

**LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE**  
WESTERN AREA – 3/03/05

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

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

| ITEM NO     | APPLICATION NO OFFICER                   | LOCATION   | REC  | PARISH / WARD | PAGE NOS | WARD & COUN-CILLORS  | NOTES |
|-------------|--|--|------|---------------|----------|--|-------|
| <b>1 SV</b> | <b>S / 2005 / 108</b><br>Miss A Rountree | MR & MRS G WHITE<br>CAMEL COTTAGE<br>HIGH STREET<br>COMPTON CHAMBERLAYNE | REF  | COMP          | 2-4      | FONTHILL & NADDER<br>Councillor Mrs Willan                       |       |
| <b>2 SV</b> | <b>S / 2005 / 109</b><br>Miss A Rountree | MR & MRS G WHITE<br>CAMEL COTTAGE<br>HIGH STREET<br>COMPTON CHAMBERLAYNE | REF  | COMP          | 5-6      | FONTHILL & NADDER<br>Councillor Mrs Willan                       |       |
| <b>3 SV</b> | <b>S / 2005 / 189</b><br>Mr O Marigold   | C.J.H & A.M OVER<br>WHITMARSH<br>SUTTON ROW<br>SUTTON MANDEVILLE         | REF  | SUTT          | 7-9      | TISBURY & FOVANT<br>Councillor Mrs Green<br>Councillor Mr Hooper |       |
| <b>4 SV</b> | <b>S / 2005 / 58</b><br>Mr O Marigold    | YEW TREE QUALITY HOMES LIMITED<br>BRIMM CLOSE<br>DINTON ROAD<br>FOVANT   | APPC | FOV           | 10-14    | TISBURY & FOVANT<br>Councillor Mrs Green<br>Councillor Mr Hooper |       |

**5**

**S / 2005 / 122**  
Miss A Rountree

MT AND MRS D PORTEOUS  
STONEHAVEN (GARDEN OF)  
LEIGH LANE  
EAST KNOYLE

A106 EAKN

15-18 KNOYLE  
Councillor Couper

END OF LIST

# Schedule Of Planning Applications For Consideration

*In The following Order:*

Part 1) Applications Recommended For Refusal

*Part 2) Applications Recommended for Approval*

*Part 3) Applications For The Observations of the Area Committee*

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

## *ABBREVIATIONS USED THROUGHOUT THE TEXT*

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



|           |  |    |          |
|-----------|--|----|----------|
| 2004/2470 | Alterations & Extensions to Existing Cottage | WD | 10/01/05 |
| 2004/2471 | Alteration & Extension of Existing Cottage   | WD | 10/01/05 |

## CONSULTATIONS

Arboricultural Officer - No Objection

Design Forum - Welcomed the revised design and the attention that has been given to its comments made at the meeting on 3<sup>rd</sup> September. More information is needed on the proposed materials.

## REPRESENTATIONS

|                         |     |   |
|-------------------------|-----|---|
| Advertisement           | Yes | Expired 24/02/05  |
| Site Notice displayed   | Yes | Expired 24/02/05  |
| Departure               | No  |   |
| Neighbour notification  | Yes | Expired 16/02/05  |
| Parish Council response | Yes | Object: increase in scale and impact on residential amenity |
| Third Party responses   | Yes | 6 letters of objection regarding                            |

The development would be out of scale with the existing building, plot and surrounding area  
The development will dominate the surroundings  
The aspect of adjacent properties will be reduced  
The privacy of neighbouring properties will be reduced  
The design of the development is out of keeping with the building and surrounding environment.  
If approved it would create a precedent  
The soil tank serving both properties is located close to the south-eastern boundary and the works if approved may disturb it  
The development would cause overshadowing to the adjacent property  
The boundary shown between Camel Cottage and Combe House is incorrect

Points, 3 and 9 are not valid material planning considerations (9 being a civil matter) but the remainder will be dealt with in the following report.

## MAIN ISSUES

Scale & Design  
Impact on Neighbour  
Drainage

## POLICY CONTEXT

Adopted SDLP G2, G5, D3, H19, CN8, CN11, C4, C5

## PLANNING CONSIDERATIONS

### Scale & Design

The previous application was withdrawn to allow an arboricultural assessment to take place and for the scheme to replace the windows in the existing cottage to be removed from this application and dealt with under a different application. Further discussions with the architect took place during this period but it was decided not to make any amendments to the scheme.

It is acknowledged that the proposed works are an imaginative and contemporary response to the requirement of additional accommodation to a listed building. They would be entirely removable in the future and as such the Conservation Officer supports the proposal, as it will not have a detrimental impact on the fabric of the Listed Building. The scheme has been presented to Design Forum on two occasions who gave it a positive response although this is based on design only and does not taken into consideration issues of policy.

