

Deadline	01st September 2010		
Application Number:	S/2010/0997		
Site Address:	LAND ON SPIREGATE STEEP HOLLOW DINTON SALISBURY SP3 5HL		
Proposal:	CARRY OUT IMPROVEMENTS TO EXISTING ACCESS, DEMOLITION OF TIMBER GARAGE AND ERECTION OF SINGLE DETACHED DWELLING		
Applicant/ Agent:	BRIMBLE LEA & PARTNERS		
Parish:	DINTONNADDER/EASTKNOY		
Grid Reference:	400978.702919394 131941.808675915		
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

Cllr Wayman (Nadder & East Knoyle) has called in the application due to issues of scale, visual impact, relationship to adjoining properties, design and environmental/highway impact.

1. Purpose of Report

To consider the above application and to recommend that planning permission be APPROVED subject to conditions.

Neighbourhood Responses

10 letters of objection/concern were received.

2 letters of support were received.

Parish Council Response

Support

2. Main Issues

- Principle of development;
- Character & appearance of the area;
- Amenities of the occupiers of nearby property;
- Highways safety;

- Provision towards recreational open space (R2).

3. Site Description

The site relates to part of the rear garden to Spiregate, a two storey dwelling situated on the northern edge of Dinton, off a lane known as Steep Hollow. The site also includes the existing vehicular access onto Steep Hollow which is shared by Spiregate and the neighbouring dwelling to the south known as Orchard Cottage. Both of these dwellings are of a relatively modern design although further to the south, where the Conservation Area starts, dwellings are generally of a more vernacular style. To the east of the site exists open fields of pasture, and to the west exists the wooded parkland of Philips House.

The site lies within a Housing Restraint Area and the AONB.

4. Planning History

<i>App. No.</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
86/1069	Dwelling & garage	REF	05.09.86
		Appeal Dismissed	02.03.87

5. The Proposal

It is proposed to erect a new dwelling and to carry out improvements to visibility at the existing access.

6. Planning Policy

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

- Local Plan policies G1, G2, H19, C4, C5, TR11, TR14, R2
- PPS3

7. Consultations

Highways Officer

No objection subject to provision of visibility splays as shown on submitted drawing.

Dinton Parish Council

Support subject to conditions that construction traffic avoid Steep Hollow and parking on

the road.

8. Publicity

The application was advertised by neighbour notification and site notice.

10 letters of objection/concern were received, raising the following:

- Out of keeping with the character of the area due to dwelling's excessive size and non-vernacular design, including excessive use of glazing;
- Light pollution;
- Contrary to Dinton Parish Plan since the proposal is creating new infill in the Conservation and Housing Restraint Areas;
- Disturbance, overbearing and overlooking effects upon neighbouring dwelling;
- Increased traffic on the hazardous Steep Hollow Road;

2 letters of support were received, raising the following:

- Proposed dwelling design is appropriate to the character of the area, positively adding to the diverse stock of buildings within the village, and the use of local stone is welcome.

9. Planning Considerations

9.1 Principle of development

The site is within a Housing Restraint Area where policy H19 of the Local Plan states that the erection of a new dwelling, will be acceptable only if the following criteria are met:

(i) there will be no adverse impact on the character of the settlement or neighbourhood designated as a Housing Restraint Area;

(ii) there is no loss of an important open space which contributes to the special character of the area;

(iii) the loss of features such as trees, hedges and walls, which contribute to the character of the area, is kept to a minimum; and

(iv) the development will be in keeping with the character of the neighbouring properties.

The supporting text to the policy explains that:

The character of a Housing Restraint Area is derived from its open, informal, irregular or loose knit pattern of development. Some Housing Restraint Areas are characterised by areas of buildings set in large gardens, possibly containing mature trees, which give the area a "green" appearance and where it is considered that the

intensification of development would be detrimental to the established character, for example, the Harnham Hill area in Salisbury. In other instances, there are large open areas between dwellings which allow the countryside to enter the settlement and which contribute significantly to the attractive rural character of the settlement. It is considered that additional development in these gaps would adversely change the character of the settlement.

It is noted that an outline application to develop the same part of the garden of Spiregate was refused and dismissed at appeal in 1986/7. The planning policy context is now materially different from that time, and therefore little weight can be given to this previous decision. However, there are nevertheless some relevant comments within the Inspectors' decision on the character of the area and its sensitivity to change that are still true. The site was highlighted as being on the extreme edge of the built up area and in a prominent part of the landscape.

