

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	14 th December 2017
Application Number	17/00842/OUT
Site Address	Land opposite Horefield, Idmiston Road, Porton, Wiltshire, SP4 0LD
Proposal	Outline Planning Application for residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield residents/school use.
Applicant	Mr S Ingram
Town/Parish Council	IDMISTON
Electoral Division	BOURNE AND WOODFORD VALLEY – (Cllr Hewitt)
Grid Ref	419325 136905
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor Hewitt called in the application for the following reasons:

- Environmental or Highway Impact

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation of the Head of Development Management that planning permission should be REFUSED.

2. Report Summary

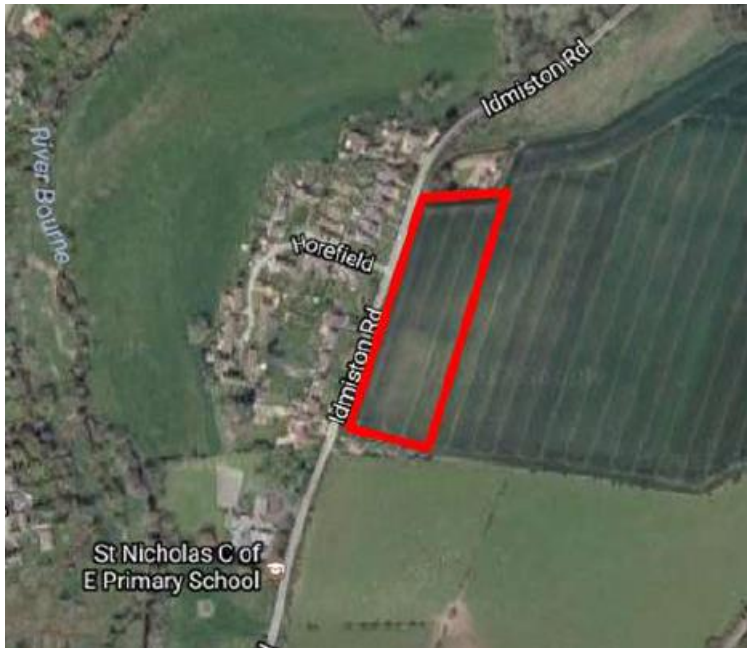
The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- The impact on the character and appearance of the open countryside/special landscape area
- Highway considerations
- Archaeology
- The impact on the living conditions of proposed and nearby properties
- Nature conservation interests
- Sustainable Construction
- Water environment and drainage
- S106 Developer Contributions towards infrastructure/facilities/CIL
 - Affordable Housing
 - Public open space
 - Waste contributions

The application has generated 81 third party representations of objection, 30 third party representations of support and 8 third party representations commenting and No objections from Idmiston Parish Council

3. Site Description

The site is outside the settlement boundary for Idmiston and is currently an agricultural field opposite the Horefield Estate. The site is bounded by Idmiston Road to the west, arable field to the east and two residential properties to the north and south.



4. Planning History

None

5. The Proposal

This is an outline application with all matters reserved for a residential development of 16 dwellings.

Outline planning applications seek permission of a proposed development in principle and allows for specific details of the application to be reserved for subsequent approval by the local planning authority at a later stage (reserved matters).

'Matters' are defined in Part 1 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines these as:

"access", in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network;

Where access is a reserved matter (as is the case in this application), the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"landscaping", means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;

- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

“scale” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings.

An indicative layout plan has been submitted:



The application has also been revised to now include the provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield resident/school use.

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 3: Infrastructure Requirements
Core Policy 4: Spatial Strategy: Amesbury Community Area
Core Policy 41: Sustainable construction and low carbon energy
Core Policy 43: Providing affordable homes
Core Policy 45: Meeting Wiltshire's Housing Needs
Core Policy 50: Biodiversity & geodiversity
Core Policy 52: Green Infrastructure
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring conservation of the historic environment
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and New Development
Core Policy 64: Demand Management
Core Policy 67: Sustainable drainage
Core Policy 68: Water resources
Housing Land Supply Statement (March 2017)

Saved policies of the Salisbury District Local Plan:

C6 – Development within the Special Landscape Area
-Ref 7.15: 'the release of additional development land will need to be weighed carefully against any resulting erosion of the landscape setting.'
-Ref 7.9: The location, scale and nature of such development will be carefully controlled in order to conserve the character of the special landscape area.
D8 – Public Art
R2 – Recreational Open Space
PS5 – Education facilities

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy
Cycling Strategy

Wiltshire and Swindon Waste Core Strategy:

Policy WCS6

Government Guidance:

National Planning Policy Framework (NPPF) March 2012
National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

- Idmiston Neighbourhood Development Plan (Made April 2017)
- Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006
- The Wiltshire Planning Obligations Supplementary Planning Document (SPD) (Adopted May 2015)
- Idmiston, Porton & Gomeldon Village Design Statement (March 2013)
- Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area
- Local Flood Risk Management Strategy (April 2015)

Conservation of Habitats and Species Regulations 2010

7. Summary of consultation responses

Spatial Planning: No objection

The application site relates to two sites identified for residential development in the Idminton Neighbourhood Plan. The proposed scheme would deliver specific objectives of the Neighbourhood Plan by providing a mix of housing, including housing to meet the needs of the elderly and affordable housing.

Whilst it is considered that the proposal meets the objectives of the Neighbourhood Plan with regard to delivering a mix of housing. It is also considered that it is not so substantial and its cumulative effect is not so significant, that to grant permission would undermine the Wiltshire Core Strategy to any significant degree.

Therefore, as far as policy interpretation is concerned it is considered that the scheme would provide some significant benefits. It is considered that it would be difficult to justify a refusal because the adverse impacts of granting permission would not significantly or demonstrably outweigh the benefits, that is, unless you consider other material considerations suggest otherwise.

