

Deadline:	16 th AUGUST 2010		
Application Number:	S/2010/0722		
Site Address:	LAND ADJACENT TO BUTTERFIELD DRIVE AMESBURY SALISBURY SP4 7LL		
Proposal:	OUTLINE APPLICATION FOR THE CONSTRUCTION OF 11 FLATS AND TWO HOUSES INCLUDING CONSIDERATION OF ACCESS, LAYOUT AND SCALE		
Applicant/ Agent:	DAMEN ASSOCIATES		
Parish:	AMESBURY EASTAMESBURY EAST		
Grid Reference:	416787.34314537 141335.865181923		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr A Madge	Contact Number:	01722 434380

Application Number	S/2010/0722
Proposed Development	Outline application for the construction of 11 flats and two houses including consideration of access layout and scale
Officer Report	

Reason for the application being considered by Committee
Councillor Noeken has requested that this item be determined by Committee due to the: Close proximity to houses in Pointers Way. Cllr Noeken has received correspondence and comments from a number of people about the proposal.

1. Purpose of Report
To consider the above application and to recommend that planning permission be GRANTED subject to conditions The applicant be invited to enter an Agreement in respect of the following matters: (i) Policy R2 (Provision of Recreational Public Open Space) Following completion of which the Area Development Manager (Development Control and Heritage) be authorised to GRANT Planning Permission subject to conditions
2. Main Issues
The main issues to consider are : The differences between this and the previously granted scheme

Design and Layout
 Overlooking
 Provision for cycling, walking.
 Landscaping
 R2 provision
 Archaeological evaluation
 Education contribution
 Waste Audit

3. Site Description

The site is a strip of vacant land located between the relatively modern housing development of Butterfield Down to the North and West and a newly developed area of two blocks of three storey flats (one with shops beneath it) for social housing, which lies to the South. The site is bounded on two sides East and West by roads, these being Porton road and Butterfield drive respectively. To the south beyond the newly built blocks of flats lies the Baptist centre which has its own car park. The area has a number of scrubby bushes along its boundaries.

4. Planning History

Application number	Proposal	Decision
S/2006/1783	Outline application for the development of 10 residential units with associated parking and landscaping.	Granted 26/2/2007

6. Planning Policy

the following policies are considered relevant to this proposal

G1	General policies,
G2	General policies
D1	Extensive development
D2	Infill development
R2	Open space provision

7. Consultations

Town Council - Object

- A) Overdevelopment of the site
- B) Restricted parking within the site will lead to parking problems on Butterfield Drive
- C) Lack of amenity space (this could be overcome by inclusion of R2 funding).
- D) Close proximity to houses in Pointers Way will be over bearing and could present overlooking issues.
- E) No disabled parking bays for visitor shown. The committee felt the land would be better used for Amenity Purposes serving Butterfield Down, the new blocks of flats to the South of the site and Local residents living on Porton Road.

Highways

The submitted scheme, whilst poor in detail, does provide sufficient information for a conditional approval to be recommended. I am pleased that the improvement to Porton Road is again shown, providing an additional area of land for a new footway and the developer has clearly indicated that this work forms part of the submitted scheme. I will recommend that full details are submitted for approval. A pedestrian link is again omitted, but the advantage of the improvement outweighs the lack of an access into this proposed private housing scheme.

I am also satisfied that the overall parking is acceptable as the proposal includes large areas of internal road space which can accommodate visitors' cars. Also the scheme includes a turning area for service vehicles.

I therefore recommend no highway objection be raised subject to the following conditions:-

1. Before the start of the development, details of the improvement to the Porton Road frontage to the development shall be submitted for the written approval of the LPA; and the improvement shall be completed in accordance with the approved details before the first occupation of the development.
2. Before the start of the development, full details of the internal access road shall be submitted for the written approval of the LPA; and the internal access road shall be completed in accordance with the approved details before the first occupation of the development.

Informative: the improvement work along Porton Road should be carried out under a Section 38 Agreement with Wiltshire Council as Highway Authority to ensure that future maintenance will lie with the public at large.

Environmental Health

No objections subject to conditions about construction work.

Wessex Water

General comments in relation to connecting to Sewage and water infrastructure.