With regard to local plan policy the main concern is with regard to the increased scale and mass of the property and its impact on the surrounding area. The extensions protrude 17.3 metres

from the existing dwelling at their furthest point while the original dwelling is only 10.3 metres in length creating an unbalance between the original and the proposed which is not subservient. Although consideration has been given to the views across the site with the garden wall screening the single storey section of the extension from the road the proposal creates an extension which is not in keeping with the character of the surrounding area and will be visible from the road and wider environs in addition to from adjacent dwellings. In addition, although each individual application is dealt with on its individual merits by allowing such a large extension it is likely to create a precedent for dwellings in the village which is designated a Housing Restraint Area.

#### **Impact on Neighbour**

The proposal has been orientated away from the Combe House to the south with no first floor windows on the south elevation, only high-level roof lights so any overlooking is considered to be minimal although despite the orientation there will be some additional visual impact caused by the extension. Summerfield Lodge to the north is located a reasonable distance away from Camel Cottage with few first floor windows on the north elevation. However the balcony to the master bedroom will overlook their garden and despite the distance the proposal is considered to cause some overshadowing due to Camel Cottage being directly to the south.

#### **Drainage**

The application form indicates that foul drainage will be disposed of by septic tank but there is insufficient information that the current system will withstand the addition of the new facilities which itself is a reason for refusal.

#### **CONCLUSION**

The scale of the proposed extension and the detrimental impact it will have on the surrounding area which is designated a Conservation Area, Housing Restraint Area and AONB is considered contrary to policy D3, H19, CN8, CN11, C4 and C5. In addition the lack of information submitted with regard to the drainage is contrary to policy G5 and the additional overshadowing to adjacent properties is considered contrary to policy G2.

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

(1) The proposed extension, due to its substantial bulk and scale, and the close proximity to the boundary with the adjacent dwelling, would be out of keeping with the locality, have an adverse impact on the character of the existing dwelling, and would also have an adverse impact on the amenities of the adjacent residential properties. The proposal would therefore be contrary to policy D3, H19, CN8, CN11, C4 & C5 of the Adopted Salisbury District Local Plan.

(2) There are no mains sewers available in the locality and it has not been demonstrated to the satisfaction of the LPA that a satisfactory method of foul drainage can be achieved within the site. The proposal is therefore contrary to Policy C2 and G5 of the Adopted SDLP and the advice in circular 3/99.

#### **INFORMATIVES: - POLICY**

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

|             |   |
|-------------|---|
| Policy G2   | General Development Guidance                |
| Policy G5   | Development requiring water services        |
| Policy D3   | General Design Guidance                     |
| Policy C4   | Development within the AONB                 |
| Policy C5   | Development within the AONB                 |
| Policy H19  | Development within a Housing Restraint Area |
| Policy CN8  | Development within a Conservation Area      |
| Policy CN11 | Development within a Conservation Area      |

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#### **NOTES:**

|                   |            |                    |                     |
|-------------------|------------|--------------------|---------------------|
| S/2005/109        | 20/01/2005 | 17/03/2005         | MR & MRS G WHITE    |
| COMP              | CCH        | II                 | MELANIE LATHAM RIBA |
| Easting: 402935.7 |            | Northing: 129724.7 |                     |

|           |   |
|-----------|---|
| PROPOSAL: | L/BLDG DEMOLITION -ALTERATION & EXTENSION OF EXISTING BUILDING;<br>DEMOLITION OF EXISTING EXTENSIONS & OUTBUILDINGS; CONSTRUCTION OF<br>NEW 2 STOREY & SINGLE STOREY EXTENSIONS AND CONSERVATORY;<br>REPLACEMENT OF STAIRCASE TO REORIENTATE ACCESS POSITION AND<br>INSERTION OF ENSUITE BATHROOM IN THE EXISTING COTTAGE |
| LOCATION: | CAMEL COTTAGE HIGH STREET COMPTON CHAMBERLAYNE SALISBURY SP3<br>5DB   |

### REASON FOR REPORT TO MEMBERS

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

### SITE AND ITS SURROUNDINGS

Camel Cottage is a 17<sup>th</sup> Century Grade II Listed Building located off the High Street, Compton Chamberlayne within the Housing Restraint Area, Conservation Area and AONB. It is constructed from green sandstone with thatched roof and large garden sloping away from the site. There is currently a modern extension to the east elevation of the cottage and several outbuildings.

### THE PROPOSAL

Permission is sought for alterations to the existing dwelling and the removal of the existing extensions and outbuildings to facilitate a new "T" shaped extension protruding from the east elevation which will be part single, part two storey.

Within the existing dwelling the staircase will be replaced and a new bathroom installed.

The new extension will be set slightly away from the existing cottage connected by a glazed link section with aluminium frame. The main part of the extension will be timber framed with large glazed areas. A stone wall will divide the garden forming the northern elevation of the single storey section of the extension. Stone will also be used for the conservatory plinth with all other masonry sections rendered.

