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| Date of Meeting | 05 April 2018 |
| Application Number | 17/10167/FUL |
| Site Address | The Greyfisher, Ayleswade Road, Harnham, Salisbury, SP2 8DW |
| Proposal | Erection of two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of derelict garages. |
| Applicant | Greene King Retailing Ltd |
| Town/Parish Council | SALISBURY CITY |
| Electoral Division | ST MARTINS AND CATHEDRAL – Cllr Sven Hocking |
| Grid Ref | 414406 128975 |
| Type of application | Full Planning |
| Case Officer | Matthew Legge |

Reason for the application being considered by Committee

Cllr Hocking has called this application to the Southern Area Planning Committee due to the scale and bulk of the development and the impact to neighbouring amenity

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 that the application be approved.

2. Report Summary

The principle of the development is considered by Officers to be in accordance with local policy and as such there is no objection in principle to the application. The development has however received an objection from the City Council and a number of comments of local objection. These comments are not supported by the Council's Highways or Public Protection officers who have raised no objection to the scheme subject to conditions. The scheme has proposed to mitigate against overlooking of neighbouring properties by the use of obscure glazing and the offset distances to neighbouring dwellings is considered to be acceptable. The concerns of neighbouring residents in relation to the current operation of the Public house whilst understood, are not material matters on which the current application should be judged.

3. Site Description

The site is located on the southern side of the city, adjacent to the A338. To the east of the site are the water meadows of the River Avon floodplain which form part of the

historic landscape setting of the city. The surrounding area is predominately residential with some commercial land uses including a car MOT centre on New Bridge Road to the south. The Greyfisher Public House, a 2 storey building is located to the north of the site. The public house has its main frontage onto Ayleswade Road, with its rear elevation facing onto a car park and an outdoor patio area. To the east of the site are two detached bungalows whereas the other dwellings to the south and west are largely two-storey semi-detached pairs of houses.

The proposal site is essentially flat and provides parking for the public house. There is a row of domestic garages on the western frontage facing into the site, which form the rear boundaries of properties in Ayleswade Road. Otherwise the site is enclosed by high boundary fences and walls, generally about 1.8m high. The garaged site no longer appears to form an active part of the car park facilities serving the public house.

Vehicular access to the public house car park and the existing garages is via two access points onto New Bridge Road.

4. Planning History

The most recent relevant planning history -

S/2007/2105: Erection of eight apartments parking and associated landscaping. Approved with conditions

5. The Proposal

This application proposes the erection of a two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of the existing derelict garages.

6. Local Planning Policy

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

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP20 (Spatial Strategy for the Salisbury Community Area)

CP40 (Hotels, Bed & Breakfast, Guest Houses and Conference Facilities)

CP57 (Ensuring high Quality Design and Place Shaping)

CP58 (Ensuring the Conservation of the Historic Environment)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006

7. Summary of consultation responses

This application has generated an objection from Salisbury City Council as they consider it to be overdevelopment, and to have the potential to create light pollution and noise generated

from the plant room. Wiltshire council's Archaeology department has also objected due to the lack of a trench evaluation.

Following re-consultation due to amended plans:

No further comments have been made by Salisbury City Council. Wiltshire Council Archaeology has raised no further objections to the application following the carrying out of a trenched evaluation.

8. Publicity

19 letters of neighbouring objection:

- *Concerns over loss of views of the Cathedral*
- *Concerns over the scale of the development and impact on neighbouring dwellings and character of area.*
- *Concerns over increase to parking levels of on street parking*
- *Concerns over increase in general noise from the intensified use*
- *Concerns over smells from the kitchen*
- *Concerns over existing boundary treatment along (entrance up from Newbridge road to the pub/bin area)*
- *Concerns over existing public parking in the private Ayleswade/Harnham road resulting in undue impact to the condition of the road and impact on amenity of residents.*
- *Concerns over lack of obscure glazing to the first floor windows and impact to neighbouring amenity.*
- *The management of the existing facility is poor resulting in waste and light pollution to the detriment of neighbouring dwellings*
- *Concern over opening hours and noise outside of opening hours from the hotel use.*

9. Planning Considerations

9.1 Principle of development

The application site is located close to the centre of Salisbury which is categorised within the Wiltshire Core Strategy as a Principle Settlement. The north, south and western site boundaries are bordered by neighbouring dwellings. The eastern boundary is formed by the A338 (New Bridge Rd) and this is the primary vehicular access to the site although a second northern vehicular entrance is noted.