Wiltshire Council Highways: No objections subject to conditions

The layout shown on the Scheme Layout Plan 1p/pa/O1C is generally acceptable, subject to full details. Recommended conditions (details of the paved footway, accesses, drive gradients, car parking and other associated highways works to be approved; scheme for the discharge of surface water from the accesses/driveways) and informative that the applicant will need to enter into a Section 278 agreement with the council to secure the highway works including the adoption of the new paved footway across the frontage of the site.

Wiltshire Council Archaeology: No objections

Following receipt of the field evaluation report, on the evidence available it is considered unlikely that significant archaeological remains would be disturbed by the proposed development.

Wiltshire Council New Housing: No objections subject to S106 for on-site Affordable Housing provision (5 units)

Wiltshire Council Drainage: No objections subject to conditions (schemes for foul water discharge and surface water discharge to be agreed) following submission of revised flood risk assessment and drainage strategy.

Wessex Water:

New water supply and waste water connections will be required from Wessex Water to serve this proposed development.

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

Wiltshire Council Public Protection: No objections subject to conditions:

(Limit the hours of construction to minimise noise/dust (Monday to Friday 08:00-18:00; Saturday 08:00 – 13:00, not at all on Sundays or Bank Holidays and a contaminated land investigation of the site)

Natural England: No comments

Natural England has no comments to make on this application (it is for the LPA to determine whether or not this application is consistent with national and local policies on the natural environment)

Natural England has not assessed this application for impacts on protected species.

Wiltshire Council Ecology: Object

Having reviewed the revised ecological reporting comprising the Ecological Constraints Survey Report (Daniel Ahern Ecology, November 2017), (hereafter referred to as 'the ecology report') that was submitted to the Council on Friday 17th November, unfortunately I am not able to withdraw my holding objection. This is on the basis that not all of the issues raised within my previous response to the application (dated 27th October 2017) have been suitably addressed. The outstanding issues which require clarification and/or the provision of further information by the applicant/ecological consultant are as follows:

- The Scheme Layout Plan has not been revised to demonstrate that the existing hedgerows, trees and vegetative features, particularly along the boundaries of the site, will be retained. Nonetheless, the revised ecology report is written on the basis that these features will be retained and not directly affected by the proposed works, yet this not been based on any solid evidence supplied by, or commitments made by, the applicant. Likewise, this was the case for the previous version of the report. As stipulated within my previous response: 'The Scheme Layout Plan includes an annotation denoting that the highways verge will be retained, but there are no such annotations for the existing hedgerows and trees.' The Council is yet to be provided with a plan that clearly shows the areas of the application site that will be retained and this should be provided for outline as well as full applications, if requested. In addition, an arboricultural statement stipulating root protection areas (RPAs) to be implemented around existing trees has not been submitted to the Council for review. Car parking proposed at the site would potentially result in the creation of hard standing areas immediately adjacent to existing trees and hedgerow, which in turn could compromise their root systems. Appropriate avoidance and mitigation measures should be formulated and provided to the Council to demonstrate that the structural integrity of the trees/hedgerows along the perimeters of the site will not be compromised.

- It is noted that the erroneous reference to the River Itchen has now been removed from section 3.1 of the report and that Table 3 now incorporates the information I provided with respect of statutory nature conservation sites including Porton Down SPA, and non-statutory nature conservation sites. However, my previous response stated: 'I would suggest that a desktop study and data search entailing the acquisition of data from the WSBRC would have served to be useful for a proposed residential development of this scale on agricultural land located within a relatively rural area.' The revised report does not include data acquired from WSBRC as recommended, nor does it include a rationale setting out why the consultant did not deem it necessary to undertake a data search for this site. Therefore, the Council requests clarification on this matter.

- In my previous response to the application and section 3.1 of the report I commented: 'This section of the report sets out the Annex I habitats that are a primary reason for selection of the Salisbury Plain SAC, and Section 3.1.2 is titled Annex II Species and details the Annex II species that are a primary reason for selection of this site. Although these sections of the report stipulate the qualifying habitats and species for the Salisbury Plain SAC designation, no information is provided with regards to the Salisbury Plain SPA and the bird species listed on Annex I of the Birds Directive (79/409/EEC) that qualify the site as an SPA under Article 4.1 of the aforementioned Directive. For clarity, these species comprise Stone curlew during the breeding season and Hen harrier over winter.' Although I provided the qualifying species, this has still not been included within the report.

Furthermore, this section of the report has not been amended to include details of Porton Down SPA and its associated qualifying species. Given the proximity of the Porton Down SPA to the application site and my previous request that reference to this Natura 2000 site be included within the report together with appropriate consideration of the potential pathway for effects, I would of liked reference to the associated Annex I species to be included within the report.

- Previous comments specifying that the Council has not been provided with adequate information to demonstrate whether the trees present along the boundaries of the site have been subject to a ground level preliminary bat roost assessment to identify any potential roost features (PRFs), or sufficient information baseline information about each of the trees assessed still stands. Section 3.2.1 of the first version of the ecology report stipulated that the hedgerow with trees had 'moderate bat roosting potential.' The revised version of the ecology report stipulates that the hedgerow with trees has 'low bat foraging and ad hoc roosting potential.' Has the previous assessment of the hedgerow and trees comprising moderate roosting potential been retracted? Has it now been assessed that all the trees along the boundaries of the site have 'ad hoc' roosting potential and none have moderate potential? It is very unclear how the assessment has changed within the revised version of the report if trees were assessed on site as having PRFs that qualify trees as having moderate potential. It could be said that many trees provide 'ad hoc' roosting opportunities and this categorisation does not in any case, accord with those set out in the good practice bat survey guidelines (Collins, J. (ed.), 2016). The Council requests full details regarding the bat roosting potential of the trees within the application site boundary and that the assessment and roost potential categorisations are in line with the good practice survey guidelines. This is required because there is potential for the proposed works to result in indirect effects on bats, should any use the trees along the boundaries of the site for roosting. Furthermore, the revised ecology report is still based on the assumption that all the vegetative boundary features will be retained and that no further survey work is needed, as specified in sections 3.3.1 and 3.6.2. However, no plans have been submitted to provide evidence that the boundary hedgerows and trees will definitely be retained and protected, and as aforementioned there is still the potential for indirect effects. In order to adequately assess the potential for effects and formulate appropriate mitigation, the ecological baseline must first be established, and at present not only is it not clear whether any of the trees have moderate roosting potential, none have been subject to further survey to establish whether bats are likely to use any of the trees for roosting. Therefore, the Council has not been provided with an appropriate level of information to inform a judgement regarding the potential for effects on bats. The Council requests further information regarding the scheme layout and the trees on site.

