

**INDEX OF APPLICATIONS ON 16.04.2009**

	<b>APPLICATION NO.</b>	<b>SITE LOCATION</b>	<b>DEVELOPMENT</b>	<b>RECOMMENDATION</b>
01  SV 16:30	S/2009/0308	Roadside verge Wain - a -Long Road Salisbury SP1 1LN	Prior notification of intention to install telecommunications apparatus erect 11.5 metre monopole and associated ground based equipment cabinet	No Objection be raised
02	S/2009/0112	1a Gas Lane Salisbury SP2 7AN	Conversion to single storey dwelling	Approval
03	S/2009/0276	Rosegate Kilminster Common Kilminster Warminster BA126QY	Proposed alterations and extensions to form first floor and ground floor extensions. Demolition of existing garage and erection of new double garage	Approval

Date of Meeting	16/4/2009		
Application Number:	S/2009/0308		
Site Address:	ROADSIDE VERGE ON WAIN-A-LONG ROAD SALISBURY SP1 1LN		
Proposal:	PRIOR NOTIFICATION OF INTENTION TO INSTALL TELECOMMUNICATIONS APPARATUS-ERECT 11.5M MONOPOLE AND ASSOCIATED GROUND BASED EQUIPMENT CABINET		
Applicant/ Agent:	MR JOE TITCOMBE		
Parish:	ST ED & MILFORD		
Grid Reference:	415091/130566		
Type of Application:	PN		
Conservation Area:		LB Grade:	
Case Officer:	Mr S Banks	Contact Number:	01722 434704

Councillor Sample has requested that this item be determined by Committee due to the local concern regarding the visual impact of the proposal.

### 1. Purpose of Report

To consider the above application and to recommend that no objection be raised to the granting of this prior notification application.

### 2. Main Issues

the main issues to consider are :

1. Need and siting of the apparatus.
2. Visual amenity
3. Health Considerations

### 3. Site Description

The application site is located on a grass/planted verge adjacent to Wain-A-Long Road to the east of the St Marks roundabout serving the A30 and A36 in Salisbury. The site is also adjacent to the Conservation Area.

### 4. Planning History

There is not any relevant history for this site.

### 6. Planning Policy

the following policies are considered relevant to this proposal  
G2 (General Criteria for Development)  
D3 (Design),  
PS7 (Telecommunications)

## **7. Consultations**

### **Highways Agency**

No objection because the proposal would not harm the strategic road network.

### **Highways**

Highway safety would not be harmed. No objection.

### **Environmental Health**

No objection subject to the development complying with policy.

## **8. Publicity**

The application was advertised by site notice

Expiry date: 09/04/2009

11 letters of objection have been received.

Summary of key points raised:

The mast is too close to a number of schools.

View obstruction.

Visual harm.

Harm to residential and business community.

Imposing effect.

Loss of daffodils.

Safety issues involving car accidents.

Personal health and safety.

## **9. Planning Considerations**

### **9.1 Need and siting of the apparatus.**

The applicant has submitted supporting information to justify the location of a mast in the area which would replace a roof top site at La Retraite Swan School, Campbell Road, Salisbury. The purpose of the proposal is to maintain the level of network coverage and capacity to the primary residential area immediately north of the A36 near the Weeping Cross roundabout. The search area is very limited as the purpose of the site is to maintain the coverage that is currently provided. The applicant has clearly demonstrated an assessment of alternative sites. One site was near to a school, two sites had been failed and one was the subject of a separate application. Therefore the applicant has established a need for the proposal which is sited in the most appropriate location.

### **9.2 Visual amenity**

The proposal is located in a prominent position adjacent to the Conservation Area, a residential area, and the major vehicular and pedestrian routeways surrounding St Marks Roundabout.

However, the area already contains a multitude of urban paraphernalia, in particular numerous types of lighting columns. Whilst this existing paraphernalia is not considered to add a positive contribution to the visual appearance of the area, they are a permanent addition, and form part of the character of the area. As a consequence, the visual impact of the proposal must be considered against the character of the existing area, which includes such modern utilitarian structures.

The area immediately around the application site also contains other utilitarian structures, such as a modern telephone box, road signs, and cabinets.

The proposed mast has been designed to be of a height and colouration (but not of a design) which would reflect that of the utilitarian lighting columns which pepper the surrounding area. Whilst in officers opinion, the mast structure would be visible when viewed from the west and north, from these directions it would be seen against the backdrop of the adjacent rising land, existing mature trees, and existing residential buildings. It is therefore likely that the mast would blend relatively successfully with the surrounding built form and would not be visually intrusive. Given that the conservation area is located on higher land to the east of the site, it is officers opinion that views into the Conservation Area from these directions would not be unduly harmed.

The mast would of course also be visible from adjacent properties to the east (looking north and west out of the Conservation Area). Whilst from certain positions the mast is likely to be seen partly against the sky, the lower half of the bottom part of the mast will again be seen against the rest of the urban built form (this is evident from the applicants own pictures of the dummy test pole which was erected prior to the application being submitted).