This application proposes to construct a 20 bed hotel unit which would be owned and managed by the owners of the Hungry Horse (Greene King). The principle of the development of tourism accommodation is contained within Core Policy 40 of the Wiltshire Core strategy which is permissive of such development within the Principle Settlements such as Salisbury. CP40 seeks to ensure that all proposals will not have a detrimental impact on the viability of the town centre and seeks to avoid unacceptable traffic generation.

Wiltshire Council's Economic Development officers have supported the scheme and comment "*I have considered this proposal in light of the Wiltshire & Swindon Visitor Accommodation Futures report June 2014, which I consider to be the most recent study of visitor accommodation supply and demand for the county. I note that the applicant has also referred to this study in its Planning Statement and I am in agreement with its assessment. I am therefore supportive of this application in terms of supporting tourism growth in Salisbury,*

job creation and safeguarding, and wider benefits to the local economy.” This applicant has also submitted a sequential assessment to the siting of the hotel accommodation and further supporting comments contained within the planning statement. Officers concur with the assessment of Wiltshire Council’s Economic Development officer and have no material reason to object to this application on the grounds of any undue impact on the viability of the town centre.

Whilst officers note the neighbouring concerns over parking numbers and increased traffic generation the scheme has been considered by WC Highways whose comments do not amount to an objection to the scheme and as such Officers consider that the principle of the scheme is policy compliant.

9.2 Impact of the scale and character of the development

The City Council and a number of neighbouring dwellings have raised concerns over the design and massing of the scheme. Wiltshire Council’s own urban Designer has also raised concerns to the originally presented scheme. Due to the level of concerns expressed the scheme has been revised and a re-consultation was undertaken by the Council.

The revised scheme has received a number of comments of detail from Wiltshire Council’s Urban Designer but the comments do not amount to an objection to the overall design or layout of the scheme as revised and it is the view of Officers that the scheme is unlikely to result in demonstrable harm to the character of the locality to any extent where a refusal on design grounds could be reasonably justified.

9.3 Impact on the context and character of the surrounding conservation area

Wiltshire Council’s Conservation officer has considered the scheme and has raised no objection to the development in terms of impact on the nearby conservation area:

“...The site is bounded by the city conservation area to the east and northwest. There are no listed buildings within the immediate surroundings, the closest being the terrace 2-14 Harnham Rd with which there is virtually no intervisibility. The proposals would have negligible impact on the CA to the west, the extensions being behind the original building....In heritage terms though, I don’t consider there to be any wider impacts of the scheme than this slightly contrived roofscape, which is not in the CA. There are no significant views from the public realm that would be affected, the cathedral for instance...”

9.4 Impact on neighbour amenity

Officers note that the original submission (prior to amended plans) received a number of letters of objection from neighbouring dwellings due to the perception of harmful impact to their amenity from overlooking, overbearing mass, smells and noise.

Wiltshire Council’s Public Protection officers have considered the submitted application details and have commented *“In principle this department has no objections to the proposals and recommends a number of conditions are imposed if planning consent is granted to protect amenity levels at nearby residential properties. Nonetheless, it is apparent that a number of residents have raised concerns in relation to the potential impact from noise, odour and lighting, if the premises expands. Having reviewed the case history for this premises, over the past ten years this department has only received three complaints (two noise and one lighting complaint, all resolved without formal action). Whilst we appreciate*

that the addition of a hotel is likely to cause intensification of use at the site, we are satisfied that our nuisance and licensing regimes are in place to deal with any adverse impact.”