- Section 3.6.1 of the revised ecology report now includes a discussion regarding the Salisbury Plain SPA and SAC and Porton Down SPA, and section 3.3.2 and 3.6.2 have now been amended to include a discussion regarding the potential for ground nesting birds. However, none of these sections within the revised ecology report make direct reference to the qualifying species associated with either of the Natura 2000 sites or discuss the potential pathway for effects upon those species specifically. The Council requests this be undertaken to inform the HRA that will be required.

- The paragraph of section 3.6.2 of the revised ecology report pertaining to reptiles stipulates: 'No signs of any reptile species were recorded during the survey. The majority of the Site is sub-optimal habitat for this group and so the proposed development isn't considered to have the potential for any significant impact. It is recommended that any vegetation and top soil clearance should take place under the supervision of a suitably qualified ecologist to allow them to translocate and animals encountered to a pre-defined receptor site.' There are a couple of points I must mention with respect of this extract; firstly, it is very possible for reptiles to be present within an area without field signs being readily identifiable; secondly there is reference to the translocation of reptiles to a pre-defined receptor site but details of this site have not been provided. The Council would need to be advised of the location and baseline conditions of this receptor site in advance of the planning application being determined to assess whether it would be appropriate. Therefore, further information is request by the Council on this matter.

Wiltshire Council Waste:

Support subject to condition (details of bin collection points) and S106 contribution of £1456 towards waste and recycling containers.

Wiltshire Council Public Open Space:

16 x 3 bed dwellings would generate the following requirement (192 sq metres of Play, 320 sq metres of Casual and 1152 sq metres of Youth and Adult. As no on-site Public Open Space is proposed, an off-site contribution to upgrade nearby facilities would be sought via a S106 agreement.

Wiltshire Council Education: No developer contributions being sought.

Places for this development are currently available at either St Nicholas, Porton and/or Gomeldon Primary, within latest forecasts and capacity (no requirement for a developer contribution towards the expansion of primary school places from this application)

Whilst all spare capacity is already more than accounted for at Secondary level; mindful of the CIL pooling restrictions that apply now to S106s and the small size of this application, the Council has decided not to make a case for a developer contribution from it, towards the expansion of secondary age provision in Salisbury.

Wiltshire Council Public Arts:

The arts service will not be requesting a public art contribution for this development. I have no objection or further comment to make on this development.

Idmiston Parish Council: No objections

- The IPC Neighbourhood Plan (IPC NP) support the site for development and the IPC supports this development
- The IPC NP is on statute as formal planning policy for the Idmiston Parish - supported by the Wiltshire Council Core Plan and Central Government Planning Policy.
 - The Development over delivers on affordable housing vs. planning requirements for a development of this scale.
 - Site issues around Highways and Archaeology have been resolved; we understand that Environmental concerns are being closed out following an additional survey and review.
 - a potential increase in the target for housing in Wiltshire by 2026
 - increasing the target by another 20,000 above the current target of 44,000 houses
- The IPC NP has identified development sites to cover this as a proportional increase; the land opposite Horefield is recognised as an approved site for development within the Parish and a key option towards achieving the allocated housing development targets for the Parish.

8. Publicity

The application was advertised by site notice, in the local paper and neighbour consultation letters.

81 representations have been received **objecting** to the scheme, summarised as follows:

- Traffic is already unacceptable at Idmiston School during dropping off and collection times (parents park on the road or across resident driveways) and from workers accessing DSTL site
- Impact to existing residents through increased traffic volumes/congestion/parking management problems on Idmiston Road from widening the pavement/narrowing the road – increase in double parking
- Existing residents use the bank to park their cars
- Loss of on road parking along Idmiston Road from creation of new vehicular entrances (28 spaces proposed insufficient for future/existing residents, parents with in excess of 70-80 vehicles per day and village events/sports day – 147 cars parked along Idmiston Road). Site should be enlarged to provide more parking.
- Proposed parking spaces are in front of affordable/elderly housing
- Increased highway safety risk from proposed new driveways with blind spots onto Idmiston Road/near brow of hill and bend (contrary to Idmiston Neighbourhood Plan Policy 9)
- Highway and pedestrian safety risk from proposed footway and pedestrian crossing being obstructed by parked cars and close to proposed car park/vehicles manoeuvring
- Blocking of highway for emergency services access (who have not been consulted) and public transport
- Proposed paved footway in front of Nos 1-4 Horefield will restrict where residents can park, obstruct established vehicular accesses, space for parking and cause nuisance from pedestrians using the footway.
- Suggest footway should be on east side of road so need for only 1 crossing or on both sides of road. Who will manage crossings?
- Fibre Optic Infrastructure buried beneath eastern bank may restrict building of footpath
- Previous proposal for use of footpath from Horefield to access the school is an unsuitable non-maintained path which would lead to more parents parking in Horefield which itself has no pavements.
- School traffic is unresolved
- Concerns of obstruction of public highway, noise nuisance and water and air pollution during the build phase (*Officer note - Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working are covered by Control of Pollution Acts*)
- Noise, light pollution, air pollution
- Damage to existing residents fences/cars
- Flooding (drains run from the bungalows along Idmiston Road and down through Horefield)
- Increased burden on sewage and drainage infrastructure, which will not cope as already running at full capacity/has blocked/flooded previously and increased risk of failure in the drainage system to properties in Horefield at the bottom of the hill
- There has been localised surface water flooding (confirmed in INP pg 32). Development of sloping site will reduce the capacity for water to soakaway from non-permeable surfaces and removal of bank, increasing run-off and likelihood of flooding to existing dwellings (further exacerbated by climate change). Contrary to Idmiston Neighbourhood Plan Policy 2 (avoiding flooding) and NPPF (development must not increase the risk of flooding to others)
- The FRA is ambiguous and fails to clarify how surface water runoff will be achieved (query depth of infiltration testing given site will be excavated) soakaway nor how the ageing and dilapidated drainage/sewage system will cope (drainage and sewage pipes have not been updated since Horefield Estate was built [pumping stations designed to run for 3/4 hours per day now run 24 hours a day] pipework is brittle and susceptible to tree root invasion)