Members will therefore have to consider whether the visibility and impact of the proposed mast from these locations would be so harmful as to warrant refusal. In officers opinion, whilst part of the mast would from certain positions be visible against the sky (and therefore more prominent), given the relatively modest size of the mast, its similarity to other existing urban paraphernalia, and the very urban location of the mast, it is considered that the mast would not be so harmful in visual terms as to warrant refusal on this occasion. Similarly, the ancillary cabinet, which would be of a very small scale, would have limited visual impact.

### 9.3 Health Considerations

The Department for Communities and Local Government (DCLG) publication Planning Policy Guidance 8 (PPG8) provides guidance on planning for telecommunications development - including radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and overhead wires.

PPG 8 also specifically deals with considerations of the impact of telecommunications developments on human health. It is the Governments stated view (PPG 8 paras 29 to 31) that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health.

In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure, as in the case of this application, it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

The Governments acceptance of the precautionary approach recommended by the Stewart Groups report "*mobile phones and health*" is limited to the specific recommendations in the Groups report and the Governments response to them. The report does not provide any basis for precautionary actions beyond those already proposed. In the Governments view, local planning authorities should not implement their own precautionary policies e.g. by way of imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecoms development and existing development.

In respect of the proposed mast, the applicant has provided confirmation that the proposed apparatus would comply with ICNIRP standards.

## **10. Conclusion**

The proposal has been justified by reason of the need to maintain the level of network coverage and the applicant has demonstrated an assessment of alternative sites. The proposal which would be screened by existing mature trees would be located in an area characterised by modern urban paraphernalia. Therefore due to the screening and surrounding environment the mast would blend successfully with the surrounding built form and would not be visually intrusive. Furthermore, views into and out of the conservation area would consequently not be materially harmed. In conclusion, the modestly sized mast and associated equipment due to its similarity to the existing urban paraphernalia would not harm visual amenity to the extent to warrant a refusal.

## **Recommendation**

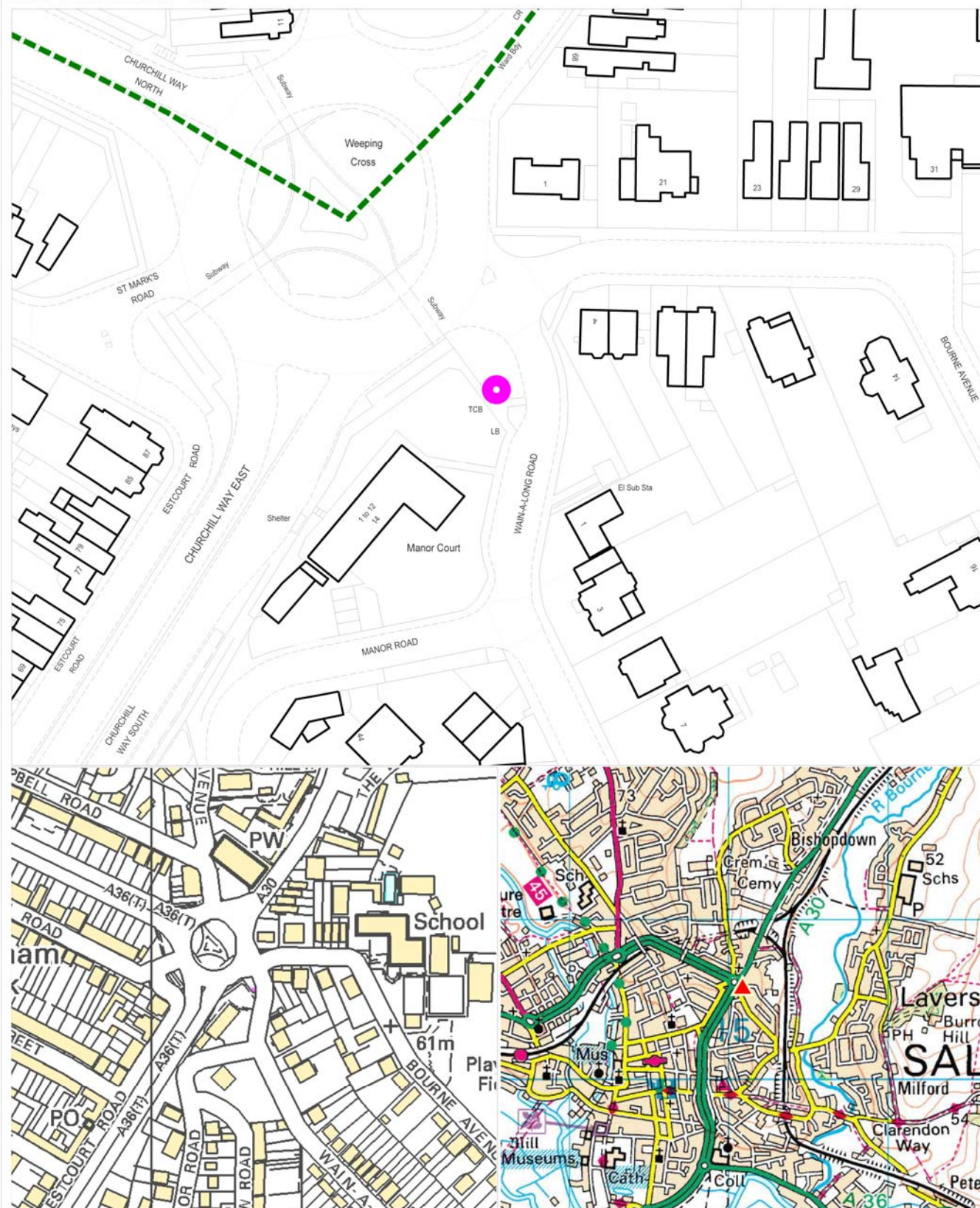
No objection be raised.