Officers accept that there is local concern with the current operations and undertakings on the site and that the proposed hotel accommodation has generated additional concerns that the existing problems with noise, odour and waste will only be exacerbated. It is clear from the above comments that the Council has powers (outside of planning legislation) to deal with complaints relating to noise, waste, odour and other neighbouring concerns related to the running of a public house within close proximity to neighbouring dwellings.

Following local concerns and concerns from Wiltshire Councils Urban Design Officers, the scheme has been amended and members should be aware of the introduction of first floor obscure glazing to the all north and south facing windows to prevent or mitigate direct overlooking or the perception of overlooking. Officers are aware that the offset distance from the northern elevation of the hotel to the closest neighbouring southern elevation for the dwelling at 3 New Bridge Road is about 20m. The distance to the southern elevation of the Mallards is about 35m. These distances are considered to be reasonable to prevent direct overlooking.

Equally, there is existing established boundary planting along the northern elevation of the application site which is under the direct control of the applicant. This planting currently provides screening to the application site from neighbouring dwellings. The planting and the fence appears to provide adequate visibility screening and Officers are minded to secure a scheme for boundary planting and or maintenance of existing planting by condition upon any approval. Officers note the Applicants desire to upgrade the existing fencing around the site to form a 2m – 2.5m high acoustic fence which is considered to be an improvement upon the existing boundary treatment.

To the southern elevation of the proposed hotel there are a number of first floor windows located at an oblique angle to the neighbouring dwelling known as Noric at a minimum distance of 15m. These windows are also proposed to be obscure glazed and given the offset distances and the oblique angle, officers are minded to consider that the resultant impact is not unduly harmful to such an extent where a refusal on such grounds could be warranted.

The proposed removal of existing garaging and the creation of parking areas and surfacing are considered to be consistent with the existing use of this southern portion of the site. Officers have no reason to raise any neighbouring concerns to the additional parking areas created here which is noted to be surrounded by a proposed new 2m high acoustic fence and additional landscaping.

9.5 Parking/highways

Officers note that neighbouring letters have expressed concerns over the access to and from the site and the perception that the development will unduly increase traffic to the detriment of the locality. Wiltshire Council Highways have conserved the submission of details and are aware of the neighbouring comments of concern. Wiltshire Council Highways have raised no objection to this scheme having commented;

“I have no highway objection to the principle of the proposed development although I wish to make the following comments.....There will be an increase in the amount of car parking from 45 to 59 spaces (plus 4 disabled spaces = 63 spaces). To meet the parking standards, 1 space per bedroom is necessary (20 spaces). Whilst overall there is a slight shortfall it is acknowledged that the two uses are linked and therefore trips will be linked. I note the parking survey and TRiCs analysis provided in the Transport Statement which show that

although demand is generally high, the combination of uses and the additional spaces will be sufficient for hotel and pub / restaurant uses. Cycle parking will be provided and the site is on a regular bus route (both of which are likely to mainly benefit staff)....I note the swept paths which, although tight, do demonstrate the ability of servicing vehicles to access the site and for cars to pass parked service vehicles....”

Officers note that Wiltshire Council Highways have recommended a condition to cover the submission of a Travel Plan statement (a list of actions that the hotel will take to minimise its transport impact).

9.6 Drainage

Wiltshire Council Drainage has supported this scheme subject to conditions which can be imposed upon any approval. Wiltshire Council Drainage's comments are:

- *EA show the site as FZ 1*
- *Site not shown to be in an area at risk of surface water flooding for 1 in 30/100 events*
- *Site shown to be in an area affected by high ground water thus detailed consideration/permeability testing to BRE 365 and determination of agreed top water level of ground water taking into consideration seasonal variations will be required as part of any application.*
- *Also need confirmation from the sewerage undertaker whether spare capacity exists within the sewer system to serve site or whether offsite improvements are required if proposal is to discharge offsite*
- *Detailed proposals for foul drainage disposal will be needed in application to include confirmation from the sewerage undertaker whether spare capacity exists within the sewer system to serve site or whether offsite improvements are required*

9.7 Archaeology

Wiltshire Council Archaeology had originally objected to the scheme due to the lack of a trench evaluation. Due to this objection a trench evaluation has now been undertaken and the results of the trenching have been considered by the Council Archaeologist. Following the submission of the archaeological evaluation the holding objection has been removed.