- No reference to old abandoned well in garden of No 11 Horefield
- Flooding/mudslides from field into proposed dwellings and gardens (FRA does not refer to these previous incidents where land owner placed straw bales along the side of field)
- Sloping site has significant buildability problems (surplus soil/drainage)
- Numbers of dwellings exceeds 10 dwelling limit (contrary to Neighbourhood Plan) and inappropriate in scale to Horefield
- Neighbourhood Plan is very misleading
- Overshadowing, overlooking, overbearing, loss of light and outlook to existing Horefield dwellings at lower level with development dominating the skyline (contrary to human rights act article 8 of a right to a private and family life and home)
- Horefield is a Hamlet and should not be included as part of the Idmiston Neighbourhood Plan
- Site should be discounted for development - there are more suitable sites for development of new houses without highway safety risks associated with busy road and large school (with likely future expansion of school/pre-school increasing risk)
- Set precedent for further development
- Assurances that S106/conditions will be complied with
- Massive upheaval for small increase in housing stock
- Landscape impact and loss of countryside by infilling open vista visible from A338 in an elevated position which will breach the horizon (contrary to INP policies 3, 4, 5, 17 and 18, NPPF and Core Policy 57 of WCS)
- Loss of trees
- Impact on wildlife – buzzards, red kites, owls, bats, hobbys, woodpeckers and butterflies regularly seen (ecology report only records winter months whilst field borders places of special interest)
- Area is situated within conservation sites (Porton Down and RSPB Winterbourne Downs) both of which have evidence of Stone Curlews. Long term effects could lead to habitat fragmentation
- No open space provision
- Impact to power infrastructure, buses and council services (refuse collection) and existing village/community facilities already struggling to cope
- Archaeological interest
- Loss of valuable farmland used for producing food
- Bungalow to south of the site (Tresillian) was refused planning permission for an extension (S/2004/2592) (*Officer note – planning permission was granted for a rear extension and loft conversion at Tresillian under application reference no. S/2005/532*)
- Permission was refused for a new dwelling at Swanson
- Reference to amended plans increasing number of units (*Officer note –the revised layout plan [although it is only indicative as this is an outline application with all matters reserved] has been corrected such that the number of units annotated/shown complies with the number of dwellings applied for [16 units, of which 5 would be affordable] – a previous version showed 21 dwellings on the site*)
- Blocking of views and devaluing of properties (*Officer note - this is not a material planning consideration*)
- Copy of petition dated 1st December 2014 with 94 signatories *'we the undersigned would object to a development of housing on the Idmiston Road, Porton because of parking facilities for the school which is already presenting numerous problems especially if emergency vehicles had to use the road. Also extra residential parking would be lost for those living on the Idmiston Road. There is also the problem of sewage and infrastructure. Those persons who live on the Idmiston Road would also be overlooked; several residents have lived here for over 50 years.'*

30 representations have been received **supporting** the application, summarised as follows:

- Good opportunity for the village and for people to be able to afford to live in a village location
- Mix of starter homes, affordable housing, retirement properties and larger homes
- Much needed mix of affordable housing
- Improvements to application will benefit local community and designed with full regard to the community
- Application is in areas supported and identified for development in the Neighbourhood Plan, which given Idmiston Parish Council more power in decision making
- Application has been supported by majority of Idmiston Parish Council
- Development meets every condition of neighbourhood plan (which has clarity as opposed to ambiguity) consideration should now be given to the areas outlined in Figure 1 of the Neighbourhood Plan
- Development of both sites at the same time is justified to provide much needed affordable housing (*Officer note – the threshold for provision of affordable housing is 11 units*)
- Development is of moderate size (is not proposing the maximum capacity of 20 units) which will not destroy the rural feel of the area and maintain the character and charm of village life (not aimed at high density housing but a spacious scheme with parking, landscaping and pleasant living)
- Meets CP43 affordable housing requirements
- Will sit well within and be sensitive to its surroundings
- Will give the shop in Porton and other businesses trade
- All properties will have off-road parking
- Proposed development will not impact or worsen the existing problem of the volume of traffic during school starting/finishing times
- Additional proposed off-road parking will be a major benefit (will lower the amount of cars parked outside the school)
- Support pedestrian crossing to alleviate earlier concerns and provide safer footpaths and traffic calming for existing residents and children on busy stretch of road
- Suggest relocation of bus stop shelter
- Paved footway does not need to be 2m wide (*officer note – a 1.5m footway is now proposed details of which can be conditioned*)
- Surface water drainage will be fully compliant with sustainable drainage system to not impose any extra surface water load on existing drains and surface water runoff from field will be buffered by development
- Capacity of foul water drains is of concern but Wessex Water have raised no objections to previous applications in the village.