### PLANNING HISTORY

|           |  |    |          |
|-----------|--|----|----------|
| 2004/2470 | Alterations & Extensions to Existing Cottage | WD | 10/01/05 |
| 2004/2471 | Alteration & Extension of Existing Cottage   | WD | 10/01/05 |

### CONSULTATIONS

Conservation Officer - No Objection

### REPRESENTATIONS

|                         |     |  |
|-------------------------|-----|--|
| Advertisement           | Yes | Expired 24/02/05   |
| Site Notice displayed   | Yes | Expired 24/02/05   |
| Departure               | No  |  |
| Neighbour notification  | Yes | Expired 16/02/05   |
| Parish Council response | Yes | Object: increase in scale and impact on residential amenity  |
| Third Party responses   | Yes | 6 letters of objection regarding<br>The development would be out of scale with the existing building, plot and surrounding area<br>The development will dominate the surroundings<br>The aspect of adjacent properties will be reduced<br>The privacy of neighbouring properties will be reduced |

The design of the development is out of keeping with the building and surrounding environment.  
If approved it would create a precedent  
The soil tank serving both properties is located close to the south-eastern boundary and the works if approved may disturb it  
The development would cause overshadowing to the adjacent property  
The boundary shown between Camel Cottage and Combe House is incorrect

Points, 3, 7 and 9 are not valid material planning considerations (7 & 9 being a civil matter) but the remainder will be dealt with in the following report.

## **MAIN ISSUES**

Impact on Listed Building

## **POLICY CONTEXT**

Adopted SDLP CN3

## **PLANNING CONSIDERATIONS**

### **Impact on Listed Building**

The building was once a "one cell" cottage to which another cell was added to the south in the late 17<sup>th</sup> Century. Therefore its small scale is integral to the character of the listed building. While it is acknowledged that the proposed works are an imaginative and contemporary response to the requirement of additional accommodation to a listed building they completely alter its character. They would be entirely removable in the future and as such the Conservation Officer supports the proposal, as it will not have a detrimental impact on the fabric of the Listed Building. The scheme has been presented to Design Forum on two occasions who gave it a positive response although this is based on design only and does not taken into consideration issues of policy.

With regard to local plan policy the main concern is with regard to the increased scale and mass of the property and its impact on the surrounding area. The extensions protrude 17.3 metres from the existing dwelling at their furthest point while the original dwelling is only 10.3 metres in length creating an unbalance between the original and the proposed which is not subservient. Although consideration has been given to the views across the site with the garden wall screening the single storey section of the extension from the road the proposal creates an extension which is not in keeping with the character of the surrounding area and will be visible from the road and wider environs in addition to from adjacent dwellings. As such it is considered detrimental to the setting and character of the Listed Building although it will not detrimentally impact on the historic fabric of the dwelling. In addition, although each individual application is dealt with on its individual merits by allowing such a large extension it is likely to create a precedent for dwellings in the village which is designated a Housing Restraint Area.

## **CONCLUSION**

The scale and mass of the proposed extension will have a detrimental impact on the setting of the Grade II Listed Building and as such is contrary to policy CN3 of the Adopted SDLP.

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

(1) The proposed extension, due to its substantial bulk and scale would be out of keeping with the locality and have an adverse impact on the character and setting of the existing dwelling, which is Grade II Listed Building. The proposal would therefore be contrary to policy CN3 of the Adopted Salisbury District Local Plan.

**INFORMATIVES: - POLICY**

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

Policy CN3 - Development to a Listed Building

**NOTES:**



3

**Case Officer**  
**Mr O Marigold**

**Contact No**

3

|                   |                    |            |                  |
|-------------------|--------------------|------------|------------------|
| S/2005/189        | 31/01/2005         | 28/03/2005 | C.J.H & A.M OVER |
| SUTT              |                    |            |                  |
| Easting: 397465.4 | Northing: 128979.6 |            |                  |

|           |  |
|-----------|--|
| PROPOSAL: | FULL APPLICATION -DEMOLISH BUNGALOW ERECT 2 STOREY DWELLING & REVISION TO ACCESS |
| LOCATION: | WHITMARSH SUTTON ROW SUTTON MANDEVILLE SALISBURY SP3 5NQ                         |

**REASON FOR REPORT TO MEMBERS**

At Councillor Green's request, on the grounds of local interest

**SITE AND ITS SURROUNDINGS**

The site consists of a single storey bungalow dwelling and associated curtilage located in the open countryside, and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. The nearest neighbour is a similar bungalow to the east.

**THE PROPOSAL**

The application proposes to replace an existing two bedroom bungalow with a five bedroom dwelling, together with the creation of a new access and driveway, and the stopping-up of the existing access.