Council archaeology

I understand from the planning application that archaeological evaluation was undertaken in 2006 in relation to the previous application on this site S/06/1783. I can see from our reports that the evaluation revealed little evidence of any features of archaeological significance and that no further work was requested in relation to the development proposals. As the scale and scope of this application is little different, I do not have any further comment to make with regard to this application.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification
Expiry date 17/06/2010

3 letters of objection that have been received.
Summary of key points raised

Parking issues that would be caused in the surrounding areas
Loss of daylight to neighbouring properties
Loss of privacy
Already overlooked by flats at Butterfield Down adding to this would infringe privacy

9. Planning Considerations :

9.1 The differences between this and the previously granted scheme

The main, and only significant difference between this and the previously consented outline application is in the height proposed of the front residential block which faces onto Porton road. The previous scheme although following a similar footprint to that currently proposed, consisted of four flats (two on the ground floor and two on the first floor). The new scheme is proposed at three storey height with two flats on the ground, first and second floor and a final flat in the roof.

The previous scheme showed one parking space per unit with one space for visitors. The new scheme shows one parking space for each of the units. Space has been utilised around the base of the main block of flats to provide the increase in parking spaces. The councils highway officers have confirmed the acceptability of this.

9.2 Design and Layout

The design has changed from that previously approved so that the block at the front of the site is now three storeys in height (with a flat in the roof) This is a storey higher than the previous application. The new enhanced roof height is taller than the eaves height of the new blocks of adjacent properties but would be compatible with this. Properties in Pointers Way would be effected . Policy D2 of the saved policies of the Salisbury district local plan states –

Infill Development

Proposals for street and infill development will be permitted where proposals respect or enhance the character of appearance of an area in terms of the following criteria:

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

It is considered that the new building would be compatible in size to the new buildings to the South as required by this policy. The height of the new blocks of flats to the South would still be higher than the proposed block and the distance to the 2 storey properties in Pointers Way is sufficient to ensure that although there would be an increase in overshadowing this would only be limited.

The applicant has asked that access be considered as part of this application. There is one point of access shown into the application site and this is at the rear of the site onto Butterfield drive. There was previously no objection to the insertion of a drive onto this road and highways have raised no objection to this in relation to this development. It is proposed to have both a vehicular and pedestrian access onto Butterfield Drive. The layout in terms of access is therefore acceptable.

9.3 Overlooking

The indicative plans show that some of the buildings will be positioned close to neighbouring properties whilst the distances themselves are acceptable (and the same as the previous application) if windows were put in the external walls of the new blocks of flats this would be unlikely to be acceptable. A condition therefore needs to secure that no windows are put in the external walls of flats 4 and 6 at first floor level. This would also need to be applied to the first and second floors of flats 7 – 13. Providing this is secured it is considered that the distances between the proposed buildings and those that are existing are acceptable.

There will be some oblique overlooking from bedroom windows on the Western elevation of the new Block facing Porton Road. There is a new window at second floor level and a further window in the roof which will overlook the rear gardens of properties in Pointers Way however this at an oblique angle and it is not considered that the overlooking caused by these windows is sufficient to refuse planning permission.

9.4 Provision for cycling, walking.

The applicant has shown space on the plan for the provision of cycle stores to serve the development. The provision of these for cycle storage should encourage the use of more sustainable modes of transport.

The provision (by condition) of a pedestrian access through the site to the main road should ensure that pedestrians can access bus services on Porton road more easily and will also provide a better route for pedestrians to take.

9.5 Landscaping

The existing landscaping on site which largely consists of some severely overgrown Hawthorn hedging is of little merit and the arboricultural officer is of the opinion that this could and probably should be removed from the development. The planting shown (although indicative) is, it is considered adequate given that the areas of planting are largely not public open spaces and would not be seen. It is considered that the issue of where planting is to be provided will need to be looked at again when a detailed application is submitted but officers are satisfied that adequate planting could be provided in the spaces available.

9.6 R2 provision

Although no open space is provided on site the payment towards off site open space provision can be made at the detailed stage and put on via a section 106 agreement. A standard monetary contribution can then be made.