8 representations have been received **commenting** on the application, summarised as follows:

- Have raised a parliamentary question with MP regarding the development
- Footpath referred to from Horefield is not part of the Porton Jubilee Walk
- Not all neighbours have been consulted (*Officer note – all properties adjoining the site have now been notified*)
- Delays in publishing third party comments online

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

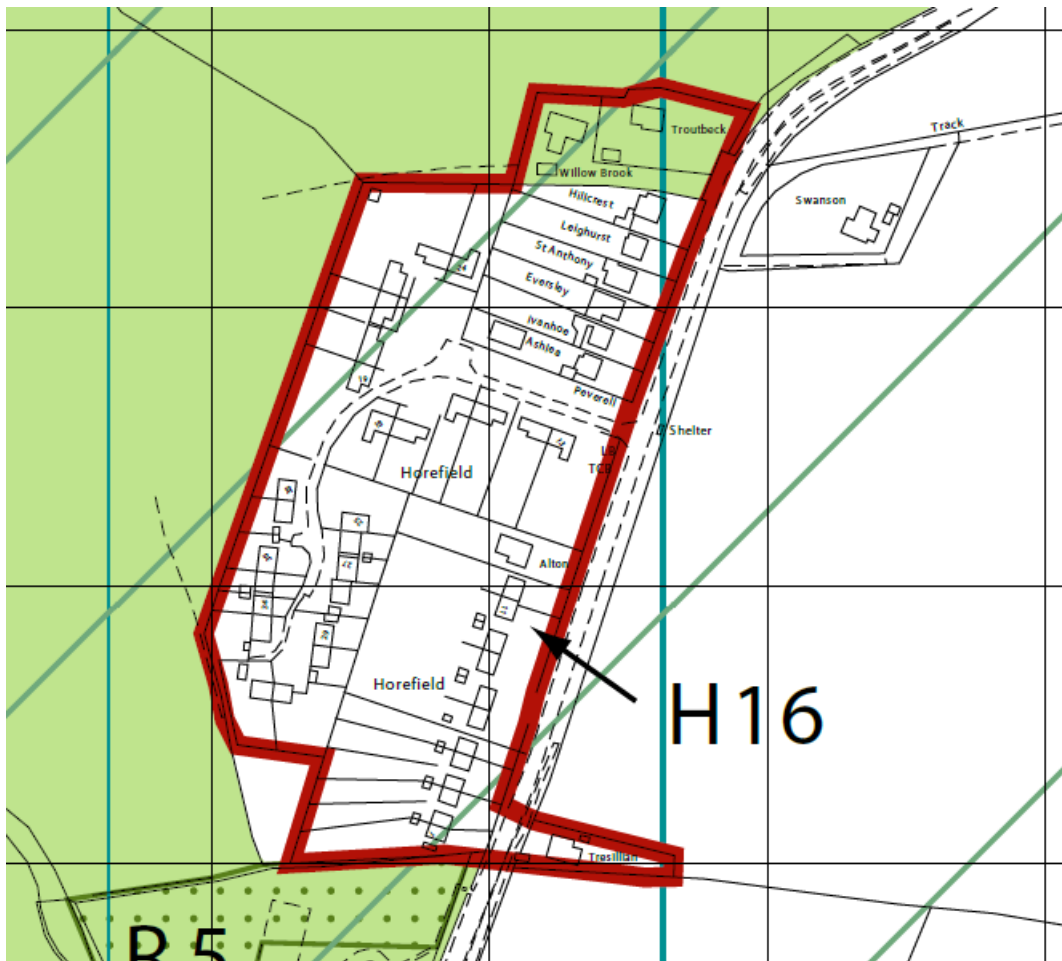
At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Porton is defined as a Large Village under Core Policy 4 and the settlement boundary/limits of development has been retained under Appendix E of the WCS.



The proposed site is outside the limits of development as defined on the policies map (extract attached above). The Core Strategy explains that relaxation of the settlement boundaries will only be supported where it has been formally reviewed through a subsequent Site Allocations Development Plan Document (DPD) or community led planning documents (including Neighbourhood Plans).

Following an independent examination and a positive referendum result (84% of the votes in favour of the Neighbourhood Plan with a requirement for over 50% votes in favour for the NP to succeed), Wiltshire Council decided to formally 'make' the Idmiston Neighbourhood Development Plan in April 2017. The Idmiston Neighbourhood Plan now forms part of the Development Plan for Wiltshire and the policies in the plan will be given full weight when assessing planning applications that affect land covered by the plan.

The site is identified in 'Figure 1 – Table of Preferred Sites' on page 42 of the Neighbourhood Plan and comprises site P7A and P7B:



Policy 19 of the Neighbourhood Plan is relevant to new development sites:

Policy 19 - New Development Sites

The Neighbourhood Plan will facilitate the delivery of approximately 32 homes across the Plan period. The delivery of new homes will be monitored, in the event that the development of new homes through existing commitments or proposals will not achieve the figure of approximately 32 dwellings, consideration will then be given for the development of the sites shown in Figure 1 of the plan. Subject to other policies in this Plan new residential development proposals will be supported to achieve the housing requirement where they deliver infill development or at the large village of Porton small scale development of no more than 11 homes within and immediately adjacent to the settlement boundary of Porton, as established in the Core Strategy. Residential development elsewhere in the Plan area will be resisted.

Policy 17 of the Neighbourhood Plan is also relevant to new developments:

Policy 17 - Development Criteria

Any developments in villages will need to meet all of the following criteria:

- Be well related to the existing village envelope
- Be of modest scale and not generally exceed ten dwellings, in order to protect the rural nature of the village
- Reflect the character and variety of the existing pattern of development in the village
- Follow the lines of the contours on sloping sites to ensure a better fit with the existing land form

'Figure 1 – Table of Preferred Sites', states the indicative capacity for site P7A is '10 dwellings' and for site P7B it is also '10 dwellings'. The proposed number of dwellings (16) is below the combined indicative capacity of 20 and it is therefore considered that the proposal accords with policies 17 and 19 in this regard.