**PLANNING HISTORY**

1. Extension to existing bungalow, Approved with Conditions on 18<sup>th</sup> July 1988 (S/1988/992)
2. Erection of double garage, Approved with Conditions on 18<sup>th</sup> October 1992 (S/1992/1280)
3. Porch and stable with store, Approved with Conditions on 28<sup>th</sup> March 1998 (S/1998/171)
4. Demolish bungalow and erect 2 storey dwelling, Refused (at WAC) on 25<sup>th</sup> March 2004 (S/2004/671)

**CONSULTATIONS**

Highway Authority – response awaited

**REPRESENTATIONS**

Advertisement No  
Site Notice displayed Yes expires 03/03/05  
Departure No  
Neighbour notification Yes expires 24/02/05  
Neighbour response Yes

2 letters of support commenting that the proposed two storey dwelling would be appropriate to the plot and its setting, and that the dwelling's individual character will enhance the AONB.

Parish Council response Yes no objection

**MAIN ISSUES**

Principle, and impact on the character and appearance of the open countryside and AONB

**POLICY CONTEXT**

H30, C1, C2, C4, C5

## **PLANNING CONSIDERATIONS**

The site lies within the open countryside where Government advice requires strict control over new development, particularly with regard to residential development. The site also lies within the Cranborne Chase and West Wiltshire Downs AONB, re-enforcing the need for careful control over development. In this context, recently introduced government advice in PPS7 advises: “new building development in the open countryside away from existing settlements...should be strictly controlled”.

### **Local Plan policy**

Policies C1, C2, C4 and C5 require general restraint on development in the countryside, and particularly in the AONB. As a replacement dwelling, in order to be acceptable, the proposed dwelling must comply with Local Plan policy - H30 in particular. This imposes an ‘in principle’ requirement that, in the open countryside, replacement dwellings must not result in a building that is significantly larger than the building it replaces, and should have no greater impact than the existing building. Indeed, members’ attention is drawn to the explanatory text contained in the 2003 Local Plan (changed from the previous adopted Local Plan), which requires that:

*“...A replacement dwelling should not be significantly larger than the one being replaced in order to maintain the overall character of the countryside. The fact that a house on a particular site would be unobtrusive is not considered sufficient justification for a substantial increase in size, as the cumulative impact of proposals, if not carefully controlled, would lead to the long-term erosion of the character of the District’s countryside. In addition, the dwelling should be designed to a high standard appropriate to its rural surroundings...”*

This requirement remains whether or not the proposal involves an improvement in design, because all replacement dwellings are expected to be of a high standard of design, bearing in mind the AONB designation. In this particular case, while the existing bungalow has no particular architectural merit, it does have the advantage of being unobtrusive, and it does not detract from or impinge on its surroundings.

In judging what is ‘significant’, consideration needs to be given not just to the footprint, but also to the overall increase in size and shape. This proposal is not as tall as the dwelling refused in March 2004. However, the fact remains that it involves an increase in the ridge height of just over 2 metres across much of the extensive length of the proposed dwelling – a height of 7.1 metres for 19.5 metres in length, with a total length of 23.5 metres.

This results in a significant mass and size when compared to the existing dwelling, which has a height of only 5 metres over a reduced length, and a much simpler appearance, form and design. The application also proposes the erection of four dormers, adding to the size of the development. In terms of floorspace (bearing in mind the development proposes accommodation on two floors) the increase would be at least 64%. Overall, it is judged that the proposal would result in a ‘significant’ increase in the size of the dwelling. It would therefore be contrary to policy H30 of the Local Plan.

The proposed replacement dwelling would be visible from public viewpoints, essentially through the existing trees, hedging and foliage and (to some extent) from the re-positioned driveway. But, as identified in the Local Plan, even where a dwelling is unobtrusive, there is still a requirement to limit the size of replacement dwellings. While the new driveway would open up views of the existing shed buildings in the garden (which are likely to be replaced), this aspect of the proposal is not unacceptable.

### **Examples quoted by the applicant**

The applicants have highlighted cases where they feel that the Council has adopted a less strict approach. In the case of East Gate on Rectory Road, Sutton Mandeville (S/2002/0770), the original dwelling was sited between existing two storey dwellings and therefore the context was

different to this proposal. They have also quoted a 2002 decision at Barbers Farm, Swallowcliffe (S/2002/2086).

However, these two examples does not set a good precedent to follow, because to do so would frustrate the clear aims of policy H30 in restricting the replacement of small dwellings with large properties. They do not change the requirement of s54a of the Act that the application has to be determined in accordance with the development plan policies, unless exceptional circumstances dictate otherwise. These examples were also decisions made before the most recent Local Plan (with its amended, stricter, wording) was adopted, and before the publication of PPS7.

The applicants have also quoted South farm in Ansty (S/2001/2279), but here the files show that the existing dwelling was two storey and that the replacement was not therefore 'significant' in comparison.

