

Date of Meeting	15 th October 2015
Application Number	15/06930/FUL
Site Address	From Salisbury Road Bulford (north of junction with High Street) to Salisbury Road Amesbury at Folly Bottom (north of junction with A303) Wiltshire SP4 9DT
Proposal	The construction of a shared user path on agricultural land, including a ramp and stairs.
Applicant	Mrs Julie Wharton
Town/Parish Council	AMESBURY
Electoral Division	AMESBURY EAST – (Councillor John Noeken)
Grid Ref	416875 143290
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

The application has been submitted by Wiltshire Council and as objections have been received raising material planning considerations, the application cannot be dealt with under delegated powers in accordance with 1.1 of the Scheme of Delegation Specific to Planning.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED subject to conditions.

2. Report Summary

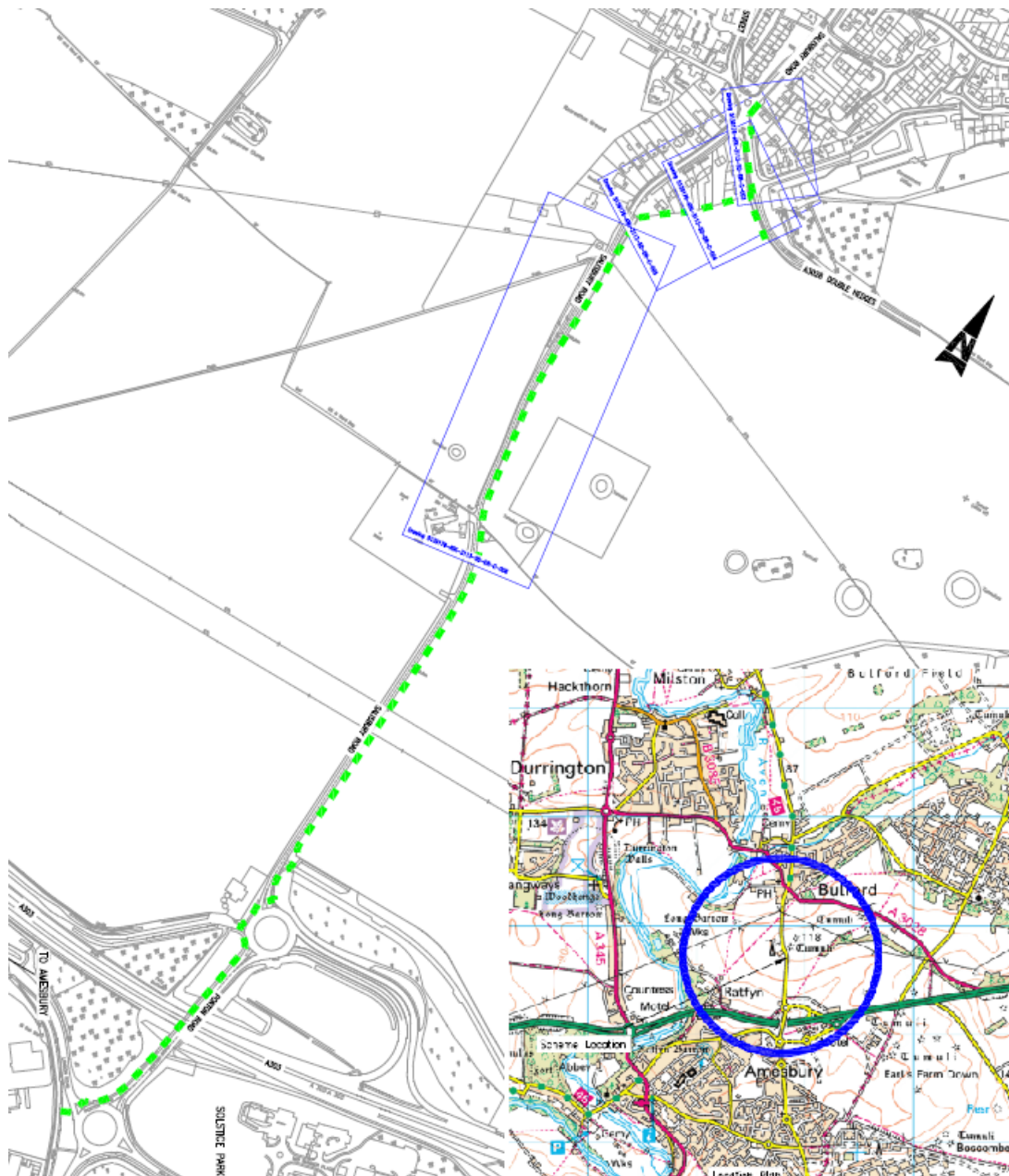
The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Visual impact and impact on residential amenity
- Impact to the setting of heritage assets & archaeological considerations
- Highway considerations
- Ecology
- Other issues raised by third parties