9.2 Character and appearance of the area

Views from Steep Hollow into the part of the site where the new dwelling would be constructed are relatively limited by tree cover, topography and its distance back from the road (approximately 50 metres). It is likely that there would only be glimpsing views of the dwelling between tree cover from viewpoints on Steep Hollow. There are no proposals to fell the trees situated between the proposed dwelling and Steep Hollow, and therefore the existing "green" character to this part of the Housing Restraint Area would very much remain. The most significant alteration from Steep Hollow would be as a result of the access improvements. Here an 8 metres stretch of hedgerow would be removed and replanted moderately further back so as to improve visibility from the site access in a northerly direction. However, given the relatively small section of hedgerow involved and the fact that it would be replanted, it is not considered that this would result in significant harm to the character of the area.

The more significant view points of the proposed dwelling would be from the open countryside to the east, where tree cover and topography do not provide such a great screening effect. These are the view points which a number of residents have raised concern over, visible from distances of approximately 250 to 350 metres on footpaths to the east of the site. Here, the rear of a number of dwellings which line St. Mary's Road are visible from across the open fields of pasture, set against a densely wooded backdrop. The land rises from south to north, so that the ridge heights of dwellings are seen as rising up towards the application site. In this respect, the application site occupies a particularly sensitive location, being both on the extreme edge of the village and also on higher land.

The proposed dwelling would be sited on a similar building line to the two nearest dwellings to the south, and the development would be seen as a continuation of the built form. However, it would also be more prominent due to the higher ground it would occupy, resulting in a ridge height that would be approximately 2 metres more than the ridge of Orchard Cottage, the nearest dwelling to the south. A number of local residents have raised concerns over the affect of the dwelling upon the character of the area, commenting that it would be excessively large and of an inappropriate design that does not reflect the local vernacular. Whilst the ridge height of the dwelling would undoubtedly be higher than that of Orchard Cottage to the south, its proportions would relate to that of a single storey dwelling, albeit with a basement level formed at one end into a dipped part of the site. This

basement level would give the dwelling a bulkier appearance to left hand side gable end, but since part of the basement would be cut into the ground, much would be obscured from the views to the east. Furthermore, the applicant proposes to retain the trees to the front of this gable end, which would further soften its impact.

The design of the dwelling would not be traditional, but that is not to say it would be inappropriate. Of more importance is that the design would be relatively simple, with the use of appropriate materials that would sit comfortably within the village landscape. Natural Chilmark stone is proposed for the walls, which defines core parts of the village. The apexes of the gable ends would be clad in untreated timber boarding, which is also traditionally found within a number of more simple buildings within the village, such as outbuildings and barns. The roof of the dwelling would be the most prominent part of the building and therefore the choice of roof tiles would be particularly important. The applicant has suggested roof tiles to match Orchard Cottage, a dark plain tile, which is a traditional tile found within the village and would also have a muted tone that would be appropriate to its rural environs. Whilst there would be a relatively large area of glazing to the right hand gable, it is not considered that this would be excessive, and is a feature often seen with converted barns in similar such rural locations.

9.3 Amenities of the occupiers of nearby property

Concerns have been expressed by the occupants of the nearest dwelling to the south of the site, Orchard Cottage, with regards to the impacts of the new dwelling. This includes loss of privacy to the garden area as a result of a proposed balcony to the new dwelling. However, subject to the side of the balcony being screened, which can be secured through a condition, it is considered that views into the garden of Orchard Cottage from the balcony would severely limited due to the oblique angle and distances involved. The screening afforded by the existing beech hedge and apple tree, together with the sunken nature of the patio to Orchard Cottage, would further ensure that privacy to the main outdoor amenity spaces to this neighbour would be preserved.

Concern has also been expressed over the proximity of the patio area of the proposed dwelling to the boundary with Orchard Cottage, and the increased disturbance this could imply. Furthermore, concerns have been expressed that the thinning of the beech hedge during winter could reduce privacy. However, the proposed patio would be some 10 metres from the boundary, and already comprises part of the garden area to Spiregate which could be enjoyed in a similar manner in any instance. The provision of a close boarded fence, or similar, to the boundary of the new dwelling would also ensure privacy can be retained.

The overbearing nature of the facing south elevation of the proposed dwelling has also been raised by the occupants of Orchard Cottage. It is noted that this is the most bulky part of the dwelling and is also raised at a higher level than the neighbouring dwelling. Whilst this elevation of the proposed dwelling would be clearly visible from parts of the garden of Orchard Cottage, given its position with the plot, which shares a similar rear building line, and its distance from the boundary, which is 9 metres, it is not considered that the overbearing effect would be significant. Furthermore, its positioning to the north would prevent any loss of direct sunlight to this neighbour.

