hall, and the existing facilities are not shown as being within the control of the applicant.

Notwithstanding the above, a signed S106 agreement offering a financial contribution towards off site open space provision has been submitted by the applicants.

As a result, providing a commuted sum is paid to the Council prior to planning permission being issued, then the scheme would comply with policy R2.

CONCLUSION – REASONS FOR APPROVAL

In terms of its design, the scheme is considered acceptable. Furthermore, it is considered that the amenities of neither the existing adjacent neighbours would be affected by the development, or that the amenities of the residents of the new dwellings would be affected by the adjacent airfield so significantly as to warrant refusal.

The proposal for 3 houses would not have a significant impact on current highway safety levels, subject to additional highway works being undertaken.

In policy terms, it is considered that the provision of Affordable Housing would not be appropriate in this instance given the isolated location of the site away from the planned new community, and that the previous application for Throgmorton Hall was not made subject to such a restriction. Other mixed uses such as community or employment uses would also seem inappropriate on this site.

Therefore, subject to the undertaking of an archaeological evaluation and the results of that evaluation not affecting the conclusions within this report, then the scheme is considered acceptable.

**RECOMMENDATION: SUBJECT TO A COMMUTED SUM BEING PROVIDED
TOWARDS OPEN SPACE PROVISION OFF SITE, THEN:**

APPROVAL, 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. 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. Before any development is commenced on the site, including site works of any description, all the existing trees to be retained shall be protected by a fence, of a type and in a position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 2 inches (50mm) or more shall be left unsevered (See British Standard BS 5837:1991, entitled 'Trees in relation to Construction'. (G15A)

REASON: In the interests of visual amenity

4. Before development commences, details of new planting, including times of planting and species shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be undertaken in accordance with approved scheme.

REASON: In the interests of visual amenity

6. Before development commences, details of new hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interest of visual amenity

7. Boundary treatment of a type, height and in positions to be agreed in writing with the Local Planning Authority shall be erected prior to the occupation of the dwelling[s] hereby permitted. (F01A)

REASON: In the interest of amenity

8. Hours of construction shall be limited solely to between 0900hrs to 1700hrs on Monday to Fridays, 0900hrs to 1200hrs on Saturdays, with no work on Sundays or Bank Holidays.

REASON: In order to protect amenities

9. The vehicular access onto Green Lane is to be permanently stopped up and abandoned concurrently with the first occupation of the dwellings.

REASON: 0052 In the interests of highway safety.

10. 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.

11. The dwellings hereby approved shall not be occupied until the highway safety improvement shown on the approved plans has been fully completed.

REASON: 0052 In the interests of highway safety.

INFORMATIVE:

1. This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan

Policy G1	- Sustainability and local services
Policy G2	- General policies, amenities, and highways
Policy H2D	- Allocation of site
Policy C6 & C7	- Landscape protection
Policy D2	- Infill development

2. With regards to condition 11, please note that some form of legal agreement with the County Council may be required with regards the provision of off site highway works. Please also note the stipulation that the dwellings shall not be occupied until such highway works are complete. It is therefore suggested that the timing of works forms part of any agreement between the developers and the County.

NOTES:

S/2004/2552	30/11/2004	25/01/2005	MR AND MRS J MILLS
DOWN			JOHN A GOLDFINCH
Easting: 417376	Northings: 124112.6		

PROPOSAL:	FULL APPLICATION -TWO STOREY SIDE AND SINGLE STOREY FRONT AND REAR EXTENSIONS
LOCATION:	3 CHURCH LANE CHARLTON ALL SAINTS SALISBURY SP5 4HE

REASON FOR REPORT TO MEMBERS

Council employee application

SITE AND ITS SURROUNDINGS

3 Church Lane, Charlton All Saints is a semi- detached dwelling, situated on the outskirts of the village, within the Open Countryside and Special Landscape Area of Salisbury and Wilton.

THE PROPOSAL

Two storey side and single storey front and rear extensions.