### **Documents Used in the Preparation of this Report:**

P0406/046/101	02/03/2009	Location Plan
P0406/046/102	02/03/2009	Site Plan
P0406/046/103	02/03/2009	Elevations

Site Visit: 16.30 hrs

S/2009/308



VERGE ON WAIN-A-LONG ROAD,SP1 1LN

SCALE: NTS

DATE: 06/04/2009 09:50:10

DEPARTMENT: Planning

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**2.**

Date of Meeting	16/4/2009		
Application Number:	S/2009/0112		
Site Address:	1A GAS LANE SALISBURY SP2 7AN		
Proposal:	CONVERSION TO SINGLE STOREY DWELLING		
Applicant/ Agent:	MR HARVEY EURIDGE		
Parish:	ST PAUL		
Grid Reference:	413691/130517		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

**Reason for the application being considered by Committee**

Councillor Fear has requested that this item be determined by Committee due to:

The extent of public interest shown

**1. Purpose of Report**

To consider the above application and the recommendation of officers to APPROVE the development subject to conditions and the applicant entering into an Agreement in respect of policy R2, following completion of which the Area Development Manager be authorised to approve planning permission subject to conditions.

**2. Main Issues**

1. Principle of development;
2. Loss of employment;
3. Character of the locality and amenity of the street scene;
4. Amenities of the occupiers of adjoining and near by property;
5. Living conditions of the future occupiers of the proposed accommodation;
6. Highway considerations.

**3. Site Description**

The site relates to a narrow strip of land situated between two parallel rows Victorian style terraces. A single storey workshop occupies the site, which fronts onto a residential road known as Gas Lane. This building has been used for light industrial purposes in the past, most recently let to a florists for storage purposes, although it is currently vacant.

The site is within the Salisbury Housing Policy Boundary and Residents' Parking Zone D.

**4. Planning History**

<i>Application number</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
89/0553	Alterations to provide windows and doors to the existing workshop	R	10.05.89

Southern Area Planning Committee 16/04/2009

03/0025	Part demolition & new build to existing building to form 2 bed dwelling	WD	06.03.03
07/1737	Erect two storey dwelling	R	22.10.07
08/1016	Erect two storey dwelling	R	30.07.08
08/1565	Change of use to take away	R	04.11.08

## 5. The Proposal

It is proposed to extend and alter the existing building to convert it to a single storey one bed dwelling.

The proposed alterations to the building involve:

the demolition of its first 4 to 5 metres, effectively setting back its front building line, in order to create a front yard area;  
the demolition of a small two storey section to the rear of the building;  
the formation of a pitched roof with glazed sections over the remainder of the existing building;  
the formation of new window and door openings with the front and side (west) elevations.

The proposal represents a resubmission of previously refused schemes which proposed a two storey dwelling on the site. The most recent application for a two storey dwelling (08/1016) was refused for the following reasons:

*1) The proposed new dwelling, by reason of its siting, height, flat roofed design and elongated appearance, would introduce an intrusive feature within the street scene that would fail to adequately relate to the existing built form, and would harm the residential amenity of adjacent dwellings. The development would therefore be contrary to the aims and objectives of PPS3 and policies G2 and D2 of the adopted Salisbury District Local Plan.*

*2) The proposed residential development is considered by the Local Planning Authority to be contrary to policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.*

Members will need to be satisfied that the current proposal overcomes previous reasons for refusal.

## 6. Planning Policy

The following development plan policies and national planning guidance are considered relevant to this proposal:

PPS1: *Sustainable development & Climate Change*; PPS3: *Housing*; PPG13: *Transport*

Local Plan policies G1, G2, D2, H8, E16, TR11, TR14, R2



## 7. Consultations

### Highways

Raised concerns over originally submitted plans which indicated an off-street parking space to the front of the dwelling (poor manoeuvring space and inter-visibility with pedestrians).

However, it was indicated that a scheme with no parking provision would be supported, and this has now been incorporated into amended plans.

### Environmental Health

Raised concerns over originally submitted plans over size of bedrooms. Also queried adequacy ventilation to kitchen and bathroom.

Amended plans have now been submitted to omit the inadequately sized second bedroom, replacing it with an office/study, and resulting in a 1 bed dwelling only. Further clarification over ventilation has also been provided, resolving the concerns of the Environmental Health Officer.

If approved, it is recommended that conditions be imposed to control the hours of construction/demolition due to the proximity of the site to adjoining property.

## 8. Publicity

The application was advertised by site notice / press notice / neighbour notification

Expiry date 05/03/09

8 letters of objection were received. A summary of the reasons include:

Poor living conditions for future occupiers of the proposal accommodation  
Increased height of the building would result in an overbearing effect and loss of light to neighbours  
Parking and highway safety issues  
Noise pollution from open windows  
Proposal does not have a right to use the side alleyway  
Party wall and construction implications  
May breach Right to Light legislation  
Increased strain on utilities

## 9.Planning Considerations

### 9.1 Principle of development;

The site is within the Housing Policy Boundary of Salisbury where the principle of new residential development is supported by policy H8 of the Local Plan. Policy D2 of the Local Plan states that the design of the proposal should respect the character of the area, with particular regard to building lines, scale and height and plot widths. PPS3 promotes a more efficient use of land, while at the same time ensuring a high quality design and living environments which contribute to the maintenance and creation of sustainable communities.