The application has generated Support from Amesbury Town Council and Bulford Parish Council, 7 letters of objection and 3 letters of support.

3. Site Description

The application site comprises a narrow strip of land which follows the east side of Salisbury Road along the field edge and road verges adjacent to the highway between Amesbury and Bulford. At Bulford the site passes behind the houses on Salisbury Road, to link through to the A3028:



There is no official footway alongside Salisbury Road; although to avoid walking on the carriageway there is evidence that pedestrians use the grass verge and ploughed field edge (in the form of bare compacted earth along the edge of the fields):



Photograph along proposed route looking south towards Solstice Park showing informal compacted earth path

4. Planning History

None

5. The Proposal

The construction of a shared user path on agricultural land, between Salisbury Road, Bulford (north of junction with High Street) to Salisbury Road, Amesbury at Folly Bottom (north of junction with A303).

The new route is 1.2 km in length and will link up with shared use footways around the north of Amesbury. The route construction will involve the creation of a ramp and stairs from the A3028 and creating a new 2.5m wide tarmac path along the field verges behind dwellings in Station Terrace and then adjacent to the Salisbury Road until the traffic island for the eastbound A303. At this point the route will cross to the western side of the Salisbury Road, over two small farm access roads and will join an existing widened footway which will be converted to shared use.

The application has been submitted by Wiltshire Council who will be the body responsible for the future maintenance and management of the path. Sustrans has collaborated with Wiltshire Council on the design and delivery of the proposed scheme.

The application documentation explains that funding for the route has been secured from nearby developments in Amesbury (including the Tesco development) and Bulford.

Extent of the proposals requiring planning permission

Class A of Part 9 of The Town and Country Planning (General Permitted Development) (England) Order 2015 refers to development by highways authorities and permits *'The carrying out by a highway authority on land outside but adjoining the boundary of an existing highway of works required for or incidental to the maintenance or improvement of the highway.'*

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) – Adopted January 2015:

CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements)
CP4 (Spatial Strategy for the Amesbury Community Area)
CP48 (Supporting Rural Life)
CP50 (Biodiversity and Geodiversity)
CP51 (Landscape)
CP52 (Green Infrastructure)
CP57 (Ensuring high Quality Design and Place Shaping)
CP58 (Ensuring the Conservation of the Historic Environment)
CP60 (Sustainable Transport)

Wiltshire Local Transport Plan 2011-2026

Cycling Strategy – Adopted March 2014

7. Summary of consultation responses

Local Highways Authority – No objections

Rights of Way officer – Support

Ecology - Support subject to condition

Archaeology – Support subject to condition

Historic England – No objections

8. Publicity

The application was advertised by press / site notice and neighbour consultation letters.

7 representations have been received supporting the scheme, summarised as follows:

- Will increase cycling safety - It is difficult to access quiet roads on Salisbury Plain without taking a major A road
- Separation of route from motorised vehicles will enable Amesbury and Bulford to be linked by safe and well planned cycling and walking route
- Need is urgent following increase in traffic arising from changes to junctions on the S303 at Solstice Park
- Benefits to recreation, leisure, touring and commuting cycling in South Wiltshire (contributes to the National Cycle Network Route 45 which links Chester with Salisbury via Whitchurch, Ironbridge, Bridgnorth, Droitwich Spa, Worcester, Gloucester, Cirencester and Swindon)
- Safe route will encourage children to choose cycling/walking as primary method of transport
- Helping the environment and improving health
- Encourage cyclists to use route to travel to work in Amesbury, Solstice Park and Boscombe Down
- Will help more elderly Bulford residents to visit Solstice Park on foot