PLANNING HISTORY

00/0409 Single Storey rear extension AC 04/05/04

CONSULTATIONS

None

REPRESENTATIONS

Advertisement	No
Site Notice displayed	No
Departure	No
Neighbour notification	Yes
Third Party responses	No
Parish Council response	Yes- No objection

MAIN ISSUES

Visual Amenity

POLICY CONTEXT

G2	-	General Criteria for Development
D3	-	Good Design
H3I	-	House extensions in the countryside
C6	-	Essential Development Criteria in Special Landscape Areas

PLANNING CONSIDERATIONS

Visual amenity

The ridgeline is set down lower than the existing, and the extension is stepped back from the front elevation, creating a subservient form of development. The proposal reflects the scale and height of the neighbouring side extension, and it is considered that the development will not unbalance the character or symmetry of the two dwellings. The porch is of suitable scale and design, and it is considered that there will be minimal impact on the character of the street scene.

Affect on neighbour amenity

The extension will not overshadow or overlook the neighbouring properties. There have been no objections to the scheme and it is considered that residential amenity will be preserved.

CONCLUSION

Overall, it is considered that the extension will be sympathetic to the appearance of both semi-detached dwellings, and will not have an adverse impact upon the character of the property, the wider street scene or residential amenity.

RECOMMENDATION: APPROVE

For the following reasons:-

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2. The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building. (D01A)

Reason 0013: To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

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

G2	-	General Criteria for Development
D3	-	Good Design
H31	-	House extensions in the countryside
C6	-	Essential Development Criteria in Special Landscape Areas

NOTES:

S/2004/2599	06/12/2004	31/01/2005	TEMPLETON WALKER
WHIT			MR M J SMITH MRTPI
Easting: 425204	Northings: 123725		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF ONE DWELLING CONSTRUCTION OF TWO DETACHED HOUSES AND GARAGES
LOCATION:	THORNHILL ROMSEY ROAD WHITEPARISH SALISBURY SP5 2SD

REASON FOR REPORT TO MEMBERS

Councillor Randall requests that Committee decide this application in view of the interest in the application.

SITE AND ITS SURROUNDINGS

The site, which is currently occupied by a single storey dwelling, is on the eastern edge of the settlement of Whiteparish. There is direct access from the A27 by a steep drive with a turning area. The roadside edge of the plot is heavily screened by bushes and trees and the existing dwelling is almost invisible in the street scene.

The site is adjacent to a small modern development of 3 dwellings to the west and to the east is bounded by a hedge and open countryside. FPno.7 is to the east of the site and runs immediately alongside the plot before crossing the field to the rear at an angle. This footpath gives extensive public views across the site and of the rear of the adjacent property.

The site slopes towards the east and south and falls by approximately 2metres across its width. It is approximately two metres above the roadbed and between a metre and half a metre above the footpath

THE PROPOSAL

It is proposed to erect two four bedroomed dwellings with double garages and stores between facing towards the open countryside to the east. It is proposed to have a joint access for the two dwellings, using the current access with an improved sight line to the west, created by cutting back the hedge to the adjacent field.

The two dwellings will be set at 90degrees to the road and the adjacent dwelling Poplar. It is proposed to retain most trees on the site to retain privacy, removing those, which are dead, increasing the screen planting to the road and creating a new footway across the site to link the existing footway to the public footpath.

PLANNING HISTORY

1982/18 Demolish garage and erect garage and playroom AC

2004/1528 O/L Demolish dwelling and erect 2 detached dwellings. Withdrawn

2004.1922 O/L Demolish dwelling and erect 2 detached dwellings. AC

2004/2177 Demolish dwelling and erect 2 detached dwellings and garages Withdrawn

CONSULTATIONS

WCC Highways	no objection subject to conditions relating to the driveway gradient, maintenance of the visibility splay and construction of a 2m footway
Environmental Health	no observations
Environment Agency	no comments
Southern Water Authority	No adverse comment. Foul sewers available but no surface water sewers available.
Wessex Water Authority	Water mains crosses the site and the integrity of the system must be protected