Policy E16 could also be relevant, which deals with the redevelopment of employment

site. The policy seeks to ensure that jobs are not lost as a result of redevelopment, unless the business is unviable or inappropriate within its surroundings.

#### 9.2 Loss of employment;

The applicant has not supplied any marketing information to demonstrate the viability of the existing premises as a workshop, which would normally be expected when considering such change of use applications. However, in the opinion of officers, it is considered that the site is particularly restrained for business use, due to its size, lack of parking facilities and proximity to residential property. All these factors could explain why the premises have been predominantly vacant in recent times. Furthermore, it would seem that the building is most suited to low level storage, and therefore unlikely to generate significant employment.

It is noted that the applicant has also explored whether the site could be used for an alternative employment use in the form of a takeaway. However, planning permission for this use was refused due to the potential nuisance to neighbours caused from cooking odours.

In summary, it is considered that the loss of the workshop would have limited impact upon employment opportunities within the area. In addition, policy E16 also states that the loss of such premises can justified if redevelopment brings about environmental benefits to the area, and this is examined in more detail below.

#### 9.3 Character of the locality and amenity of the street scene

It is considered that the affect of the proposals would be to improve the appearance of the building, namely through the formation of the pitched roof that would serve to give it a more traditional appearance, in keeping with surrounding buildings. The elongated form of the building would not be given excessive prominence due to its walls/eaves not being raised, a problem associated with previous unsuccessful applications on the site, and the setting back of its front building line would further reduce the building's prominence. The design of the street facing elevation would be of a high quality and, subject to conditions, the facing materials used within the building could provide greater unity with surrounding buildings (i.e. slate roof and brick fronting piers).

#### 9.4 Amenities of the occupiers of adjoining and near by property;

In terms of land use, it is noted that there could potentially be some environmental benefits from using the land for residential over commercial purposes. Although there are many light industrial which can be carried out in such a residential areas without causing significant disturbance, it is noted that the premises lends itself best to a storage use. Given the proximity of the site to neighbouring dwellings, and the absence of dedicated parking facilities, it is noted that the unloading of vehicles could cause particular nuisance, either from noise generated from such activity or from the parking of un/loading vehicles. A residential use in this respect would lead to environmental improvements.

Regarding the impact of the actual mass of the building, due to the close proximity of the proposed building to two adjacent rows of terraces, careful consideration should be given by Members to the residential amenity of these neighbours. Previous applications on the site, all of which proposed first floor extensions, were refused due to the affect of such additional bulk.

Alterations now proposed to the bulk of the existing building would relate to the removal of an existing two section and the formation of a pitched roof over the remainder of the single storey structure only. The pitched roof would be formed without increasing the height of the walls/eaves of the building. Due to the narrow width of the building, the ridge of the pitched roof would add little more than 1 metre, raising the total height of the

building from approximately 2.9 metres to 3.6 metres. It is not considered that this relatively limited increase in bulk would have a significant affect upon adjoining neighbours, and the removal of the two storey section would actually benefit those neighbours closest to this part of the existing building.

With regards to privacy, several windows and openings would be inserted into the west elevation of the dwelling. However, since these openings would be reasonably restricted in number and size, and situated at ground floor level adjacent to an existing pedestrian passageway, it is not considered that overlooking would be significant, particularly in this urban environment where there is already a degree of mutual overlooking between first floor windows of the Merom Row and Devizes Road terraces.

In summary, it is therefore considered that the reasons for refusal relating to previous two storey plans have been overcome by the lesser height of the current single storey proposal.

9.5 Living conditions of the future occupiers of the proposed accommodation;  
Regarding the amenity of the potential occupier/s of the dwelling proposed, Members must be satisfied that the proposal would facilitate a reasonable quality living environment. It is noted that the size of the accommodation would be modest and of unusual proportions.

Whilst this layout would not be adequate for family households, it is considered that the accommodation would be just about satisfactory for a one bed unit, containing all the necessary facilities, and laid out in such a way to maximise available space and light. The main living spaces, which include the open plan living and kitchen area, would have an aspect onto the landscaped front garden, provided by a glazed front elevation, and would also have light provided by a roof lantern. The bathroom and study/office would be lit by circular porthole style windows.

One of the spaces within the dwelling is indicated within the plans as a "Patio/Garden" although, in officers' opinion, it would be more accurate to describe it as a sun room or conservatory given that it would be a fully insulated room and integrated with the remainder of the dwelling. This space would provide a potentially useful storage area, such as for bicycles, and its glazed roof would allow light to flood into the adjoining corridor which does not have the benefit of window openings in the side elevation. This sun room / conservatory, as well as the bedroom, would have no aspect other than that provided by roof glazing. However, since these are secondary rooms and would still be well lit, it is not considered that this arrangement would be unacceptable.