With regards to the affects of vehicular movements, it is noted that the existing access would be utilised and extended further back into the plot to access a integral garage within

the new dwelling. The extended access and new hammerhead would be close to the boundary with the neighbouring dwelling, although given the relatively low intensity of use associated with a single dwelling, together with the reasonably dense vegetation that exists on the site boundary, it is not considered that the disturbing affects of vehicular movements would be significant in this instance.

The other neighbouring property to consider is the 'host' dwelling, Spiregate. Its existing garden would be substantially reduced, although its remaining garden area would still be quite extensive. The separation distance between the two dwellings would be more than adequate at 28 metres, with appropriate new boundary treatment formed in between, comprising a 1.8 meter high close boarded with new beech hedge planted adjacent.

9.4 Highways safety

The Highways Officer has raised no objection to the proposed access arrangements, subject to the visibility site lines being created and maintained as shown within the submitted plans.

It is noted that concerns have been expressed by the Parish Council with regards to the traffic implications of construction traffic, in particular the use of Steep Hollow and parking on the highway. Whilst it is noted that Steep Hollow is not well suited to construction traffic, given the temporary nature of construction works, which are of a relatively small scale, it is not considered reasonable to impose a condition preventing construction traffic from using this road. Furthermore, it is unlikely that such a condition could be enforced. With regards to parking on the highway, this is unlikely to be a problem given the good accessibility to, and reasonably large size of, the development site.

9.5 Provision towards recreational open space (R2)

Planning permission will be subject to the applicant entering into a legal agreement and providing the relevant financial contribution towards off-site recreation open space within the area.

10. Conclusion

Whilst it is accepted that the proposed dwelling would visually extend the built form of the village further into the surrounding countryside, the site is within the development boundary of a sustainable village, and would not have an obtrusive impact upon the character of the area or wider landscape by virtue of the proposed design, materials, and retention of existing trees. Subject to a condition to ensure the provision of screening to the side of a proposed balcony area, it is not considered that the amenity of neighbours would be significant affected. Subject to a condition to secure the repositioning of a small section of hedgerow, it is considered that the proposal would be acceptable in highway safety terms.

RECOMMENDATION

Subject to the submission of a unilateral agreement under s106 of the Town and Country Planning Act for the provision of a financial contribution to secure public recreational open

space facilities in accordance with Local Plan policy R2

It is recommended that planning permission is GRANTED for the following reasons:

Whilst it is accepted that the proposed dwelling would visually extend the built form of the village further into the surrounding countryside, the site is within the development boundary of a sustainable village, and would not have an obtrusive impact upon the character of the area or wider landscape by virtue of the proposed design, materials, and retention of existing trees. Subject to a condition to ensure the provision of screening to the side of a proposed balcony area, it is not considered that the amenity of neighbours would be significantly affected. Subject to a condition to secure the repositioning of a small section of hedgerow, it is considered that the proposal would be acceptable in highway safety terms. The proposal would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to Local Plan policies G1, G2, H19, C4, C5, TR11, TR14 and R2 and guidance contained within PPS3.

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.

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) This decision relates to documents/plans submitted with the application, listed below:

Plan Ref....10078-3/B....	Date Received....07.07.10....
Plan Ref....10078-4/B....	Date Received....07.07.10....

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 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.

Policy: H19, C5

- 4) Before development is commenced, details showing how the south side of the balcony will be blocked up and screened shall be submitted to and approved in writing by the Local Planning Authority. The south side of the balcony shall be blocked up and screened in accordance with the agreed details prior to the first occupation of the dwelling, and shall be permanently maintained as such thereafter.

Reason: In the interests of retaining privacy to the neighbouring dwelling.

Policy G2.

- 5) (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

Policy: G2, H19, C5

- 6) No development shall commence on site until details of the design and external appearance of all fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of the character and appearance of the area and the privacy of neighbours.

Policy: G2

- 7) Visibility shall be provided at the site access, with nothing over 1.0m in height above the adjacent carriageway level being planted, erected or maintained in front of the splay lines shown on the submitted proposed site layout plan numbered 10078 - 3 Revision B.

Reason: In the interests of highways safety.

Policy: G2

Appendices:

None

Background documents Used in the preparation of this report:

None