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 13/01/05
Departure	No
Neighbour notification	Yes expiry date 13/01/05
Third Party response	1 letter and 4 e-mails (3 from same address) objecting to development on the following grounds
building line (front and rear) should be maintained	
Proposal is inappropriate in relation to neighbouring properties in physical size, layout and proximity	
Proposal is tandem development and contravenes policy H16	
Is inappropriate backland development without a road frontage	
Does not respect or enhance character and appearance of area,	
Does not accord with design criteria in that building line, scale, plot width, height and massing are inappropriate	
Development extends built up area outside building lines of adjacent property	
Perspective plan 215.06 is not entirely accurate. (view from south-east from garden of Poplar to House 1)	
Houses of 1800 and 2200sq feet will be detrimental to landscape and impact on skyline	
The new dwellings will not be assimilated into their surroundings	
Scale of building too great for site	
House 2 has only 3metres of amenity space at the rear	
From the first floor, Poplar will look into both houses	
Properties in this area face the highway, these dwellings are not in keeping	
Lack of screening for adjacent properties	
Could set a precedent	
Purchased by a developer and will not provide affordable housing which would benefit village	
Site is very narrow	
Public footpath adjacent to site	

Parish Council response object. This would be tandem development as according to the SDC Local Plan, this is one house being situated behind the other with only one access to the two houses. This would give the potential for problems, for example when one car attempts to enter when another is leaving the property.

The whole proposal would be out of keeping with the area, being very prominent at the entry to the village proper. It would overlook the neighbouring property whose owner is also objecting. It is dissimilar to other properties in the area and would set a precedent for other applications of a similar type at that end of the village

The Salisbury Design Forum

- The site has outline permission for two dwellings.
- The Forum was impressed with the high quality and design of the scheme and fully supports the proposal.
- The design and layout of the dwellings on the site use the site much more creatively than would two dwellings side by side.
- The proposed design and layout has been conceived very specifically for the particular characteristics of this site.

MAIN ISSUES

Principle

Character of Area

Amenities of neighbours

Highways

R2

POLICY CONTEXT

G2, H16, TR11, D2 and R2 of Replacement Adopted Salisbury District Local Plan
PPG3

PLANNING CONSIDERATIONS

I Principle

The site, which has an area of approximately 0.2ha, is on the edge of an established residential area and is adjacent to detached modern dwellings. The site is within the Housing Policy Boundary of Whiteparish, so in principal, 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.

Outline planning permission was granted for 2 dwellings on the site with two separate accesses; late last year. The indicative sketch submitted with that application suggested that the dwellings would be located side by side in approximately the same position as the existing dwelling Thornhill.

The application site is previously developed land within the Government's planning policy guidance and as such is an opportunity for redevelopment where the emphasis can be on optimising the site's potential, though within the guidance offered by the criteria of the Local Plan. PPG3 advocates the efficient use of previously developed land and would in principle support the redevelopment of this site with two dwellings. This could in principle, create a precedent for similar developments of two or more dwellings where currently only one exists, but bearing in mind the requirements of PPG3 and policy G1 (iv) (effective use of land in urban areas) of the replacement Salisbury District Local Plan, this is not in principle undesirable. The ultimate aim of the Local Planning Authority is to ensure that new development respects the built and natural environment of the District and that its quality and character is conserved. The policies within the Salisbury District Local Plan are not in themselves sufficient in themselves to ensure design quality, however, they provide a strategic framework.

Therefore even though a site falls within a Housing Policy Boundary it does not necessarily follow that it will receive planning permission. Policy H16 states that tandem and inappropriate backland development will not be permitted, but this is qualified by the supporting statement to the Plan. Here it says, (para 4.42) that whilst in general proposals for development within front and back gardens will not be considered favorably 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; proposals for such development will be permitted. In this case because the applicant has created two new dwellings on the site of the demolished existing dwelling and orientated the proposed dwellings at right angles to the road (A27) in order to take the most advantage of the site's characteristics; the second dwelling does not lie to the rear of the first but alongside and though there is a joint access there is a limited disturbance to the amenities and privacy of the other dwelling which also fronts on to the joint access. It is considered that the design adopted for the site creatively resolves the issues more usually raised by backland and tandem development and additionally creates a definitive edge to the settlement.