In summary, although the resulting dwelling would be constrained in size, in officers' opinion, it would be difficult to refuse the application on the basis of the impact on the amenities of the future occupiers.

#### 9.6 Highway considerations.

The originally submitted plans included a single parking space to the front of the building although, following concerns by the Highways Officer over the safety of utilising such a space, this has been omitted and replaced with a landscaped front yard. A condition can be imposed to secure appropriate landscaping details, and to ensure that the space is not used for parking cars.

The proposal would therefore not benefit from any car parking, although government guidance suggests this can be acceptable in such sustainable locations which have good access to public transport and local services, in order to promote non-car based transport modes. It is also noted that the Council's Parking Services can now prevent future occupants of new accommodation from applying for additional parking permits,

on the basis that the allocation of any further permits would exceed available road capacity for off-street parking. Furthermore, the existing use of the site for storage purposes would have generated parking demand where no off-street facilities were provided.

It is noted that several residents have raised concerns regarding party wall issues and the right of future occupants of the proposed dwelling to use its entrance within the west elevation. However, both these issues are separate matters to be dealt with outside of the planning system, and any other legislation, such as the Party Wall Act or property deeds, would not be affected by the grant of planning consent.

## **10. Conclusion**

The development would be acceptable in principle, representing new housing within a previously developed and sustainable location, and the loss of the existing workshop would have limited impact upon employment opportunities within the area. Whilst the size and proportions of the proposed accommodation would be modest and relatively unusual, it is considered to be reasonably well designed in relation to the site constraints, and would make an efficient use of a predominantly vacant site as well as providing benefits to the visual appearance of the building. Furthermore, a residential use of the site would offer potential benefits to adjoining neighbours over the existing, uncontrolled industrial/storage use. The development would therefore overcome previous reasons for refusal concerning residential redevelopment of the site, and would accord with the aims and objective of the development plan and government guidance.

## **RECOMMENDATION: that permission be granted for the following reasons**

The development would be acceptable in principle, representing new housing within a previously developed and sustainable location, and the loss of the existing workshop would have limited impact upon employment opportunities within the area. Whilst the size and proportions of the proposed accommodation would be modest and relatively unusual, it is considered to be reasonably well designed in relation to the site constraints, and would make an efficient use of a predominantly vacant site as well as providing benefits to the visual appearance of the building. Furthermore, a residential use of the site would offer potential benefits to adjoining neighbours over the existing, uncontrolled industrial/storage use. The development would therefore accord with the aims and objective of the development plan and government guidance.

## **And subject to the following conditions**

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

1 :- Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. As amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2 :- Before development is commenced, a schedule of external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

2 :- Reason: In the interests of highways safety.

3 :- 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 occupation of the new dwelling.

3 :- Reason: In the interests of visual amenity.

4 :- No development shall take place until a scheme has been submitted to and agreed in writing by the Local Planning Authority to prevent cars parking within the front curtilage. Development shall be implemented in accordance with these approved details prior to the first occupation of the dwelling and maintained as such thereafter.

4 :- Reason: In the interests of highways safety.

5 :- No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

5 :- Reason: in the interests of neighbour amenity.

6 :- Notwithstanding the provisions of Classes A to D 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 unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

6 :- Reason: In the interests of visual and neighbour amenity.

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

Policy G1	Sustainable development
Policy G2	General Development Guidance
Policy D2	Infill development
Policy H8	Salisbury Housing Policy Boundary
Policy E16	Redevelopment of employment sites
Policy TR11	Off-street parking provision
Policy TR14	Cycle parking provision
Policy R2	Provision for recreational open space