10. Conclusion

The proposal to build a 20 bedroom unit of hotel accommodation close to the centre of Salisbury will compliment existing hotel and B and B accommodation already available in the city. It is proposed to create up to 8 full and part time jobs associated with the hotel unit which are welcomed. Neighbouring concerns that have been raised in relation to the existing running of the hotel whilst understood cannot be taken into account when considering this application. Other issues that have been raised such as noise, overlooking and parking are all material considerations but officers consider are either adequately covered by the provisions in the application or can be mitigated against through the appropriate use of conditions. The application complies with the Wiltshire Core strategy policies and with the provisions in the NPPF and as such should be granted planning permission.

RECOMMENDATION - Grant Planning Permission

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

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| DRG No. Proposed Site Plan 2895-04-09 | 26/01/2018 |
| DRG No. Proposed Elevations 2895-05-03 | 26/01/2018 |
| DRG No. Proposed Ground Floor Plan 2895-06-02 | 26/01/2018 |
| DRG No. Proposed Ground Floor Plan 2895-07-01 | 26/01/2018 |
| DRG No. Proposed First Floor Plan 2895-08-01 | 26/01/2018 |
| DRG No. Proposed Hotel West Elevation 2895-11-00 | 26/01/2018 |
| DRG No. Proposed Standard Details 2895-12-00 | 26/01/2018 |
| DRG No. Acoustic Fence 2895-13-00 | 26/01/2018 |
| DRG No. Window Details 2895-14-00 | 26/01/2018 |
| DRG No. Proposed Dormer & Lobby Window Details 2895-15-00 | 26/01/2018 |
| DRG No. Proposed Entrance Door & Lobby Details 2895-16-00 | 26/01/2018 |
| DRG No. Proposed External Service Door Details 2895-17-00 | 26/01/2018 |
| DRG No. Proposed Landscape Plans (Sept 2017) | 19/10/2017 |

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the hotel shall be used as a hotel and for no other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

4. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

5. All soft landscaping comprised in the approved details of landscaping (Proposed Landscape Plans (Sept 2017) shall be carried out in the first planting and seeding season following the first occupation of the hotel building or the completion of the development whichever is the sooner; 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. A Travel Plan statement (a list of actions that the hotel will take to minimise its transport impact) should be submitted to and approved in writing by the local planning authority prior to first use of the accommodation approved. Such a plan should include the following:-

- Promoting the Connecting Wiltshire website to both restaurant and hotel guests (via their websites)
- Providing information about public transport (bus and rail) and walking / cycling routes to both restaurant and hotel guests (via any website or providing timetables/maps to guests).
- Parking management policies
- Delivery management policies.

REASON: In the interest of highway safety.

7. No part of the hotel development hereby permitted shall be brought into use/occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

8. No externally mounted plant (including air conditioning units, extraction systems or other air handling plant etc) shall be sited until such a scheme has been approved in writing by the Local Planning Authority. The design of externally mounted plant shall achieve a Rating Level (BS4142:2014) below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

REASON: In the interest of neighbouring amenity.

9. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E4 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: In the interest of neighbouring amenity.

10. Before the development hereby permitted is first occupied/brought into use the first floor windows in the southern and northern elevations shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

11. Prior to first occupation of the development hereby approved, the acoustic fencing detailed on DRG No. 2895-13-00 as shown on site plan DRG No. 2895-04-09 shall be erected and at a height of 2m other than on the northern site boundary where the acoustic fencing shall be erected at a height of 2.5m. The acoustic fencing shall be maintained at the stated heights in perpetuity.

REASON: In the interest of neighbouring amenity.

12. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: In the interest of neighbouring amenity.

13. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays and no burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of neighbouring amenity.

14. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

15. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and location of top ground water level to ensure at least 1m of unsaturated soil between base of any soakaway and the agreed top water level of ground water taking into account seasonal variations, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

INFORMATIVE:

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.