9.7 Archaeological evaluation

An archaeological evaluation of the site has taken place and only very limited archaeology has been found. As can be seen from the Council archaeologists comments on this application it is not considered that this is an issue that requires further investigation and she considers the development can continue as it is.

9.8 Education contribution

The education department have confirmed that there is not a need for an education contribution in this case. As four of the eleven units are one bedroom flats these would not normally attract an education contribution and both Stonehenge secondary school and the primary school have additional capacity at present for further intake.

9.9 Waste Audit

The applicant has produced a draft waste Audit as required by saved policy in the Wiltshire County Council Structure Plan. A condition can be applied to ensure development is carried out in accordance with the audit.

10. Conclusion

In conclusion it is considered that the proposed scheme is on balance acceptable. There will be limited increased overshadowing of the rear gardens of properties in Pointers Way. However the building is only being increased by 2.5M in height and whilst there will also be oblique overlooking from windows on the Western elevation it is considered that this is not sufficient to warrant refusal of planning permission. It is therefore recommended that planning permission be granted.

Recommendation

It is recommended that planning permission is granted following completion of a legal agreement for the following reasons:

The proposed development is considered to be acceptable in terms of its Access, Layout and Scale and would not, it is considered, have a significant effect on the amenities of nearby properties. The proposal makes good use of vacant brownfield land in a sustainable location next to local bus routes and within easy reach of local amenities as such it is considered that the proposal complies with saved policies G1 and G2 and saved policies D1 and D2 of the former Salisbury District council local plan.

And subject to the following conditions:

1) Approval of the details of the 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.

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. (as amended)

2) Plans and particulars of the reserved matters referred to in condition 1 above relating to the appearance and landscaping of any buildings to be erected, shall be submitted in writing to the local planning authority and shall be carried out as approved.

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.(as amended)

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.

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.

4) The development hereby permitted shall be begun either before the expiration of three 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.

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. (as amended)

5) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

6) No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority.

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

Policy D1

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

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

Policy G2

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

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

Policy D1

9) No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

Policy G2

10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

11)) No construction work shall take place on Sundays or public holidays or outside the hours of 7.30am to 18:00pm, weekdays and 8.00 am to 13.00 pm Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason: To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings

Policy G2 (vi)

12) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development. Wiltshire Councils saved Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

Policy G2

13) No development shall commence until full details of the internal access road shall be submitted for further written approval of the local planning authority. Such details as approved

shall be implemented to base coat standard prior to construction of the dwellings.

Reason: In the interests of highway and pedestrian safety.

Policy G2 (ii)

14) No development shall commence until full details of the verge and footway widening along the Porton Road frontage shall be submitted for further written approval and the widening shall be completed in accordance with the approved details prior to the commencement of the development.

Reason: In the interests of highway and pedestrian safety.

Policy G2 (ii)

15) No development shall commence until details of a publicly accessible pedestrian access way into the development from Porton road shall be submitted and agreed in writing with the local planning authority. Such access shall be constructed in accordance with the agreed details prior to first occupation of any of the dwellings approved.

Reason: In the interests of ensuring the site is permeable for pedestrians.

Policy G1

16) No first Second or third floor windows shall be inserted in the north elevation of the buildings hereby approved without the prior written consent of the local planning authority.

Reason: In order to ensure that there is no overlooking of neighbouring buildings in the adjacent development.

Policy G2 (Vi)

17) Prior to the commencement of development details of covered cycle storage in accordance with the standards in the saved policies of the adopted local plan shall be submitted and agreed in writing with the local planning authority. Such details as agreed shall be implemented prior to first occupation of the development.

Reason: In order to ensure adequate provision is made for cycle parking in accordance with the adopted standards.

Policy TR11

18) Prior to commencement of development the waste audit submitted shall be implemented during and after the construction process

Reason: In order to reduce the amount of waste that this development will produce.