**Appendices:**

None

**Background Documents Used in the Preparation of this Report:**

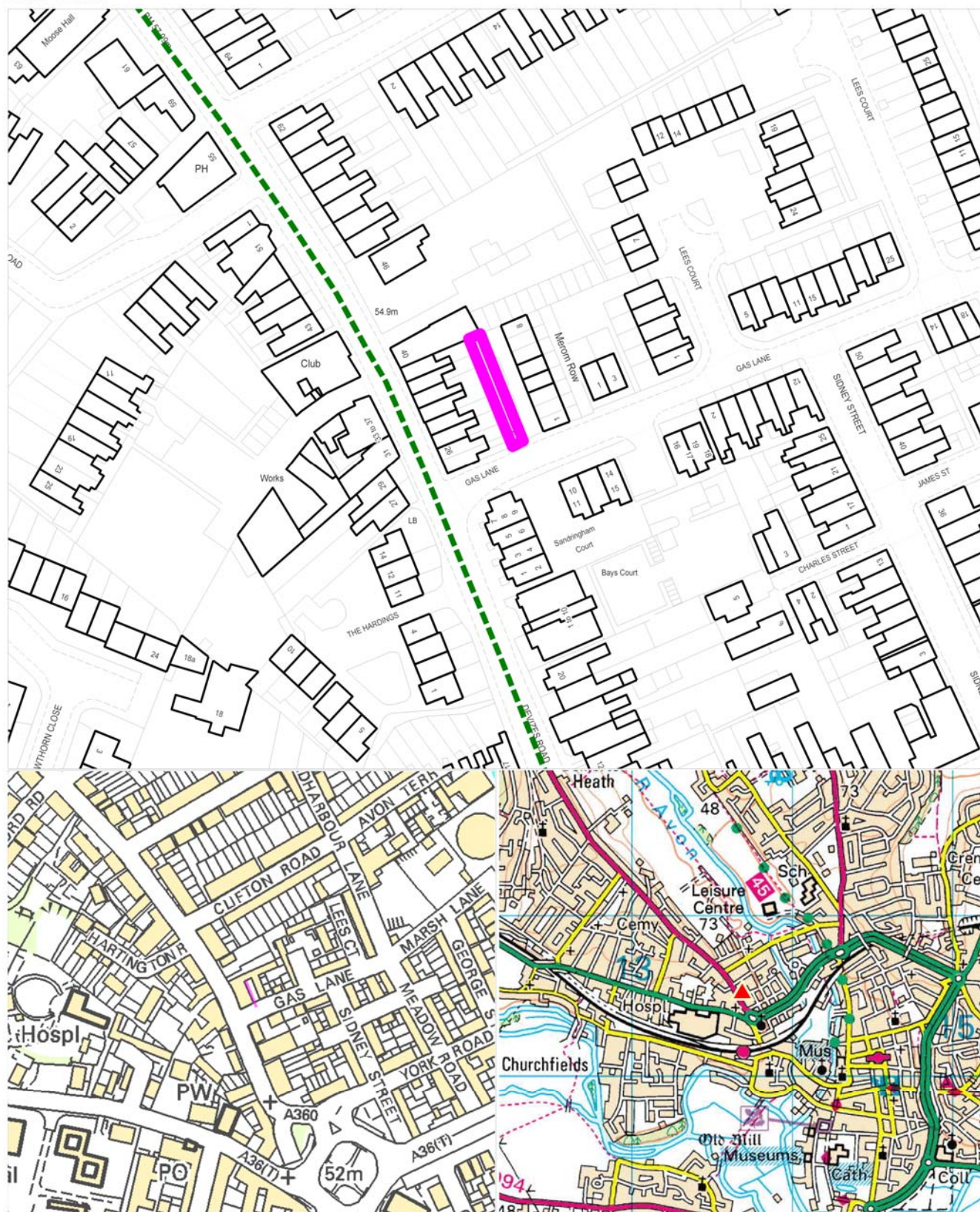
The approved plans are as follows:

Drawing No. 9.03	Received on 13.01.09
Drawing No. 9.04	Received on 13.01.09
Drawing No. 9.05	Received on 13.01.09
Drawing No. 9.02 (Amended)	Received on 06.02.09
Drawing No. 9.05 (Parking & Turning Arrangements)	Received on 02.03.09



Site Visit:

S/2009/112



**1A GAS LANE SALISBURY SP2 7AN**

SCALE: NTS

DATE: 03/04/2009 14:33:53

DEPARTMENT: Planning

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**3.**

Date of Meeting	16/4/2009		
Application Number:	S/2009/0276		
Site Address:	ROSEGATE KILMINGTON COMMON KILMINGTON WARMINSTER BA126QY		
Proposal:	PROPOSED ALTERATIONS AND EXTENSIONS TO FORM FIRST FLOOR & GROUND FLOOR EXTENSIONS. DEMOLITION OF EXISTING GARAGE AND ERECTION OF NEW DOUBLE GARAGE		
Applicant/ Agent:	BELL ASSOCIATES		
Parish:	KILMINGTON		
Grid Reference:	377330/135529		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr W Simmonds	Contact Number:	01722 434553

**Reason for the application being considered by Committee**

Councillor Spencer has requested that this item be determined by Committee due to:

Scale of development, visual impact upon the surrounding area, relationship to adjoining properties, design – bulk, height, general appearance, environmental/highway impact.

**1. Purpose of Report**

To consider the above application and to recommend that planning permission be GRANTED subject to conditions (subject to no new material planning considerations being raised before the expiry of the public consultation period).

**2. Main Issues**

the main issues to consider are :

Impact of the proposed development on the character of the designated Housing  
Restraint Area  
Impact on the surrounding AONB  
Impact on the amenity of neighbours  
Scale, design and materials

**3. Site Description**

Rosegate (formerly Sunnyside bungalow) is a detached bungalow with brick facing elevations under a tiled roof, situated within the settlement of Kilminster Common. The property has a gated vehicular access onto the road to the immediate west, and has a modest garden to the south (side) and east (rear). Adjoining the curtilage of the property to the south is a small field which appears to be in agricultural use, to the north and east of the site is the garden of the adjoining property known as Orchard House (formerly Sunnyside).

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#### 4. Planning History

Application number	Proposal	Decision
S/87/1689	Erection of garage at Sunnyside bungalow	AC 26.11.87

#### 5. The Proposal

The application proposes alterations and extensions to enlarge the ground floor footprint of the property on the rear (east) elevation, together with the addition of a first floor over the existing and extended ground floor to form a two storey house under a pitched roof. Also proposed is the addition of a single storey lean-to porch to the existing side (north) of the property, and the construction of a detached double garage to the south west of the property (following the demolition of the existing garage). An underground propane gas storage tank (for central heating) is proposed within the site close to the existing access.