- Overall contribute to pedestrian and cyclist safety in Wiltshire

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

- Loss of parking for Bulford residents (10 dwellings currently use the road to be developed for on street parking) will impact on existing residents blocking driveway accesses/affecting ingress and egress (including Newmans Way opposite which is a main entrance to the MOD and is constantly busy Mon-Fri)
- Additional parking should be provided to replace the spaces lost and should be a condition of planning approval.
- Suggestion for car park on corner with Newmans Way not put forward or considered during the application
- Will increase traffic obstruction at junction leading to the A303
- Loss of footpath for parking
- Speed limits should be reduced
- The road which approaches the proposed steps/ramp is a traffic accident hot spot (15 accidents witnessed) and proposed steps/ramp will be dangerous for drivers and pedestrians due to the approaching steep bend in the road
- Will escalate litter and debris deposited in field/road area
- Proposal does not take into account local developments arising from Army Rebasing – and should be conditional that the route should be continued to Canada Estate
- The shared user path ends after the junction between Salisbury Road and the High Street without a crossing, posing a safety risk for cyclists
- Querying whether right of way route is affected and if pathway on North side of High Street remains the same width
- Querying whether turning circles for tank transporters and tracked vehicles have been included
- Proposed crossing of the High Street by the shared user path is too close to the junction (following previous highways authority advice to resident wishing to create private vehicular access from High Street)
- Potential impact to banks and hedges

1 representation has been received with the following query:

- Closeboard fencing should extend entire length of garden of No 54 High Street to safeguard privacy/prevent overlooking from path into garden

Bulford Parish Council - Very strongly supported

Amesbury Town Council - Amesbury Town Council strongly supports and welcomes this planning application

Cycling Opportunities Group for Salisbury

COGS strongly supports this proposal that will considerably improve facilities for cyclists and pedestrians wishing to travel between Bulford and Amesbury. The direct route via Salisbury Road is heavily trafficked and narrow, and the gradient makes it difficult for drivers to overtake cyclists moving slowly whilst travelling uphill. The lack of a footway also means that pedestrians have a hazardous and unpleasant walk. The new path will make the journey more pleasant and easier for everyone, both local cyclists and pedestrians accessing the nearby retail outlets and hotel, and commuting to work and school as well as touring cyclists using National Cycle Network route 45. We welcome this important addition to sustainable transport infrastructure in South Wiltshire and look forward to our members using it in due course.

9. Planning Considerations

9.1 Principle of development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The National Planning Policy Framework sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development.

The Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities.

Core Policy 48 seeks to improve access to services and improving infrastructure by focusing on improving accessibility between towns and villages, helping to reduce social exclusion, isolation and rural deprivation. Core Policy 48 supports transport and infrastructure improvements including new cycle routes, where the development will not be of detriment to the local environment or local residents.

Core Policy 60 supports and encourages and sustainable, safe and efficient movement of people and goods within and through Wiltshire including '*Promoting sustainable transport alternatives to the use of the private car.*'

The 3rd Local Transport Plan (LTP3) (adopted March 2014) covers the period 2011-2016. The Wiltshire LTP sets out the council's objectives, plans and indicators for transport in Wiltshire.

The Department for Transport's 'Guidance on Local Transport' (July 2009) sets of five overarching national transport goals:

- support economic growth;
- reduce carbon emissions;
- promote equality of opportunity;
- contribute to better safety, security and health; and
- improve quality of life and a healthy natural environment.

In addition, the transport White Paper 'Creating Growth, Cutting Carbon: Making Sustainable Local Transport Happen (January 2011) has two main themes:

- offering people sustainable transport choices, particular for shorter journeys, that will stimulate behavioural change; and
- demonstrating how localism and the big society can work for transport.

The LTP3's overall long-term strategy seeks to address and support these goals and themes by providing a sustainable transport system. The strategic objectives of the LTP3 which relate to cycling include SO2 (to provide, support and/or promote a choice of sustainable transport alternatives including walking, cycling, buses and rail) and SO5 (To improve sustainable access to a full range of opportunities particularly for those people without

access to a car). There are also a number of supporting strategies that also make up LTP3 including the Cycling Strategy.