The NP encourages/facilitates the provision of '*no more than*' '*approximately 32 dwellings*' through the plan period (2015-2016). There is an outstanding commitment of 20 dwellings (14/02043/FUL at Chalk House, Porton), leaving a gap of '*approximately 12*'. It is considered that as this proposal (for 16 dwellings) would then meet that gap, officers are of the view that it is acceptable in principle against policy 19 of the neighbourhood plan.

In addition to the consideration of principle, it is also necessary to consider the other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

The site also lies within a Special Landscape Area, and an Area of Special Archaeological significance.

9.2 The impact on the character and appearance of the open countryside/special landscape area

The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The site is located within a special landscape area and Core Policy 51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character and development '*must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.*'

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

The site itself is currently in agricultural use and the proposed development will alter the character and appearance of the site both within the immediate vicinity of the site and with the wider landscape setting as the site is visible from the A338 across the valley.

Whilst the proposals will result in an intrusion of built development into the open countryside, the site has been included in the neighbourhood plan and inevitably any built development is going to be seen within the relatively open landscape with trees/hedging predominantly to the north and south boundaries, although landscaping of the site and design/scale of the proposed dwellings will be considered at the reserved matters stage to ensure the development assimilates as much as possible into the landscape setting.

9.3 Highway considerations

9.3.1 Parking for the proposed dwellings

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The resulting LTP3 Car Parking Strategy was adopted by the council in February 2011 and includes policy PS6 – Residential parking standards and policy PS4 - Private non-residential standards. The parking standards for new dwellings are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

The minimum cycle parking standards will also apply and are included at appendix 4 of the Cycling Strategy and are as follows:

- 1 covered space per bedroom for up to 3 bedroom dwellings.
- 3 covered spaces per unit for 4 bedroom dwellings.
- 4 covered spaces per unit for 5 + bedroom dwellings

As this is an outline application, the sizes of the dwellings are not under consideration, although it is considered that there would be sufficient space (based on the indicative layout plan) within the site to accommodate the required parking standards.

9.3.2 Paved footway

Following an initial objection from the highways authority to the proposal on the grounds that the development was likely to generate an increase in pedestrian traffic on a highway lacking an adequate footway link with the existing paved footway to the south of the site opposite the Primary School, with consequent additional hazards to all users of the Class III Idmiston Road; amended plans have been submitted which include the provision of a 1.5m wide paved footway to form a link with the existing footway to the south of the site. This will be created on highways owned land.

Third party objections include that the paved footway will block access to driveways of some of the properties in Horefield (there are three properties which have created driveways off the road, although there is no record of planning permission being granted for these accesses, they appear to be well established). The highways authority has confirmed where

any cars on these drives currently stick out onto the public highway, they are obstructing the public highway, which could be enforced and that the proposed footway in this location could have a dropped kerb to still allow access to the driveways (details of which could be agreed by condition).

Where cars currently informally park on the highway verges outside the school and along Idmiston Road (this is not allocated parking and as such there is no right to park here), although where the development/provision of a paved footway would restrict this current parking arrangement, if cars either park on the paved footway or park further out in the road causing a highway obstruction, this could be enforced as a matter of highway obstruction, although the highways authority has suggested that bollards could be used to prevent parking on the footway (details of which could be agreed by condition).

9.3.3 Public car parking

The neighbourhood plan identified that a major problem for St Nicholas C of E Primary School is the lack of parking on the school site necessitates teachers having to park in Idmiston Road, limiting parking for parents when dropping off and picking up children before and after school times:

Policy 12 - School Parking

Proposals for the provision of off-road parking to be made at both the Primary Schools; St Nicholas C of E Primary School in Porton and Gomeldon Primary School along with the provision of a new footway from Idmiston village towards St Nicholas C of E Primary School will be strongly supported. The introduction of a 20mph speed limited in the vicinity of the two primary schools will also be strongly supported.

The application has been amended to include 15 “public” spaces for Horefield resident/school use. These are not necessitated by the proposed development although are being offered taking into account Policy 12 of the Idmiston Neighbourhood plan and would need to be transferred to the Parish Council via S106 agreement.

Subject to conditions (details of the paved footway, accesses, drive gradients, car parking and other associated highways works to be approved; scheme for the discharge of surface water from the accesses/driveways) and informative that the applicant will need to enter into a Section 278 agreement with the council to secure the highway works including the adoption of the new paved footway across the frontage of the site it is considered that the application is acceptable in terms of accessibility and parking provision.

9.4 Archaeology:

Paragraph 128 of the NPPF includes the following:

‘Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.’

The council’s archaeologist considered that the site was of archaeological interest as it lies close to known remains which are likely to contain prehistoric settlement and a number of undated features run into the site. It was therefore considered that the site had the potential to contain heritage assets of archaeological interest and field evaluation was necessary to reveal the impact of the proposed development on any buried archaeology.

An archaeological trial trench evaluation was carried out by AC archaeology Ltd. in September 2017 and the results submitted to the council. The evaluation aimed to establish the significance, presence or absence, extent, depth, character and date of any archaeological features, deposits or finds within the site and comprised the machine excavation of five trenches. Although several natural features and anomalies were noted, none of the trenches excavated contained archaeological features and no finds or artefacts were recovered from the site investigation.

Following the submission of the report, the council's archaeologist considers it unlikely that significant archaeological remains would be disturbed by the proposed development and has changed the previous objection (as the field evaluation had not been undertaken) to no objections.

9.5 The impact on the living conditions of proposed and nearby properties

Core Policy 57 also requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself:

vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).

The NPPF's Core Planning Principles (paragraph 17) also include that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'*

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit *'How the new dwelling(s) will relate to the context and to each other to create a particular place'*.

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions. A right to a view is not a material planning consideration, although consideration of impact to outlook is.