#### 6. Planning Policy

the following policies are considered relevant to this proposal

Salisbury District Local Plan (saved) policy C5 (Landscape Conservation)  
 Salisbury District Local Plan (saved) policy G2 (General Criteria)  
 Salisbury District Local Plan (saved) policy H19 (Housing Restraint Areas)  
 Salisbury District Local Plan (saved) policy D3 (Design)  
 Adopted Supplementary Planning Guidance 'Creating Places' design guide

#### 7. Consultations

**Kilminster Parish council** – Object on grounds of excessive height and consequent adverse impact on the Housing Restraint Area

**WCC Highways** – No Highway objection

**Environmental Health** – No observations to make

#### 8. Publicity

The application was advertised by site notice and neighbour notification letters  
 Expiry date 09.04.09

At the time of writing, two emails from the same party had been received objecting to the proposed development on the grounds of overlooking of a neighbouring property, overlooking of a neighbouring garden, overshadowing of an adjoining garden, excessive height of the proposed development and adverse impact on visual amenity within the wider settlement.

#### 9. Planning Considerations

##### 9.1 Scale, design and materials



The proposal would represent a significant enlargement of the existing bungalow and garage to provide an enlarged footprint and traditional two storey form for the house. There are several two storey dwellings adjacent to the property, including the property adjoining the Home Guard Club to the west, number 66 on the other side of the small field to the south, Orchard House and Charlotte Cottage to the north of the site. The proposed design of the house, having a simple pitched roof over the footprint of the existing bungalow with a subservient pitched roof over the extended area on the east side, and having a plain rendered gable facing the west (road) is considered appropriate to the local vernacular. The height of the proposed main ridge at approximately 8.2 metres is not considered excessive for a two storey house and would not stand out as anomalous amongst the surrounding dwellings (the height of the main roof of neighbouring Charlotte Cottage to the north is recorded as approximately 8.3 metres). The proposed garage is of single storey construction and utilises external facing materials to match those used in the main house. The proposed garage is comparable in size and scale with other such outbuildings in the surrounding area. The proposal is thereby considered compatible in terms of its scale and design and proposes the use of complementary materials.

## 9.2 Impact of the proposed development on the character of the designated Housing Restraint Area

Following the submission of amended plans which move the proposed garage slightly further into the site (approximately 250mm), the existing boundary hedge adjacent to the highway is to be retained. It is considered the proposed development, by reason of constituting a traditional form of two storey house consistent in scale, design and materials with existing dwellings in the surrounding settlement, would not adversely affect the character of the designated Housing restraint Area and would not be out of keeping with neighbouring properties.

## 9.3 Impact on the amenity of neighbours

The nearest residential property to the application site is Orchard House (formerly Sunnyside) which adjoins the site to the north. Orchard House has a relatively good sized garden which extends from the house southwards towards the application site, and continues partially around the eastern side of the application site. Immediately to the northern boundary of the application site is a detached garage building associated with Orchard House. Rosegate has a mature and relatively dense boundary hedge (being approximately 2 metres in height) around its curtilage.

Within the north east facing (side) elevation of the proposed first floor of Rosegate there are two casement windows serving a bathroom and a landing area, and one small roof window (flush fitting) over the proposed rear bedroom. Each of these windows could be Conditioned to be suitably obscure glazed and be fitted with restricted opening to preserve the privacy of Orchard House. The orientation of the rear elevation of Rosegate is east southeast and whilst this elevation contains two narrow casement windows serving a bedroom, and would partially overlook the south easternmost part of the garden of Orchard House, taking into consideration the size of the windows, the orientation of the rear elevation of the house and the limited area of the garden of Orchard House that would be overlooked, the degree of overlooking of the garden is not considered sufficient to warrant the refusal of the application on these grounds.

Taking into consideration the scale and height of the proposed extended dwellinghouse, the distance to boundaries and the orientation of the property relative to the adjoining garden at Orchard House, it is considered that the area most likely to be affected by any overshadowing resulting from the proposed development is that immediately to the north which is occupied by an existing garage building associated with Orchard House. Therefore on balance it is considered the proposed development would not result in the undue overshadowing of the adjoining neighbouring property.

#### 9.4 Impact on the surrounding AONB

It is considered that the proposed development, by reason of its appropriate scale, form and materials, would not be unduly prominent in views within the surrounding landscape and would not have a detrimental impact on the AONB in general and with respect to the particular locality.

### 10. Conclusion

The proposed development is considered accordant with the policies of the development plan insofar as its scale, design and materials are considered appropriate; the proposal would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers, and would not have a detrimental impact on the character of the Housing Restraint Area or surrounding AONB.

#### **RECOMMENDATION: that permission be granted for the following reasons:**

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design), H19 (Housing Restraint Areas) & C5 (Landscape Conservation) of the saved policies of the adopted Salisbury District Local Plan insofar as the proposed development is considered compatible in terms of its scale, design and materials, would not unduly adversely affect the amenity of neighbours and would not be detrimental to the character of the designated Housing Restraint Area or the natural beauty of the surrounding AONB.

#### **And subject to the following Conditions:-**

1 :- The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

1 :- Reason To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

2 :- 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)

2 :- Reason To secure a harmonious form of development.