In principle as infill development is acceptable within Housing Policy Boundaries, this particular proposal will also need to satisfy the criteria of policies G2 and D2.

The Local Plan states that redevelopment of a 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;

This part of Whiteparish is largely modern with properties positioned at varying angles and distances to the main road and though most of the dwellings have a road frontage, this is not invariably the case. As there is no strong linear character to the locality, the development has exploited its position on the edge of the settlement to enhance the edge of the settlement and create a defined edge.

The application site is acknowledged to result in two shallower plots than others in the vicinity and to have more limited gardens than is the norm in this immediate area, however, the amenity space is not abnormally small for modern four bedroomed dwellings and if the proposal were 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 this cannot be an automatic reason for refusal.

(ii) the architectural characteristics and the type, colour of the materials of adjoining buildings; and

A perspective drawing submitted by the applicant shows, that taking into account that the land falls towards the east, that the proposed new dwellings will have ridge heights below those of the adjacent dwellings. The massing and bulk of the dwellings would be greater than the dwellings adjacent but there is considerable variation in the style, massing and bulk of dwellings in Whiteparish. The proposed materials of brick and clay tiles are considered characteristic of Whiteparish.

With a proposed overall height of approximately 8metres and with the first floor habitable rooms accommodated in the roof, these two proposed dwellings are considered to be acceptable within the varied modern style of the dwellings in the locality.

(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

New development should seek to respect the building character of the immediate locality and the proposed materials of brick, and tiles are considered appropriate to the area. The Local Planning Authority recognizes that high quality modern design can contribute to and enhance the built form and the Local Plan states that 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 design statement submitted with the application makes a substantive case for the unusual orientation of the dwellings their design and the layout on the site. The Salisbury Design Forum considered the proposal and was impressed with the high quality and design of the scheme. The Forum also considered that the proposed design and layout had been conceived very specifically for the particular characteristics of this site and thus made a much more creative use of the site than

placing two dwellings side by side. They considered that the design and layout enhanced the local environment and fully supported the proposal.

2 Character of Area

The proposal to create two dwellings on the site with an unusual orientation to the road in this immediate locality will need to be very carefully considered. The site is not within the Conservation Area and the Council's Arboriculture Officer does not consider that any of the trees are worthy of a Tree Preservation Order, the applicants intend to retain as much of the distinctive greenery as is possible whilst creating both a footway along the edge of the site to link the existing footway on the southern edge of the Romsey Road with the public footpath and a visibility splay to the west of the site.

Impact on street scene

A bungalow currently occupies the site with very substantial and heavy screening to the road and to the neighbouring field; the existing dwelling is therefore not prominent in the streetscape. The proposed design for two four bedroomed dwellings, would result in one of the replacement dwellings having the majority of its amenity space adjacent to the road. This roadside verge consist of substantial amount of greenery consisting mainly of shrubs and bushes which it is proposed to retain and enhance in order to retain the privacy of the occupants of the new dwelling and the character of the frontage. Though the greenery is substantial the Council's Arboricultural Officer considers that as the majority of the vegetation is bushes and scrub and after investigation does not consider that the tree is worthy of a Tree Preservation Order. Although the site is not within a Conservation Area it is proposed that the existing hedge to the east of the site be retimed, whilst the creation of the visibility splay will result in the hedge being reduced in depth a substantial proposition will be retained and therefore whilst the new development will not be as reticent as the existing single storey dwelling it will be substantially screened from the A27 Romsey Road and will not be prominent in the street scene.

3 Impact on amenities

a) Neighbours

On the western side of the site the existing dwelling Poplar can overlook part of the proposed site and its garage is immediately adjacent to the boundary, close to the eucalyptus tree, which it is proposed to remove. The substantial hedging is to be retained. The development of two dwellings will have some impact on the aspect and outlook of Poplar particularly as their two single storey double garages and wood stores will be immediately adjacent to the boundary. It is considered that the design of the two new dwellings has been carefully considered as the main aspect is to the east and south

Some first floor windows and roof lights are proposed on the first floor elevations within the roof space at the rear of the two new dwellings, however, it is considered that as the oblique distance between the windows and the rear of poplar is approximately 18metres that combined with the existing boundary hedge and the difference in levels that there will be no direct overlooking created which could result in a detrimental impact on the amenities of the occupiers of the two dwellings. The design has maintained some views for Poplar to the southeast over the single storey garaging

As he proposed development is to the east of Poplar this would limit the loss of daylight and sunlight; though there would still be some loss of light and sunlight to the ground floor habitable rooms in comparison to the existing situation by virtue of the presence of the new development.