Whilst this application has been submitted with all matters reserved; an indicative layout plan has been included, it is considered that the indicative site layout demonstrates that dwellings could be accommodated on the site without adverse impact to residential amenity (for occupiers of both existing and proposed dwellings).

9.6 Nature Conservation Interests:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development.

The council's ecologist's comments have been attached in full above, raised a holding objection to the application.

The site is within 2km of the Porton Down Special Protection Area (SPA). This European site is protected for its population of breeding stone curlew. The site is also within 2km of the River Avon Special Area of Conservation (SAC) and the Porton Meadows SSSI and the Salisbury Plain SPA/SAC/SSSI.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are protected under The Conservation of Habitats and Species Regulations 2010. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

When a European site is affected by a land use authorisation, it is necessary to consider whether the activity being authorised would impact on any of the designated features.

This assessment work is governed by the Habitats Regulations 2010 and is undertaken by the “competent authority”, which for planning applications is “the planning authority”.

Regulation 61 of the Habitats Regulations 2010 states the responsibilities for competent authorities thus:

- (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—*
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of that site,*
- must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.*
- (2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required.*

Where a development is likely to have a significant impact on a European site, the Regulations require a rigorous assessment of the impacts, known as an Appropriate Assessment in order to demonstrate that any likely impacts are avoided or reduced to levels as to avoid adverse impacts upon the SPA.

This needs to be provided prior to the determination of the planning application because in carrying out their statutory duty in line with the National Planning Policy Framework, Natural Environment and Rural Communities (NERC) Act 2006, Regulation 61 of the Habitats Regulations 2010 and the Wiltshire Core Strategy, the local planning authority’s ecologist must be provided with sufficient information to facilitate a robust and suitably informed assessment with regards to the potential for the proposed development to impact upon ecological receptors. A review of the submitted information has revealed that further information from the applicant is required before this can be undertaken by the Council

The council’s ecologist has advised that the ecological survey report is also insufficient on a number of grounds including that the applicant does not confirm through the provision of appropriate plans, that the vegetative boundary features will be retained and yet the ecological survey recommendations and conclusions put forward to the Council for consideration have been based on an assumption it will all be retained, and the ecological reporting indicates ecological receptors may be present (bat roosts and reptiles). It is therefore also considered that insufficient information has been submitted to demonstrate that there will not be an adverse impact upon other ecological receptors (including existing hedgerows, trees, vegetative features, bat roosts and reptiles).

All ecological surveys required must be undertaken prior to the determination of the planning decision and cannot be conducted to discharge a planning condition. This is the case for outline applications as well as full applications.

In the absence of sufficient information, the application is recommended for refusal.

9.7 Water environment & Drainage:

One of the main concerns of local residents is that the proposals could cause dwellings in Horefield to flood (both surface water and foul water).

The development site is located in Flood Zone 1, the zone of least flood risk (described in the NPPF as land having a less than 1 in 1,000 annual probability of river or sea flooding).

The Planning Practice Guidance for the National Planning Policy Framework (NPPF) requires a site-specific Flood Risk Assessment (FRA) to be carried out for developments located in Flood Zones 2 and 3 and for those which are 1 hectare (ha) or greater in size. A site-specific FRA is required to ensure that the development is safe from flooding and will not increase the risk of flooding elsewhere (addressing any drainage problems that may arise as a result of the development).

The site is over 1 hectare in size and a site specific FRA and drainage strategy has been submitted (revised during the course of the application).

This confirms that there is currently no active management of surface water on the greenfield site, with the site topography suggesting that surface water runoff currently runs to the road from the south east towards the north west; that there is no formal surface water drainage in Idmiston Road (confirmed by Wessex Water) and therefore an alternative solution is required to ensure that the development does not increase the risk of flooding to others.

The existing greenfield surface water runoff discharge (rate and volume) has been calculated and infiltration tests have been undertaken which demonstrate that the proposed drainage strategy (the use of varying infiltration systems such as soakaways, infiltration trenches and pervious paving) is a feasible solution.

Wessex Water has also confirmed that there is capacity in the foul network located at Idmiston Road.

The council's drainage officer has raised no objections to the proposed scheme subject to conditions (detailed schemes for foul water discharge and surface water discharge to be agreed).

9.8 Sustainable Construction

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

For new build residential development the local planning authority is now seeking energy performance at "or equivalent to" Level 4 of the Code for Sustainable Homes via planning condition.

9.9 S106 obligations and CIL

The introduction of the Community Infrastructure Levy (CIL) has significant implications for the use of S106 Planning Obligations. The legal tests for when you can use a S106 are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and have three important repercussions for S106 obligations; making the tests for the use of S106 obligations statutory (the tests are that any obligations will need to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development), ensuring that there is no overlap in the use of CIL and S106 obligations and restricting the use of 'pooled' S106 obligations.

As well as the legal tests, the policy tests are contained in the NPPF:

"203. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

204. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms directly related to the development; and fairly and reasonably related in scale and kind to the development."

9.9.1 Affordable Housing:

Core Policy 43 of the Wiltshire Core Strategy sets out a requirement for 30% on-site affordable housing provision within the 30% Affordable Housing Zone. In line with recent government guidance, this only applies on applications of over 10 dwellings (the threshold is therefore 11 units).

This application for 16 dwellings therefore requires 5 affordable units to be provided. This would meet the policy requirement and would assist in addressing the need for affordable housing in Idmiston parish.

Core Policy 45 of the Wiltshire Core Strategy states that housing size and type will be expected to reflect that of the demonstrable need for the community within which a site is located.

In order to meet need the New Housing team have advised affordable housing units should be provided with a tenure mix of 60% of the units (3 units) being for Affordable Rented housing, and 40% of the units (2 units) being provided for shared ownership.