3 :- The proposed first floor windows in the north east (side) elevation, including the proposed roof window, shall be glazed with obscure glass to the satisfaction of the Local Planning Authority, and shall be maintained in this condition thereafter. The two first floor casement windows in the north elevation shall have restricted opening in accordance with details to be submitted and approved in writing by the local planning authority prior to the commencement of development. Development shall be carried out in accordance with the details thereby agreed and the windows shall be maintained in this condition thereafter.

3 :- Reason To ensure adequate privacy for the occupants of neighbouring premises.

4 :- There shall be no additional windows within the roof or first floor on the north east (side) elevation[s] of the building/extension hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

4 :- Reason To ensure adequate privacy for the occupants of neighbouring premises.

5 :- The garage[s] hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling and not for any trade, business or industrial purposes whatsoever. (E04A)

5 :- Reason In order that the Local Planning Authority may retain planning control over the use of the premises.

6 :- Notwithstanding the provisions of Class[es] A to E (inclusive) 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)

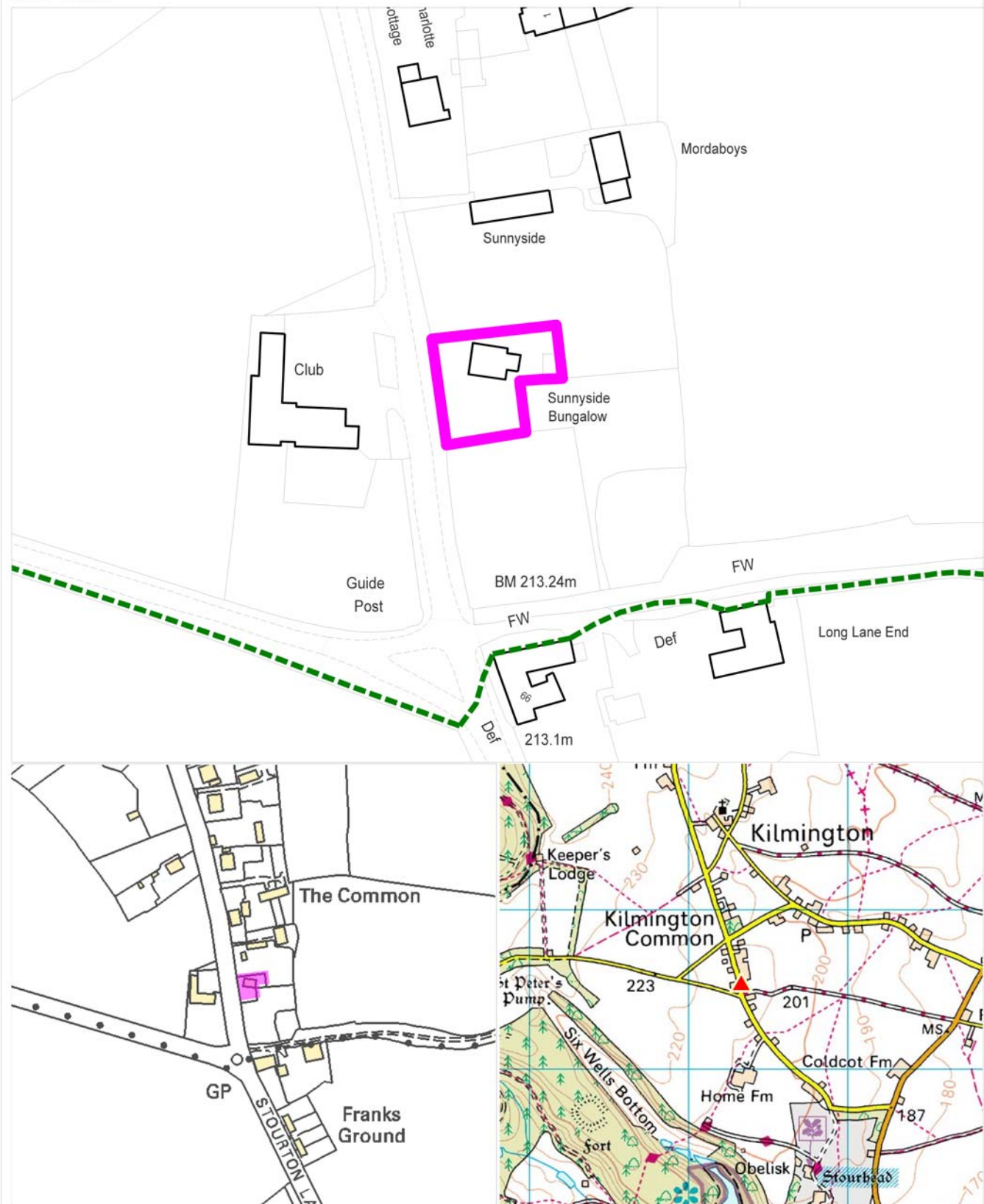
6 :- Reason To enable the Local Planning Authority to retain control over the development in the interests of amenity.

And in accordance with the following policies of the Adopted Salisbury District Local Plan.

G2 (General Criteria for Development), D3 (Design), H19 (Housing Restraint Areas) & C5 (Landscape Conservation)

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	Adopted local plan (saved) policies and SPG as detailed at 6 above.

Site Visit:



## ROSEGATE KILMINGTON COMMON, BA126QY

SCALE: NTS

DATE: 03/04/2009 14:37:14

DEPARTMENT: Planning

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