### **Alternatives**

It is accepted that the property sits in a large plot. There is therefore scope for a replacement dwelling of reduced height and mass, but one that is extended further at single storey level to the rear to limit the overall mass of the building, even if this results in a slightly larger footprint.

Alternatively, a higher dwelling could also be acceptable where the dwelling is not as lengthy as the existing property, so that the overall increase would not be significant. It is the increase in ridge line, when taken with its length, that makes this proposal significantly large in terms of mass and scale. A further possibility is reducing the accommodation at first floor level, so that a passageway is not required, thereby limiting the amount of floorspace that has to be at 'standing' height, although this would probably limit the number of bedrooms.

### **CONCLUSION**

There is no reason not to determine this application otherwise than in accordance with Local Plan policy H30, criteria (i) of which requires that a replacement dwelling must not be significantly larger than the dwelling it replaces. The proposed replacement dwelling would be significantly larger in terms of height, size and mass when compared to the existing dwelling, and would therefore harm the character and appearance of the open countryside and fail to preserve the natural beauty of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

### **RECOMMENDATION:**

**Subject to no new material issues being raised in correspondence on or before 3<sup>rd</sup> March 2004:**

**REFUSE** for the following reasons:

The proposed replacement dwelling, by reason of its significantly larger size, height and mass when compared to the existing dwelling, would harm the character and appearance of the open countryside and would fail to preserve the natural beauty of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. It would therefore be contrary to policies H30, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan.

### **INFORMATIVES: - POLICY**

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

- H30 Replacement dwellings in the open countryside
- C1 Development in the countryside
- C2 Development in the countryside
- C4 Development in AONBs
- C5 Development in AONBs

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### **NOTES:**

## Part 2

### Applications recommended for Approval

Item No.            Case Officer    Contact No.

App.Number      Date Received    Expiry Date      Applicant's Name  
 Ward/Parish      Cons.Area        Listed      Agents Name

Proposal  
 Location

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**4    Case Officer                          Contact No    4**

**Mr O Marigold**

|                   |                    |            |                                |
|-------------------|--------------------|------------|--------------------------------|
| S/2005/58         | 17/01/2005         | 14/03/2005 | YEW TREE QUALITY HOMES LIMITED |
| FOV               |                    |            | DAMEN ASSOCIATES               |
| Easting: 399957.4 | Northing: 129274.3 |            |                                |

|           |   |
|-----------|---|
| PROPOSAL: | O/L APPLICATION -DEMOLITION OF EXISTING DWELLING AND DETACHED GARAGE - CONSTRUCTION OF TWO DETACHED DWELLINGS ALTERATIONS TO EXISTING ACCESS AND ASSOCIATED WORKS |
| LOCATION: | BRIMM CLOSE DINTON ROAD FOVANT SALISBURY SP3 5JW  |

#### **REASON FOR REPORT TO MEMBERS**

At Councillor Green's request, on the grounds of local interest

#### **SITE AND ITS SURROUNDINGS**

The site consists of the garden curtilage of Brimm Close, a two storey dwelling set at an angle to Dinton Road in Fovant. The site slopes away from the highway, down to the valley floor behind. Adjoining properties are largely single storey, although the ex-MOD two storey dwellings lie further north. The site lies in the AONB and the Housing Policy Boundary.

#### **THE PROPOSAL**

The application proposes the demolition of the existing dwelling and the erection of two dwellings and is in outline, with siting and means of access falling to be considered at this stage. The application has had its siting reduced to some extent during the course of this application. Although the applicants did subsequently ask for 'external appearance' (ie materials) to be considered at this stage, they have accepted that it would be preferable for this to be left to a future reserved matters application.

The applicants have also submitted additional plans showing a possible design proposal to erect two dwellings on the site. However, it should be stressed that these are illustrative only and that the application remains outline. Therefore it is only the principle of two dwellings on this site, with the siting and means of access shown, that is to be considered now. Consideration of the specific design and external appearance, and landscaping, would need to be the subject of a future Reserved Matters application if permission is approved.

## PLANNING HISTORY

1. Construction of a pair of detached four bedroom houses, each with integral garage, Refused on 7<sup>th</sup> July 2004 (S/2004/1177)
2. Erect pair of detached dwellings with integral garages, Refused on 8<sup>th</sup> September 2004 (S/2004/1554)

## CONSULTATIONS

WCC Highways - no objection subject to conditions  
Environment Agency - no comment

## REPRESENTATIONS

|                        |     |   |
|------------------------|-----|---|
| Advertisement          | No  |   |
| Site Notice displayed  | Yes | expires 17/02/05  |
| Departure              | No  |   |
| Neighbour notification | Yes | expired 23/02/05  |
| Third Party responses  | Yes | 4 letters of objection on the grounds of:<br>inadequate plans<br>impact on living conditions of adjoining properties in terms of loss of light, overlooking and dominance<br>size and scale of proposed 'three-storey' dwellings<br>impact on street scene<br>impact on views from valley/Church Lane<br>would be preferable to have smaller, more affordable, houses |

Parish Council response            Yes    Object on grounds of impact on Church Lane  
Conservation

Area, impact on existing properties, overbearing size of proposed three storey dwellings, harm to the street scene, encroachment on open space (further comments are awaited on amended details).

## MAIN ISSUES

Impact on character and appearance of street scene, AONB and surrounding area  
Impact on living conditions of neighbouring properties

## POLICY CONTEXT

H16, D2, G1, G2, C5

## PLANNING CONSIDERATIONS

Impact on character and appearance of street scene, AONB and surrounding area

The site lies within the Housing Policy Boundary, and therefore the principle of residential development is acceptable, subject to the criteria set out in policy H16. In particular, consideration has been given to the question of whether the proposal would result in the loss of an area of open space that contributes to the street scene.

In general terms this south side of this part of Fovant has a built-up appearance. Although the space between Brimm Close and Pensby does allow some views of the countryside behind, these are limited, and the area itself has the appearance of domestic curtilage. The spacing between the two dwellings would mean some glimpses would remain. Overall, it is not considered that a refusal could be sustained at appeal based on the loss of the area of open space, particularly given the need to encourage residential development on previously developed land in areas designated for such development.

A further consideration is the impact on the street scene and on views from Church Lane, to the west. Permission for two dwellings has previously been refused essentially because of the scale, bulk and massing of the dwellings then proposed. However, those applications gave no detail of levels and it was difficult to envisage how the dwellings then proposed would impact on the street scene.

Bearing in mind that this is an outline application, and that it is purely the principle of dwellings based on the siting shown that form part of this application (rather than the specific design), it is considered that two dwellings could be achieved on the proposed siting that would not harm the street scene, given its mixed and primarily built-up appearance, provided that the specific design (ie scale, mass, bulk etc) is acceptable.

Although the detailed design proposals submitted are only indicative, they do show that dwellings could be erected on this site that would not result in excessive scale and massing that would harm the street scene. By reducing the height of the dwellings to some extent, increasing the spacing between the new dwellings, re-positioning the bulkier parts of the dwellings (when compared with the previous scheme), improving and simplifying the street scene elevation and by giving more detailed information regarding levels when viewed from Dinton Road, the impact in terms of massing, scale and design would be less than that envisaged by the previous applications.

The two dwellings would be visible as two storey dwellings when viewed from Church Lane, but in some views this would be in the context of the existing mix of development along Dinton road, and by being set back and cut into the hillside, their scale and mass is reduced when compared to the previously refused proposals. In addition, when compared to the existing two storey dwelling at Brimm Close, the overall height would be reduced. Views out of the Church Lane Conservation Area would not be harmed by the proposal.

Overall, it is considered that the indicative plans submitted would be acceptable in terms of their impact on character and appearance of street scene, AONB and surrounding area. But even if members consider that the proposed design is not acceptable, this would not be a reasonable ground to refuse permission now, unless only the siting or principle was considered unacceptable.

#### Impact on living conditions of neighbouring properties

This did not form a reason for refusal of the most recent application (S/2004/1554), but was a reason for refusing the first application (S/2004/1177).

Again, it has to be remembered that this is only an outline application and therefore the primary consideration is whether dwellings based on the siting proposed would harm the reasonable living conditions of the occupiers of the adjoining properties. Objections have been received from those properties nearest to the proposed development – Pensby and Millborne Lodge (to the south) and Crossing Gate (to the north).

Other than a bathroom window at Pensby, neither the dwellings at Pensby nor Crossing Gate have primary windows that would directly face the proposed development. The indicative plans submitted show no proposals for primary windows to face either of these properties. Any overlooking would be oblique and not sufficient to justify refusal. Millborne Lodge would be sufficiently far enough away for its privacy not to be harmfully affected. It also has to be remembered that the existing dwelling has windows facing Pensby.

In terms of over-dominance and loss of light, the fact that Pensby and Crossing Gate do not have primary windows facing the development limits the effects that the proposed development would have on these properties. Moving the dwelling on plot 2 further forward would enable more light to reach the rear windows of Pensby and removed any overshadowing of the gardens of Pensby or Crossing Gate that could have resulted as part of the previous proposals. Again, Millborne Lodge would be sufficiently far enough away that it would not be dominated or suffer harmful loss of light from the proposal.

Overall, the siting and principle of two dwellings as proposed would not, on balance, harm the reasonable living conditions of nearby residential properties.

Other matters

As an outline application, recreational open space would not be payable until the Reserved Matters application is submitted and the number of bedrooms is known. The means of access and driveway/parking layout is acceptable to the Highway Authority, subject to conditions.

## **CONCLUSION**

The proposed development of the site for two dwellings on the siting and means of access shown, would not harm the character and appearance of the area, the Cranborne Chase and West Wiltshire Downs AONB or the reasonable living conditions of nearby residential properties. It would therefore comply with Replacement Salisbury District Local Plan policies H16, D2, G1, G2 and C5

## **RECOMMENDATION:**

**Subject to no new material considerations being raised before 23<sup>rd</sup> February 2005:**

**APPROVE:** for the following reasons

The proposed development of the site for two dwellings on the siting and means of access shown, would not harm the character and appearance of the area, the Cranborne Chase and West Wiltshire Downs AONB or the reasonable living conditions of nearby residential properties. It would therefore comply with Replacement Salisbury District Local Plan policies H16, D2, G1, G2 and C5

And subject to the following conditions

1. Approval of the details of the design and external appearance of the buildings and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. (A01A)

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

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the design and external appearance of buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. (A02A)

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

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

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

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

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

5. Prior to the commencement of development, a scheme for the provision of recreational public open space in accordance with policy R2 of the Replacement Salisbury District Local Plan shall be submitted to and approved, in writing, by the Local Planning Authority, and undertaken in accordance with the scheme thereby approved.

Reason: In order to ensure adequate recreational open space facilities

6. The gradient of the proposed drives shall not be steeper than 1 in 8.

Reason: In the interests of highway safety

7. Before the dwellings hereby approved are first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

8. This decision has been taken in accordance with plans 02105/2, 02105/3 and 02105/4 dated Feb 2005 with respect of siting and means of access. The elevations, heights, materials and designs shown on these plans are illustrative only, but shall be generally in accordance with 'split level' design shown. Further consent is required under condition 1 for approval of the specific design and external appearance, together with landscaping.

Reason: For the avoidance of doubt and in the interests of the character and appearance of the area

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

Reason: In the interests of the character and appearance of the area

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

Reason: 0014 To secure a harmonious form of development.

11. The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced. (C03A)

Reason: To ensure the exact finished floor level[s] of the building[s].

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

H16, D2, G1, G2 and C5

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**NOTES:**



|                   |                    |            |                           |
|-------------------|--------------------|------------|---------------------------|
| S/2005/122        | 25/01/2005         | 22/03/2005 | MT AND MRS D PORTEOUS     |
| EAKN              |                    |            | PHILIP PROCTOR ASSOCIATES |
| Easting: 388175.7 | Northing: 129930.5 |            |                           |

|           |   |
|-----------|---|
| PROPOSAL: | FULL APPLICATION -ERECT NEW DWELLING                            |
| LOCATION: | STONEHAVEN (GARDEN OF) LEIGH LANE EAST KNOYLE SALISBURY SP3 6AP |

### REASON FOR REPORT TO MEMBERS

Contrary to statutory consultees (WCC Highway Departments) recommendation.

### SITE AND ITS SURROUNDINGS

This application relates to works on a plot of land between Stonehaven and Westleigh in Leigh Lane, East Knoyle, currently within the ownership of the former. It is located within the identified Housing Policy Boundary of East Knoyle and the AONB.

### THE PROPOSAL

Permission is sought for a 2-bedroom thatched dwelling on the site constructed from natural green sandstone with brick forming the east elevation and chimneys. The north elevation of the dwelling is to form the boundary wall with Stonehaven. A parking area will be provided to the front of the property, which after negotiation has been extended to accommodate two cars. In addition amendments have been received to integrate the chimney to the west elevation within the property and the alteration of proposed boarding changed to brick on the east elevation.

### PLANNING HISTORY

Outline permission for a dwelling on this site was refused last year (S/2004/1753) for the following reasons:

*Leigh Lane by reason of its sub-standard junction with Shaftesbury Road where visibility is restricted is inadequate and unsuitable to serve as a means of access to the proposed development. Furthermore, vehicles resulting from the proposed development leaving the site access at a point where visibility from and of such vehicles would be restricted, would impede, endanger and inconvenience other road users to the detriment of highway safety. Therefore the proposal is contrary to policy G2 of the Adopted SDLP.*

*The proposed dwelling would be partially outside the designated Housing Policy Boundary of East Knoyle and thereby constitutes a dwelling in open countryside which is contrary to policy H16 and H23 of the Adopted SDLP.*

*The proposed dwelling is likely to have an adverse effect upon the residential amenity of nearby properties due to its close proximity to the boundaries of the site and as such it is contrary to policy G2 of the Adopted SDLP.*

*The width of the site is less than the surrounding curtilages so the erection of a dwelling would be cramped and out of keeping with the surrounding development which is characterised by properties well spaced from one another. It is therefore contrary to policy H16 of the Adopted SDLP.*

*The proposed development makes inadequate provision for recreational open space and as such is contrary to policy R2 of the Replacement Salisbury District Local Plan.*

### CONSULTATIONS

WCC Highways - Objections (those summarised in refusal reason 1 still stand)  
Environmental Health Officer - No Objections