The new housing team have advised that there is currently a need for:

Affordable Rented: 1 x 1 bedroom / 2 person house, flat or bungalow)
1 x 2 bedroom / 4 person house or bungalow
1 x 3 bedroom / min 5 person house or bungalow;

Shared Ownership: 1 x 2 bedroom / 4 person house;
1 x 3 bedroom / min 5 person house.

The planning statement submitted with the application confirms that '*Affordable housing in terms of quantum and tenure/size type will be delivered in accordance with the requirements of Core Strategy Policy 43.*'

The affordable dwellings will be required to be transferred to a Registered Provider, approved by the Council, on a nil subsidy basis. The Local Authority would have nomination rights to the affordable dwellings, secured through a S106 Agreement.

9.9.2 Public Open Space

16 dwellings would generate the following requirement (192 sq metres of Play, 320 sq metres of Casual and 1152 sq metres of Youth and Adult. As no on-site Public Open Space is proposed, an off-site contribution to upgrade nearby facilities would be sought via a S106 agreement.

The Neighbourhood Plan identifies *'play areas, one of which, in Porton, has a "toddler" play park and a field marked for football. Unfortunately, the play area is situated on the flood plain and is frequently unusable as it is waterlogged. There is a second play area at the far extent of East Gomeldon Road. There are no youth facilities and this is an important deficiency.'*

The Neighbourhood Plan supports the community interest for existing sites (identified in the plan) should be protected and enhanced for public enjoyment wherever and however possible and Community Aspiration 7 *'Improve the Porton Recreation Ground'* looks to *'revisit the feasibility of improving the drainage and quality of the Porton recreation ground to provide a better long term sport and recreational facility.'*

9.9.3 Waste Contributions

The on-site infrastructure required by the proposal is the provision of waste and recycling containers for each residential unit. Waste and recycling contributions are outlined in the *'Waste Storage and Collection Guidance for New Development'*. The following s106 contribution is required for the provision of this essential infrastructure to make the application acceptable in terms of Core Policy 3:

Property type category	Contribution per house/per category	Quantity	Total
Individual house	£91	16	£1,456
		Total	£1,456

This contribution is directly related to the development and is specifically related to the scale of the development, as it is based upon the number of residential units on site and would also need to be contained within a S106 Agreement.

CIL

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015; CIL will be charged on all liable development granted planning permission on or after this date and would therefore apply to this application. However, CIL is separate from the planning decision process, and is administered by a separate department. If the application were to be approved, an informative would be added advising that the development would be subject to CIL.

10. Conclusion

The site is located within open countryside being located outside of any designated settlement boundary, although the outline application with all matters reserved for 16 dwellings (5 affordable houses are proposed in accordance with the CP43 requirements) follows the Idmiston Neighbourhood Plan being 'made' and as such is acceptable in principle.

Following revised details being submitted in respect of highways and drainage, the proposal is considered acceptable in terms of access and parking provision, and would not be

prejudicial in terms of highway safety or surface water or foul water drainage (subject to conditions).

However, the proposed scheme provides insufficient information in relation to ecology and is recommended for refusal.

In addition to on-site affordable housing, developer contributions are triggered towards infrastructure/facilities, including recreational open space, and waste and recycling facilities. It will be necessary to include reasons for refusal relating to these contributions/infrastructure requirements in the event of an appeal against a decision to refuse the scheme but to include an informative that this can be overcome by the submission of a S106 agreement contributing to waste and recycling containers, off-site open space contributions and on site affordable housing provision.

RECOMMENDATION: REFUSE

(1) The site is within 2km of the Porton Down Special Protection Area (SPA). This European site is protected for its population of breeding stone curlew. The site is also within 2km of the River Avon Special Area of Conservation (SAC) and the Porton Meadows SSSI and the Salisbury Plain SPA/SAC/SSSI.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are protected under The Conservation of Habitats and Species Regulations 2010. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

Any development on greenfield land within the 2km zone around the Porton Down SPA may lead to indirect impacts when considered in combination with other activities occurring in the area. An application needs to be considered for Appropriate Assessment under the Habitat Regulations 2010 as to whether it is likely to have a significant impact on a European site. Insufficient information has been submitted for the competent authority to undertake this assessment and conclude that there will not be a likely significant effect on the qualifying species or potential pathway for effects on the Salisbury Plain SPA and SAC and Porton Down SPA.

In carrying out their statutory duty in line with the National Planning Policy Framework, Natural Environment and Rural Communities (NERC) Act 2006 and the Wiltshire Core Strategy, the local planning authority's ecologist must be provided with sufficient information to facilitate a robust and suitably informed assessment with regards to the potential for the proposed development to impact upon European sites and other ecological receptors (including existing hedgerows, trees, vegetative features, bat roosts and reptiles). A review of the submitted information has revealed that further information from the applicant is required before this can be undertaken by the Council.

It is therefore considered that insufficient information has been submitted to demonstrate that the development will not have a likely significant impact on a European site and will not have an adverse impact upon other ecological receptors, contrary to Core Policy 50 of the Wiltshire Core Strategy, the Natural Environment and Rural Communities (NERC) Act 2006, The Conservation of Habitats and Species Regulations 2010 and guidance within the National Planning Policy Framework.

(2) The proposal does not make provision for on-site affordable housing, contrary to Core Policy 43 of the Wiltshire Core Strategy.

(3) The proposal does not make provision for off-site recreational open space provision, contrary to Core Policy 3 of the Wiltshire Core Strategy and Saved Policy R2 of the Salisbury District Local Plan.

(4) The proposal does not provide for contributions towards waste and recycling containers (on-site infrastructure required by the proposal), contrary to Core Policy 3 of the Wiltshire Core Strategy and policy WCS6 of the Wiltshire and Swindon Waste Core Strategy.

INFORMATIVES: It should be noted that reasons 2-4 for refusal, could be overcome if all the appropriate parties agree to enter into a Section 106 Agreement contributing to waste and recycling containers, off-site open space contributions and on site affordable housing provision.