INFORMATIVE

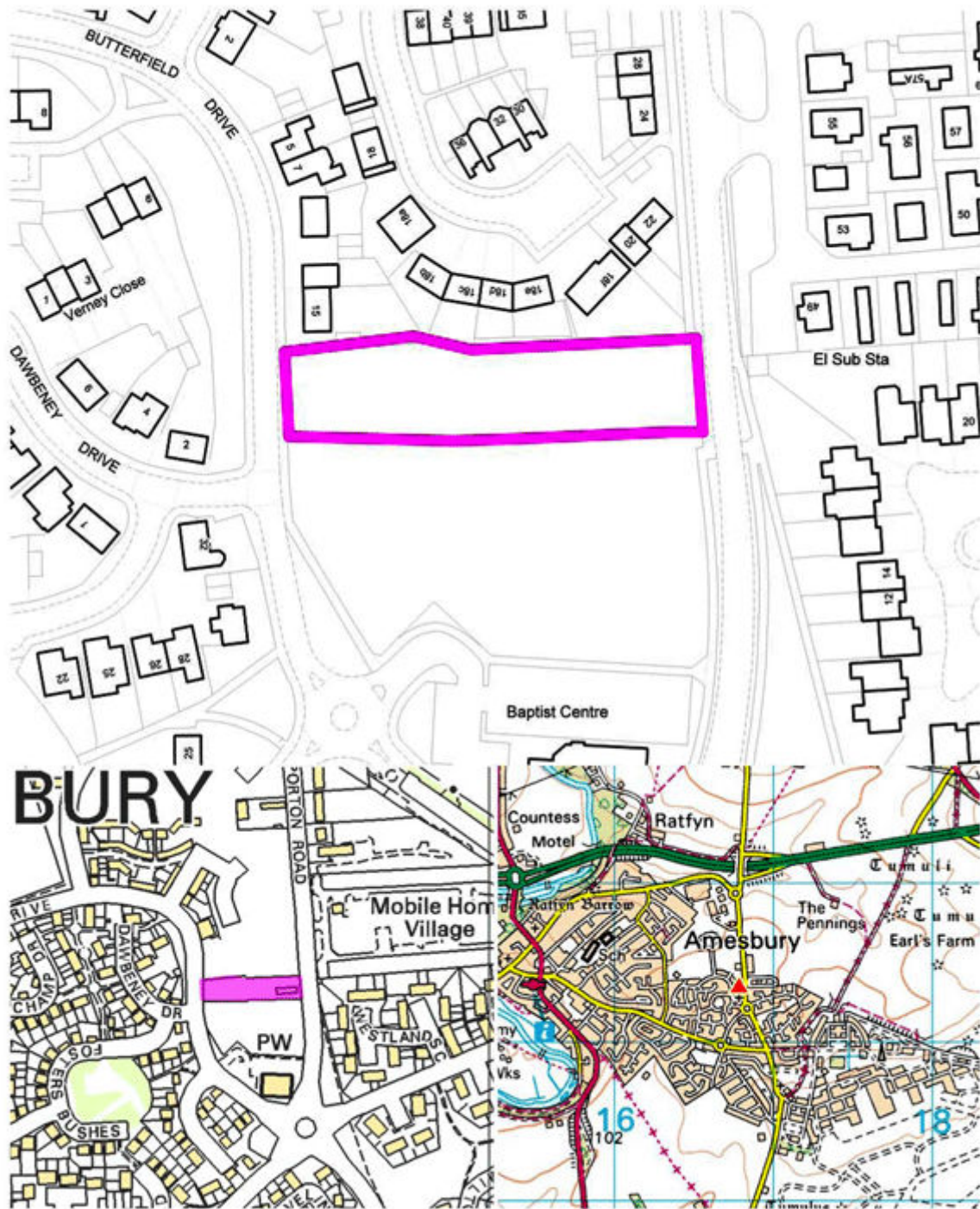
1) The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, dual-flush toilets, water butts, spray taps, low flow showers (no power showers) and white goods (where installed) with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered. The submitted scheme should consist of a detailed list and description (including capacities, water consumption rates etc. where applicable) of water saving measures to be employed within the development.

Appendices:	None
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Background Documents Used in the Preparation of this Report:	Drawing no 01709 6 (elevations) Drawing no 01709 6 (site and building dimensions) Drawing no 01709 5 Drawing no 01709/1 Design and access statement dated May 2010 (revised)
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Outline application for the construction of 11 flats and 2 houses.
Includes consideration of access, layout and scale

S/2010/0722/OUT



Land adjacent to Butterfield Drive, Amesbury SP4 7LL.