However, because of the difference in levels as the site falls away from Poplar towards the open countryside, it is not considered that the new development could be considered to dominate the adjacent development.

b) Occupiers

The more northerly of the proposed new four bedroomed dwellings will have a limited garden area facing north and east, adjacent to the road, which will be edged by substantial vegetation. The rear garden adjacent to the existing garage of Poplar will have a depth of only about 5metres. This is a very limited amenity space for a dwelling in a village location. Additionally the dwelling will overlook the joint access and though the front boundary wall will provide a certain level of privacy the property will still suffer a certain amount of noise and disturbance from the neighbours using the joint access. Both properties will overlook the field hedge behind which will be people using the public footpath. On balance it is considered that this level of disturbance to the amenities of the dwellings is acceptable.

4 Highways

The Highway Authority have concerns regarding visibility to the east of the site but provided the applicant has control over the visibility splay to the east of the site, and can retrain the existing hedgerow and permanently maintain this hedgerow in order to ensure the splay remains obtainable there is no highway objection to the development.

The applicant has trimmed the adjacent field hedge to demonstrate to the Highway Authority that the sight lines required can be obtained and is prepared to ensure that the obligation to maintain that sightline is passed on to future occupiers of the development. On this basis it would be difficult to refuse this proposal on these grounds alone.

A public footpath runs along the south eastern boundary of the site and then continues across open fields the Highway Authority would also require that a 2m footway be provided to link the existing footway along the southern side of Romsey Road with the public footpath (PFno7). The applicant has shown on his drawings and is willing to provide.

5 Open space contribution

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

Reasons for approval

The proposal will have some impact on amenities of the adjacent dwellings, by virtue of the replacement of a single storey dwelling by two two-storey dwellings. However, on balance as the site is within the Housing Policy Boundary it is considered that on balance the proposal is 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, 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. 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)

4. 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)

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/roof lights [other than those expressly authorised by this permission] shall be constructed. (V20A)

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

6. Notwithstanding the provisions of Class[es] 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: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

7. Before the commencement of development full details of a 2metre wide footway fronting the whole development frontage to Romsey Road shall be submitted for further approval. Prior to the first occupation of the first dwelling to be occupied, the footway shall be constructed in accordance with the approved details.

Reason0052 In the interests of highway safety.

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

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

9. The gradient of the access for the first 7metres measured from the nearside edge of the carriageway shall not exceed 1 in 15 as shown on drawing no.215.08

Reason In the interests of highway and pedestrian safety.

10. Before development commences, provision for the disposal of surface water so as to prevent its discharge onto the highway details of which shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.

Reason 0052 In the interests of highway safety.

11. before the dwellings hereby permitted are first commenced, the area between the nearside carriageway edge and lines drawn between a point 2.0metres back from the carriageway edge along the centre line of the access and a point on the carriageway edge 90metres from the centre line of the access in a south-easterly direction shall be cleared of obstruction to visibility at and above a height of 500mm above the nearside carriageway level and thereafter maintained free of obstruction at all times

Reason To ensure that the required visibility splay is obtained and maintained in the interests of highway safety.

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:

POLICY	PURPOSE
G2	General Criteria for Development
D2	Design Criteria for new dwellings
H16	Housing Policy Boundary
TR11	Off-street car parking provision
R2	Open Space contribution
Of the Adopted Replacement Salisbury District Local Plan	

1 The Highway Authority will require a Section 278 Agreement to be in place in connection with the footway prior to the commencement of work.

2 **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.

3 **Wessex Water.** The applicant is required to protect the integrity of all systems which cross the land. Prior to the commencement of development all arrangements to protect the systems should be agreed with Wessex Water

NOTES: