

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

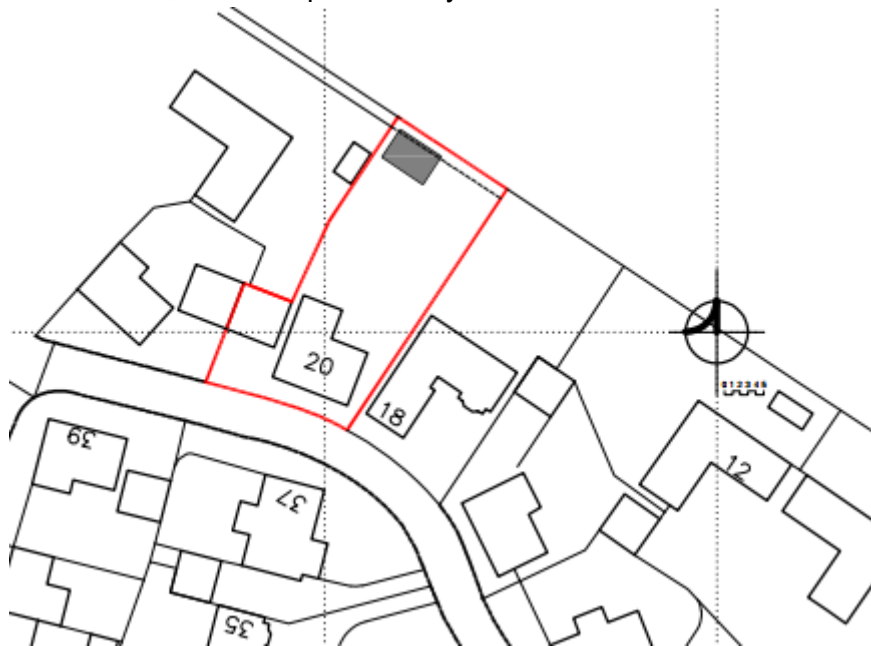
APPLICATION REFERENCE:	PL/2026/01489
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	20 Norman Drive, Old Sarum, Salisbury, SP4 6FP
DEVELOPMENT DESCRIPTION:	Proposed Garden Room for use incidental to the enjoyment of the house and retrospective approval for the realigned rear boundary fence.
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

The proposal seeks planning permission for a proposed garden room with incidental use associated to the host dwelling and the retrospective works of realigning a rear boundary fence.

SITE DESCRIPTION/CONTEXT

The application site lies on the northern side of Norman Drive and is located within a recent housing development in Old Sarum. The site is located within a special landscape area (SLA) in accordance with the Saved Salisbury district plan 2011. It is occupied by a detached, two-storey, dwelling set within a reasonable sized plot as shown outlined in red in the submitted location plan. The application site is bordered by residential dwellings on the east and west, the highway on the south, and the open countryside on the north.



PLANNING HISTORY

Proposal / Summary
S/2005/0211 - Outline Planning Decision - Approve with Conditions Date: 19/6/2007 – MIXED USE DEVELOPMENT COMPRISING NEW RESIDENTIAL, EMPLOYMENT USES AND COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE
S/2007/0829 - Consent to display an advertisement Decision - Split Date: 14/6/2007 – DEVELOPMENT SIGN BOARDS AND ASSOCIATED FLAG POLES 5 NO. LOCATIONS ALONG FRONTAGE
S/2012/1637 - Modification of Planning Obligation Decision - Approved Date: 18/3/2013 – Amendment to schedule 1 part V clause 1.1.19 (S106 of planning permission S/2005/0211) to omit the provision of changing facilities for two junior football teams from the community building
S/2007/1792 - Reserved Matters Decision - Approve with Conditions Date: 3/12/2007 – NEW ACCESS ROAD, SWALES, FOUL PUMPING STATION, FOOTPATH/ CYCLEWAY THROUGH NO.2 WESTSIDE CLOSE, AND FOOTPATH/ CYCLEWAY CROSSOVER FROM THE COUNTRY PARK TO GREEN LANE
14/05623/FUL - Full planning permission Decision - Approve with Conditions Date: 6/1/2015 – Erection of 38 dwellings comprising various types and sizes, car parking and landscaping
PL/2023/09906 - Householder planning permission Decision - Approve with Conditions Date: 5/1/2024 – Proposed single storey side extension and new front entrance porch.

RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF)

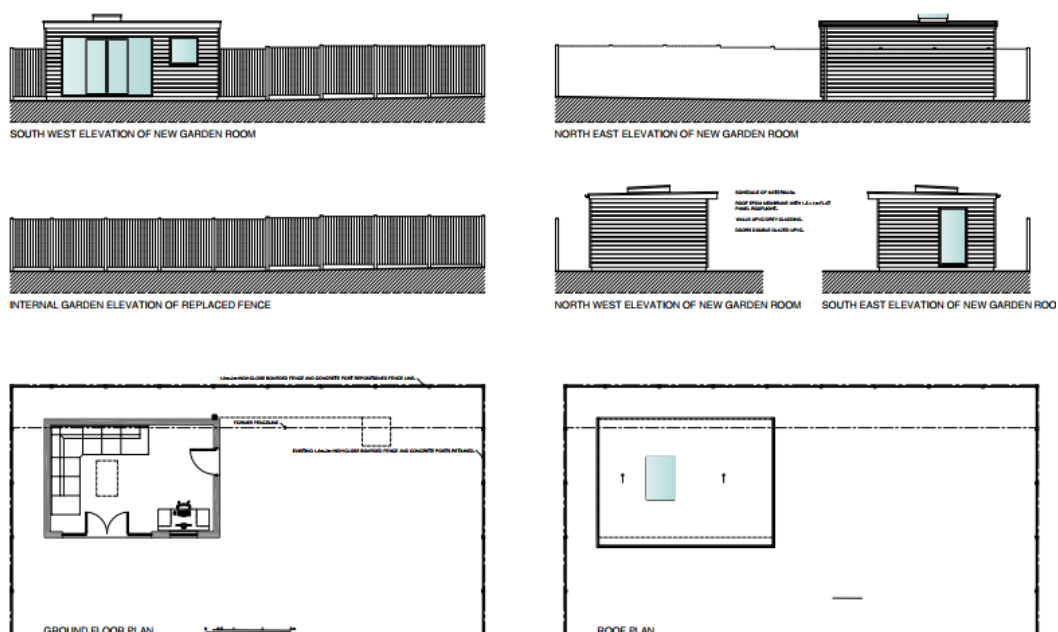
- 2. Achieving sustainable development
- 4. Decision-making
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

Wiltshire Core Strategy (WCS)

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 20: Spatial Strategy for the Salisbury Community Area
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 60: Sustainable Transport
Core Policy 64: Demand Management

Salisbury District Local Plan 2011

Saved Policy C6: Special Landscape Area (SLA)



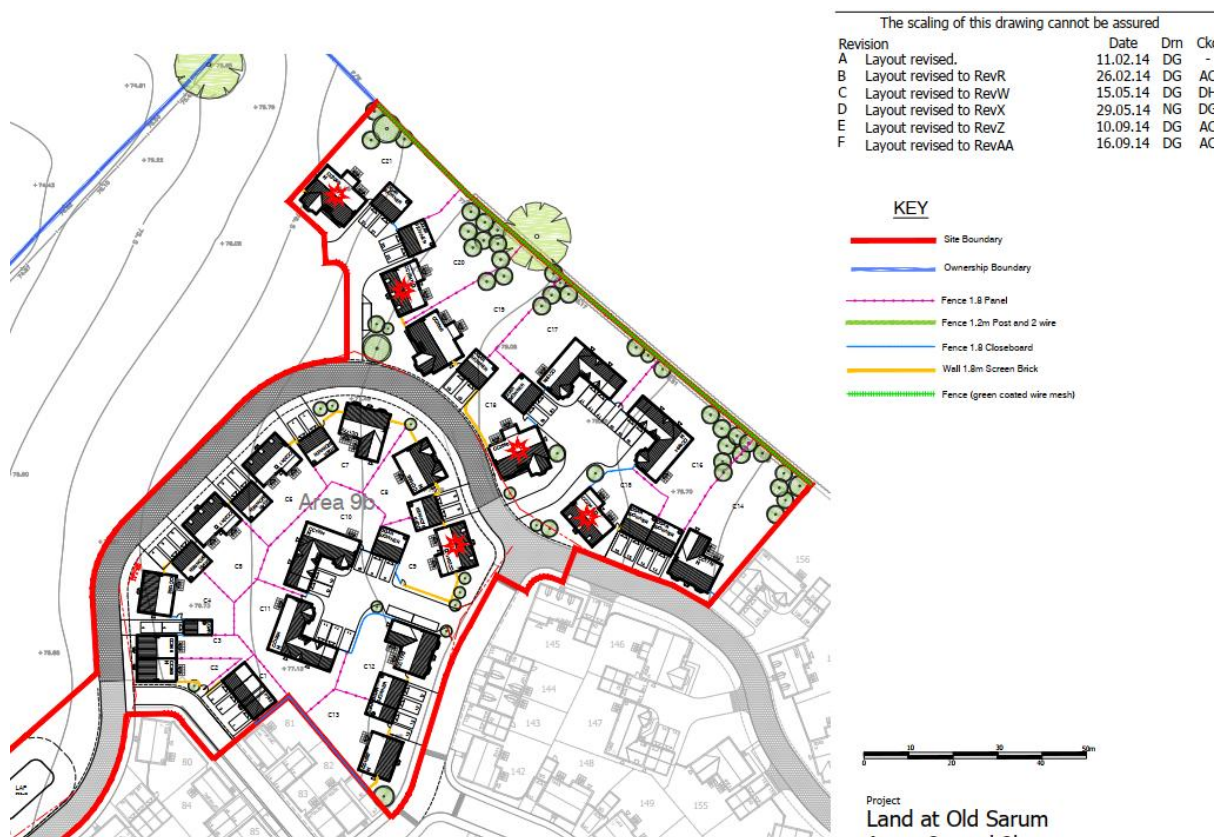
Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The application site consists of a detached dwelling and a semi-detached garage located within a modern residential housing development. This application proposes to erect a single storey outbuilding in the rear residential garden for incidental use to the associated host dwelling. The outbuilding is proposed to measure approximately 4.2 metres in width, 6.2 metres in length, with a flat roof slopping from 2.8 metres to 2.9 metres in height. The proposed materials are vertical UPVC grey cladding. While the design, scale and height of the outbuilding is not considered to be detrimental to the character and context of the area due to the minimal scale of the outbuilding and the nature of it's use as incidental to the host dwelling, and as it is not visible from the street scene, the location of the proposed outbuilding encroaches into the landscaping buffer barrier as part of the original application.

The application site was originally approved with planning reference: 14/05623/FUL for: *Erection of 38 dwellings comprising various types and sizes, car parking and landscaping.*

As referenced in the approved plan: Boundary Treatment BT-01 Rev F referenced below, the application site is C14.



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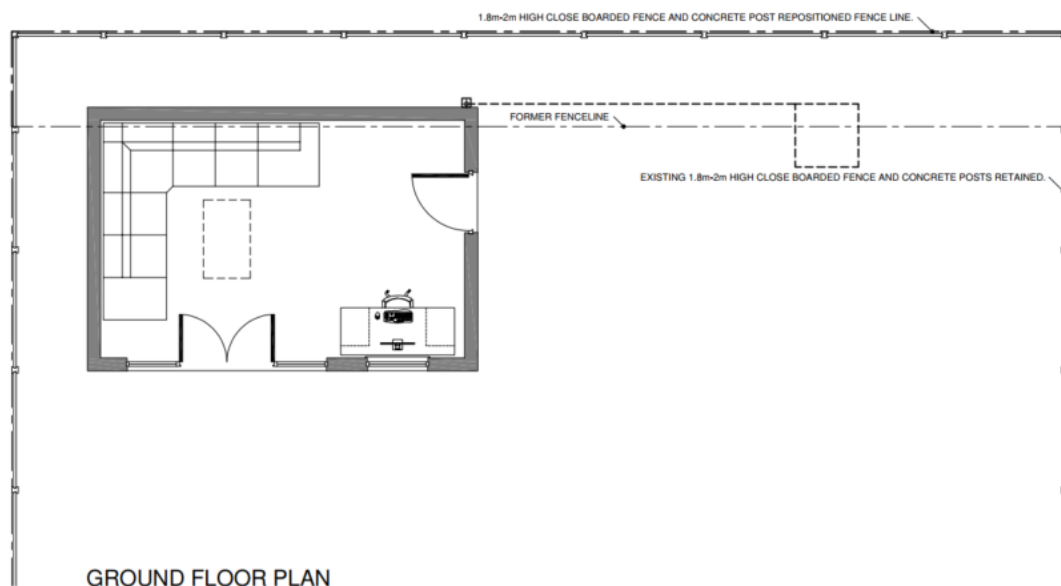
In terms of the impact of the scheme on the wider landscape, the developer has now proposed additional planting along the northeastern boundary and moved the dwellings further from that boundary. A mesh boundary fence has also been proposed as part of amending plans. This will hopefully ensure that existing and proposed planting is visible from the wider landscape to the north and therefore forms a more effective visual screen than a close boarded boundary fence would have done. Whilst the planting is located within owners' gardens, the amending solution appears to be the best way to address the concerns of the previous inspector, whilst retaining a cohesive street scene, and a suitable privacy screen for future occupiers of the dwellings. Whilst another solution would have been to provide a landscape strip outside the boundary and ownership of occupiers, such a strip would be sandwiched between private land, and difficult to maintain.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans (wire mesh fencing), shall be erected or placed along the north western or north eastern boundaries of Plots C14, C16, C17, C19, C20 & C21 (located within

the northern corner of the development adjacent to the public open space and the open countryside).

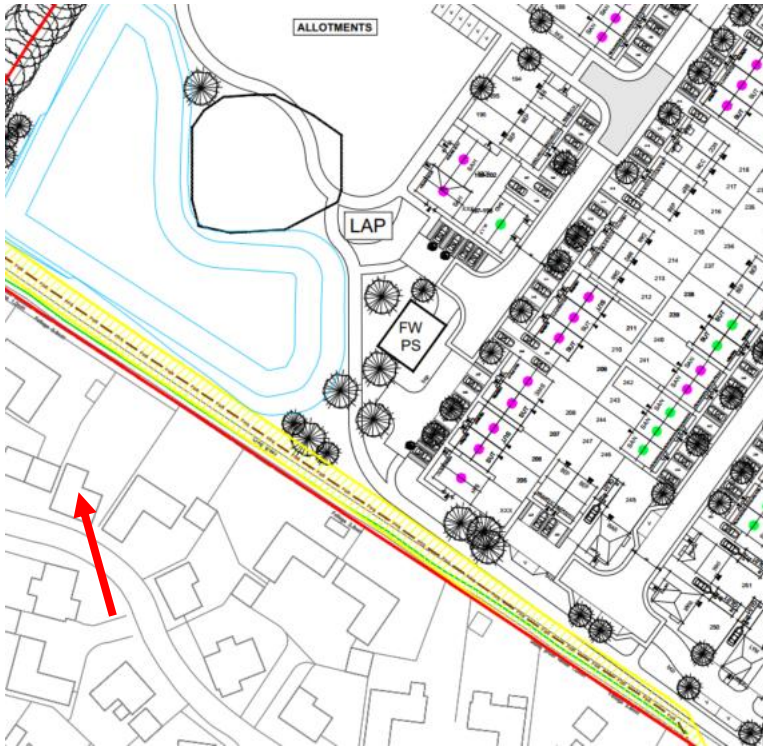
REASON: In order to control the visual impact of the development as viewed from surrounding open land with respect to the rear boundary treatment of plots C14, C16, C17, C19, C20 & C21.