Wessex Water Authority- No Objections  
Environment Agency - No Objections

## REPRESENTATIONS

|                                      |     |  |
|--------------------------------------|-----|--|
| Advertisement                        | No  |  |
| Site Notice displayed                | Yes | Expired 24/02/05                               |
| Departure                            | No  |  |
| Neighbour notification               | Yes | Expired 17/02/05                               |
| Parish Council response              | Yes |  |
| Third Party responses                | Yes | 1 letter of objection regarding the following: |
| 1. Overcrowding of site & Leigh Lane |     |  |

## MAIN ISSUES

Scale & Design  
Impact on Neighbour  
Impact on Highway

## POLICY CONTEXT

G2, D2, C4, C5, H16

## PLANNING CONSIDERATIONS

### Scale & Design

The Parish Council supports development in Leigh Lane in principle but feels that in this case the plot size is too narrow. Although it is acknowledged that the plot is narrow in comparison to other development in Leigh Lane it has been extended by 3.3 metres since the previous application (now 12.3 metres in width as scaled from the submitted plans) and still allows sufficient amenity space to the rear of the plot and parking to the front. In addition the site of the dwelling has been altered so it is now located completely within the housing policy boundary. In terms of design the dwelling is considered appropriate to the surroundings being constructed from traditional materials using one of the boundary walls of the plot to maximise space.

### Impact on Neighbour

Although the plot size is narrow, the property is situated a reasonable distance from adjacent properties minimizing overshadowing, with the majority of the fenestration on the west and east elevations. No windows are proposed on the north elevation, which forms the boundary wall, and there is only one small first floor window proposed on the south elevation, which serves a landing. Therefore any impact from overlooking is considered minimal.

### Impact on Highway

WCC Highways have objected to the proposal because Leigh Lane by reason of its sub-standard junction with Shaftesbury Road is deemed inadequate and unsuitable to serve as a means of access to the proposed development and vehicles leaving from the site would have restricted visibility causing a detriment to highway safety. The Parish Council does not agree with this view but it does feel that an objection must be raised by Salisbury District Council in line with the previous refusal at the adjacent property, Westleigh. The agent for the development has been informed of the views of the Highways Department and given the opportunity to amend the visibility splays to the property to overcome part of the objection prior to the committee meeting. If amendments are received the only objection is that of the substandard junction between Leigh Lane and Shaftesbury Road, which is, a standard objection raised to all development in Leigh Lane and not site specific.

R2 – An agreement has already been supplied .

## CONCLUSION

The reasons for refusal of the previous application numbered 2 to 5 are considered to have been overcome as the plot size has been increased in width, the development moved within the Housing Policy Boundary, the design altered so that there is minimal impact on the surrounding

properties and the applicant is willing to enter into a unilateral agreement with regard to R2 contributions. Although the objections from WCC Highways department remain, on balance approval is recommended given that the objection is not site specific and significant alterations have been made since the last application to overcome the remaining reasons for refusal.

**RECOMMENDATION:**

**APPROVE:** for the following reasons

The proposal is appropriate to the surrounding area and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted SDLP G2, D2, C4, C5, R2 and H16.

**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. (A07A)

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

(2) This development shall be in accordance with the amended drawing[s] ref: 2A deposited with the Local Planning Authority on 16/02/05, unless otherwise agreed in writing by the Local Planning Authority. (B01A)

Reason: 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 wall[s] and roof[s] of the proposed development (both the dwelling and the detached garage) 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.

(4) Notwithstanding the provisions of Classes A - H 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 or alterations to the dwelling nor the addition of any new windows other than those shown on the drawings hereby approved 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.

Reason: To enable the Local Planning Authority to ensure that sufficient space is retained around the dwelling(s) and to reduce the potential for overlooking of neighbouring properties, in the interests of neighbourliness and amenity.

(5) The proposed access shall remain un gated.

Reason: In the interests of highway safety.

(6) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of highway safety.

(7) Prior to the occupation of the dwelling the two parking spaces shall be constructed, surfaced and drained which shall then be retained thereafter unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of highway safety.

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

|            |  |
|------------|--|
| Policy G2  | General Development Guidance                 |
| Policy D2  | Infill Development                           |
| Policy C4  | Development within the AONB                  |
| Policy C5  | Development within the AONB                  |
| Policy H16 | Development within a Housing Policy Boundary |

INFORMATIVE: -

**It has been pointed out by Wessex Water that a public foul sewer crosses the site. In view of this, it is advised that Wessex Water be contacted prior to the submission of a Building Regulations application so that arrangements may be made to protect the integrity of the pipe.**

**Wessex Water have also indicated that prior to the commencement of development it will be necessary for the developer to agree a point of connection onto the mains water and foul sewer. Wessex Water can be contacted on (01225) 526000.**

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**NOTES:**