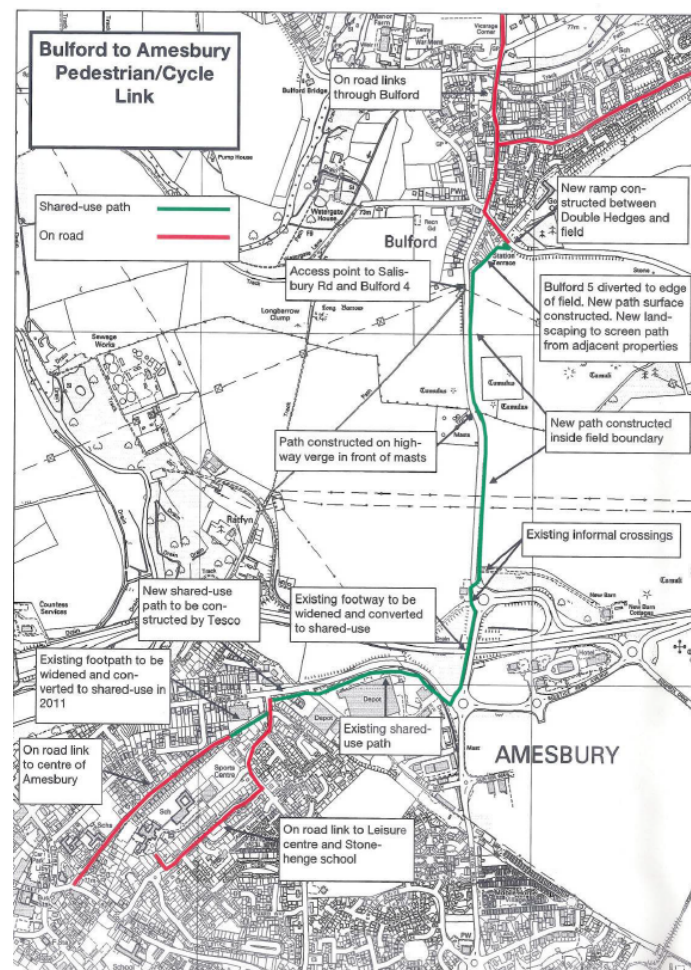
The Cycling Strategy explains that the council's preferred strategic options with regards to cycling measures include (policy 1) providing a sympathetically designed, high quality and well maintained network of cycle routes in the principal settlements and market towns and where appropriate, between the market towns and to national cycle routes.

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. The Principal Settlements are Chippenham, Salisbury and Trowbridge and Market Towns include Amesbury.

The Cycling Strategy explains that Wiltshire Council will prioritise network improvements on strategic links in principal settlements and market towns. These links are shown on Wiltshire's Town Cycle Network Plans.

The Town Cycle Network map for Amesbury (including Durrington, Bulford & Larkhill) contained within the LTP3 Cycling Strategy includes the route proposed as a potential link between Bulford and Amesbury.

The following plan indicates the wider proposal for the Bulford to Amesbury cycle link, parts of which (around the north of Amesbury) have already been created.



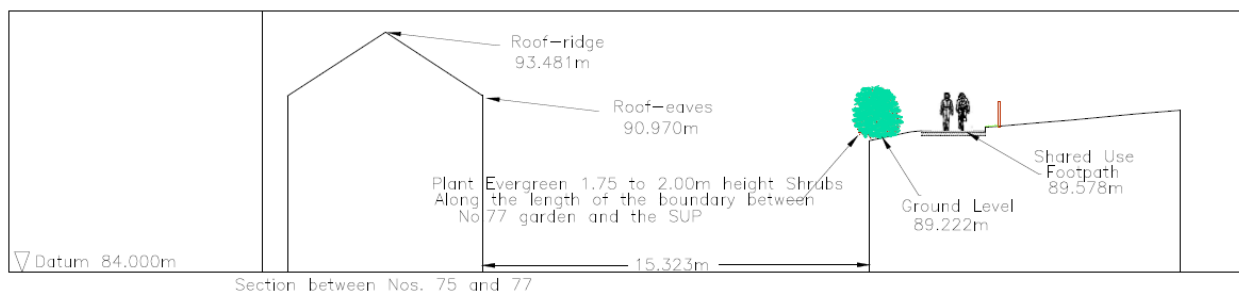
area between Bulford and Amesbury where Salisbury Road itself is not lit along its full length. Details of the lighting can be conditioned.