As part of this householder planning application, the applicant has applied for retrospective planning permission to remove the originally erected green fence of approximately 1.2 metres in height and replaced this with an approximately 1.8 metre in height close bordered fence repositioned approximately 1 metre north. The landscape buffer in this area has also been removed. The planning officer attended a site visit as part of this application and noted that the two neighbouring dwellings directly adjacent to the application site still have their green 1.2 metre high fence in the original location.



It is considered that the retrospective application for the erection of an approximately 1.8 metre high fence approximately 1 metre north of the original approximately 1.2 metre high fence is contrary to condition 14 and the planning permission 14/05623/FUL. The location of the retrospective fence does not respect the intended nature of buffer planting with a low green fence to protect the wider landscape and act as a visual screen assessed by the planning permission received in 2015. While it is acknowledged that the site to the north has a live full planning application under consultation, the planning layout attached below, indicates a similar buffer zone and an open space/allotment to the north of the application site. The close boarded fence and the removal of mature buffer planting is considered to remove the supposedly soft division between the two sites. This also has a potential to set precedence to the neighbouring sites which also have the same original fence and fence line intact.

Therefore, it is contrary to Core Policy 51 & 57 of the Wiltshire Core Strategy, Appendix D of the Wiltshire Design Guide, and the relevant provisions of the National Planning Policy Framework. The application must therefore be refused on landscape impact and breach of planning conditions.



Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

Given the positioning of the proposal on an amenity standpoint, it is considered that this would mostly impact the occupiers of the neighbouring properties either side (No's. 18 and 24). The outbuilding is proposed to have fenestrations proposed on the southwest and southeast elevation. These elevations face the rear residential garden of the host dwelling and the neighbouring dwellings. However, the outbuilding is single storey in nature, it is considered that the proposed outbuilding will not create any undue overlooking to the neighbouring dwellings differently from incidental use of a residential garden. The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development, by reason of the identified harm, is considered to conflict with the aims and objectives of the Wiltshire Core Strategy 51 and 57 and the National Planning Policy Framework. The proposal fails to demonstrate compliance with the relevant policies and guidance, the retrospective erection of an approximately 1.8 metre high garden fence 1 metre forward of the removed 1.2 metre high green fence and the removal of the landscaping buffer on the northern edge of the application site is contrary to the conditions stipulated in planning application: 14/05623/FUL. While the principle and design of the outbuilding itself is not considered to be detrimental, the proposed position of the outbuilding encroaches into the landscaped buffer area approved under the original planning application and conditions.

RECOMMENDATION: That Planning Permission be REFUSED subject to conditions.

As part of planning permission reference 14/05623/FUL, and landscape buffer was secured along the north-eastern boundary of the housing. A visually permeable mesh fence was also secured. The intention of these measures were to soften the visual impact of the dwellings, and to provide a soft edge to the development as seen from the adjacent open countryside to the north.

The applicant has now removed most of the landscape strip and erected a (retrospective) close boarded fence along the residential boundary with the adjacent countryside. The proposed outbuilding would be located partially in area of the landscaping strip.

The effect of this proposal is that a hard urban edge has been provided with the open countryside to the north, which is readily visible from the adjacent long distance public pathway (the Monarch's Way).

The proposal is therefore contrary to the aims of the previous planning consent for the housing development and is unsympathetic to the character of the area and would detract from the visual amenity of the surrounding area. Whilst the adjacent field is currently subject to a live planning application for a housing development, this has yet to be determined and considered to be of limited weight as a material consideration in the consideration of the wider visual impact of this current proposal.

As such, the proposal is contrary to the aims of Core Policy 51 & 57 (i and iii) of the Wiltshire Core Strategy (2015), the design principles set out in Appendix D of the Wiltshire Design Guide SPD, and paragraphs 131 and 135 of the National Planning Policy Framework, which collectively seek to ensure high-quality design that respects local character and integrates appropriately with its surroundings.