Policy CP57 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, and the NPPF's Core Planning Principles (paragraph 17) includes 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.'

The proposed path will run to the side of No 54 High Street and to the rear of dwellings in Salisbury Road (Nos 59-77 Station Terrace):



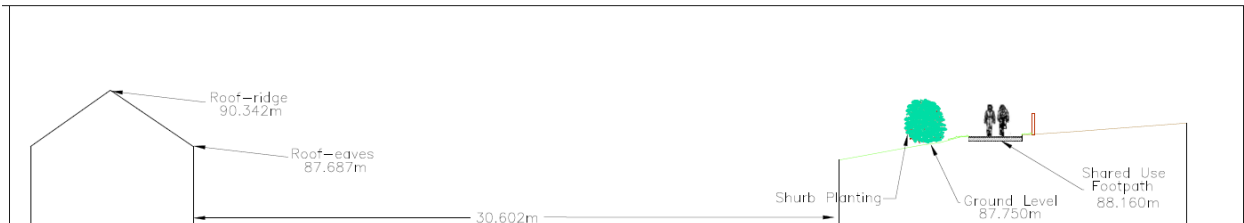
The dwellings in Salisbury Street are in a lower position to the proposed pathway, illustrated by the section plans accompanying the application:



Section A-A between Nos 75 and 77 Salisbury Road



Section B-B between Nos 71-73 Salisbury Road



Section C-C between Nos 67-69 Salisbury Road



Section D-D between 63-65 Salisbury Road

The proposed path is set back from the west boundary of the field with the residential gardens to the west and the scheme includes new shrub/hedgerow mix planting between the pathway and the west boundary of the field and stock proof fencing on the field side.

The applicant has confirmed that new fencing will be installed along the entire length of the eastern boundary of No 54 High Street which is closest to the proposed development.

Subject to conditioning the new landscaping and details of the new fencing; it is not considered that the residential amenity will be unduly impacted upon by the creation of the new path.

9.3 Impact to the setting of heritage assets & archaeological considerations

Part of the route lies between Scheduled barrows (designated heritage assets):



The NPPF outlines government policy, including its policy in respect of the historic environment (Section 12). Paragraphs 131 and 132 states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and requires development to enhance heritage assets and make a positive contribution to their setting.

Core Policy 58 'Ensuring the conservation of the historic environment' requires that '*Development should protect, conserve and where possible enhance the historic environment*'.

The Council's archaeologist has advised that whilst the design and access statement recognises the Scheduled heritage assets and the proposed line has avoided them, there are also a number of undesignated heritage assets on the alignment chosen, including Bronze Age pits. The Scheduled barrows make up part of a larger barrow cemetery, some of which are designated (Scheduled) and some of which are not.

The National Planning and Policy Framework (NPPF) contains the following Policy: 141. *Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.*

The Council's archaeologist has advised that the proposal has the potential to impact upon remains associated with the barrow cemetery (including other barrows) within this area, if the path is in an area that has been previously undisturbed and if works take place below the present ground level.

The Council's archaeologist has recommended that an archaeological watching brief takes place on this part of the proposed development as a condition of any consent.

Paragraph 132 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The proposed section of path closest to the designated heritage assets is considered to be permitted development under Part 9 being adjacent to the highway, although it is also considered that given the proposed path is adjacent to Salisbury Road, any visual impact will be a minor change to the existing character and as such any impact is considered to be less than substantial harm to the designated heritage assets which would be outweighed by the public benefits of providing a shared user path in accordance with paragraph 134 of the NPPF which requires proposals which will lead to less than substantial harm to a heritage asset to weigh this harm against the public benefits of the proposal.

9.4 Highway considerations

Objections raised to the application include that the proposal will result in loss of parking on the public highway.

The application documentation explains that in order to accommodate the new pedestrian crossing on the A3028, two parking spaces would be lost on the north side of the road; however, this element of the proposal is considered to be permitted development under Part 9 and in any event, there is no 'right' to park on the public highway, neither is it the responsibility of the highways authority to provide parking for private properties.

The Council's rights of way officer supports the scheme given that the proposed link would join up several nearby rights of way.

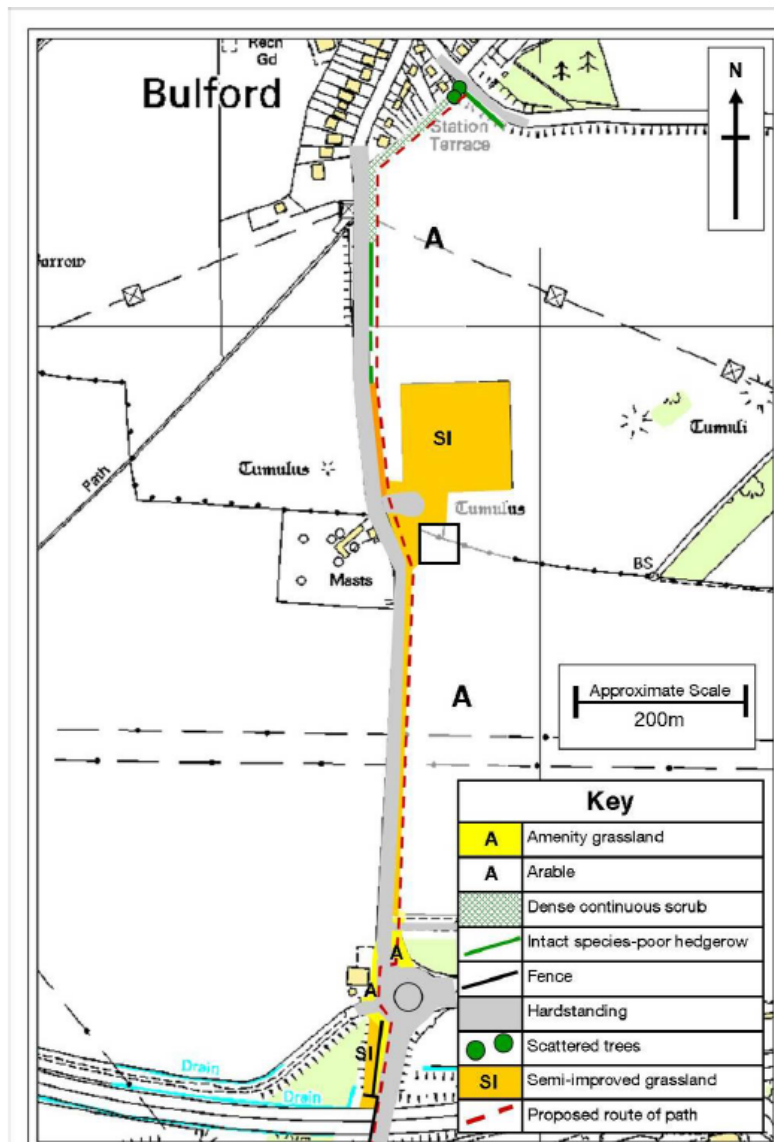
Objections have been raised on grounds of highway safety impact at the Bulford end of the proposal impact given accidents at the junction with Salisbury Road and the A3028. The speed limit at this junction is 30mph and the applicant has confirmed that *'all collisions that are reported to the Police, that result in injury are recorded and monitored by Wiltshire Council. The database reveals only one recorded incident in the past 5 years, at this junction that has resulted in personal injury. The proposed informal crossing and road narrowing will highlight the presence of crossing movements to motorists and thus improve safety at the junction.'*

The highways authority has raised no objections to the proposal.

9.5 Ecology

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 and seeks enhancement for the benefit of biodiversity through the planning system. It is therefore necessary to assess development sites for their potential to support habitats and species of importance to nature conservation.

The application has been supported by an ecological survey of the proposed route along the edge of the arable field, across amenity grassland and existing pavement:



The survey identified that the habitats within the route were found to be of limited value to nature conservation.

The following recommendations are given within the report for future management of the retained roadside verges in order to result in a greater diversity of wild flower areas and a small increase in the local area of chalk grassland.

- *Where practical the ground works in the root area of the trees should be minimised and any significant root pruning that occurs should be balanced by appropriate pruning of branches to reduce stress to the tree.*
- *The headland between the path and arable field should be maximised to allow natural grassland and wildflowers to establish outside the area affected by agricultural run-off.*
- *No topsoil or compost should be introduced along the route;*
- *Exposed soil should be left bare to allow the natural colonisation of arable weeds;*
- *Consideration should be given to seeding yellow rattle *Rhinanthus major*, eyebright *Euphrasia officinalis* or other species that are semi-parasitic on grasses to reduce*

competition from coarse grass species in the long-term. No other seed mixes are to be introduced to allow the agricultural weeds already present to colonise.

- *The future management regime should only include the minimum mowing requirements to keep the path free of overhanging vegetation. Initially as the vegetation establishes, no mowing is likely to be required. If the verges become dominated by coarse grasses, more mowing is likely to be necessary but consideration should be given to removing the cuttings after mowing to keep the nutrient content lower.*
- *Vegetation clearance on the bank should be undertaken outside the bird nesting season. This is generally considered to extend between March and September inclusive but is weather dependent. Should this not be possible, and vegetation clearance is required within this period, it should be preceded by a check for nesting birds by a suitably experienced ecologist.*
- *A method statement should be prepared to show how works will be undertaken in a manner that will not hurt reptiles. It is anticipated that the best approach would be to make the construction footprint unsuitable for reptiles prior to works commencing so that they are not present in that zone when work commences.*
- *Disturbed soil should be left in situ and not 'tidied up' thus increasing the structural diversity for invertebrates and the variety of microhabitats present.*
- *Consideration could be given to planting plugs of caterpillar food plants in the verges, such as creeping cinquefoil or strawberry *Fragaria* sp, for grizzled skipper *Pyrgus malvae*, bird's foot trefoil *Lotus corniculatus* for dingy skipper *Erynnis tages* or kidney vetch *Anthyllis vulneraria* for the small blue butterfly *Cupido minimus*.*

The Council's ecologist supports the proposed subject to a condition requiring the pathway to be constructed in accordance with these recommendations.

9.6 Other issues raised by 3rd parties

In response to objections raised to increased littering, the applicant has confirmed *'litter bins will be provided at the entrances to the shared user path'*.

In response to comments that the path should continue to the Canadian Estate, the applicant has confirmed *'this link would be worthwhile given the proposals to build new housing on the south west side of Bulford. An extension to the path is outside the scope of this project however, the link should be incorporated within any future development.'*

The *'Report on public consultation'* submitted with the application confirms that whilst a route along the full length of Salisbury Road (avoiding the need to go behind the dwellings in Station Terrace) would be preferable this is not a feasible option due to lack of agreement with landowners, the need to obtain additional land to create sufficient width and the engineering works to accommodate the steep embankment on the east side of Salisbury Road where it enters Bulford would be costly and undermine the viability of the project.

10. Conclusion

The proposed scheme will provide a motorised traffic-free route for pedestrians and cyclists between Amesbury and Bulford, improving accessibility and helping to reduce social exclusion, isolation and rural deprivation, in accordance with Core Policy 48 of the Wiltshire Core Strategy and the aims of the Wiltshire Local Transport Plan 2011-2026 Cycling Strategy.

Subject to conditions, it is not considered that the scheme will have an adverse impact upon heritage assets, ecology or residential amenity.

RECOMMENDATION: To grant planning permission 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 the Planning and Compulsory Purchase Act 2004.

2) No development shall commence within the area indicated (proposed development site) until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

3) The pathway will be constructed in strict accordance with the recommendations given at Section 5 of the Preliminary Ecological Appraisal Report by Sustrans Ecologist, Hannah Lewis, dated February 2013.

REASON: In the interests of protected species and habitat retention in order to maximise the diversity and value of the path side habitat.

4) No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

5) No development shall commence on site until a scheme of soft and hard landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities and
- details of the height and design of boundary fence to be erected along the east boundary of No 54 High Street, Bulford, SP4 9DT.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years,

die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

The agreed fencing shall also be carried out in accordance with the approved details and implemented in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of residential amenity.

6) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No: 5139176-ATK-3113-SD-DR-C-002, dated 09/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-001, dated 09/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-GA-DR-D-100, dated 03/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-003, dated 02/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-004, dated 02/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-005, dated 03/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-006, dated 11/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-GA-DR-D-101, dated 03/06/2015, received by this office 14/7/2015

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES: Archaeology

The applicant should be aware that, if archaeological remains are encountered, this may have an effect on their programme of works. If human remains are encountered during the works, they cannot be removed without the appropriate permissions.