

**SOUTHERN AREA PLANNING COMMITTEE 14TH FEBRUARY 2013
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 8

**Plan List Item 1 S/2012/1282 /Full – Erection of 60 dwellings together with public open space provision and new vehicle and pedestrian access from Highbury Avenue
At Former Highbury and Fisherton Manor School Sites,
Highbury Avenue, Salisbury. SP2 7EX**

Amendments to officer report

Reference at paragraphs 9.3 and 9.6 to the Oak tree should be to the Monterey Cypress tree.

Conditions

Officers recommend an amendment to the proposed conditions in the officers report to remove reference to reserved matters.

12) The details of all lighting proposed including street lighting, lighting for footpaths, communal parking areas including the intensity of the lighting and design for light column shall be submitted to and approved in writing by the Local Planning Authority prior to the development of each phase of development, and the works shall subsequently accord with the approved scheme.

REASON: To ensure that the lighting scheme respects the overall design qualities from the development.

Policy G2 (Viii)

13) No development shall take place until full details in terms of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development hereby permitted. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle or pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units signs, lighting etc); proposed and existing functional services above and below ground (eg. Drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc) retained historic landscape features and proposals for restoration where relevant).

REASON: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

Policy G2 (iv)

14) No development shall take place until details in terms of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: To enable the Local Planning Authority to ensure that the proposed earthworks will relate satisfactorily to existing features within the site and its surroundings in the interests of visual amenity.

Policy G2 (iv)

15) No works or development shall take place until full details in terms of all proposed tree planting and the proposed times of planting, have been approved in writing by the Local Planning Authority and all tree planting shall be carried out in accordance with those details and at those times.

REASON: To ensure the satisfactory establishment of the approved scheme for the landscaping of the site.

Policy G2 (iv)

Officer Comments and further representation

Since the officer report was written objections have been received from the householder at 34 Highfield Road which sides on to the application site. In response to this the applicants have reviewed the effect on this property of the proposed new properties and removed a Juliet balcony from plot 7 to prevent the feeling of being overlooked from this particular plot. They have also provided a cross section to show the impact on this property of the proposed development. The occupier of this property whilst welcoming the changes still considers the changes unacceptable as they still feel their property will be dominated by units 6 and 7. They wish to urge the committee to require the contractor to amend his plans. Officers have considered this further letter from the owner of this property and considered the applicants amendment consider the relationship between the properties to be acceptable.

The applicant has also stated that the reason for Trim Trail equipment being provided at the Southern end of the site is that there is a gas main and mains easement that runs down this side of the site and a soakaway at this end of the site which prevents substantial foundations being put in this area.

One further late representation stating

It is most regrettable that better use has not been made of this site at the master planning stage in terms of creating significantly better access routes for pedestrians and cyclists in this part of Salisbury. The site is within easy walking & cycling distance of all amenities and within close proximity to the worst air quality blackspot in Salisbury on the Wilton Road, so a development which did more to encourage walking and cycling would have been preferable to a car-dependent housing estate

with poor pedestrian and cycling linkages which will only add to the traffic congestion and air quality problems in the neighbourhood.

Leaving these past mistakes to one side, I would like to raise the issue as to why the needs of disabled people, parents with buggies, and those with shopping trolleys have been ignored in this planning application. The existing steps on the pedestrian link to the north are to be retained – despite the fact that there are only a small number and it would have been easy to remove them. To the south of the site, the pedestrian route to the public open space and play area has been designed with steps only.

There is no mention of disabled access in the Design & Access Statement which accompanied this planning application, and the officer's report, and the comments from WC Highways, do not comment on disabled access, despite the statement in Wiltshire Council's Local Transport Plan Strategy that "The needs of disabled people are important in designing pedestrian access". The Department for Transport's guide to best practice on access to pedestrian and transport infrastructure 'Inclusive Mobility' states that "Even a single step will prevent access for the great majority of wheelchair users (and be a trip hazard for others), so alternatives must be provided".

Highway and planning authorities must comply with the Disability Equality Duty under the Disability Discrimination Act 2005 and need to be proactive in ensuring disabled people are treated fairly. It seems that in this case the needs of disabled people – or indeed those parents with buggies who might wish to accompany their children to the school or the play area in the public open space – are being ignored.

I would ask the planning committee to consider their obligations under current disability discrimination legislation and ask why the developer of this site has not been required to take account of the access needs of all, including those with disabilities, when designing this development.

One further representation letter – Please see Appendix 1

Officer's comment

Members should note that officers have considered the needs of those with disabilities and pushchairs but because of the driveways and parking and the gradient of the site adjacent Highfield Road it is not practically possible to build a ramp in this location. Similarly because of the very significant slope at the bottom part of the site it is also not practical to put a ramp in this position either. Therefore the development either has accesses with these steps or the accesses would need to be deleted from the scheme and officers considered that the steps providing at least some permeability through the site were preferable to the only other realistic alternative of removing these accesses.

Plan List Item 2 S/2012/0814/OL – Outline application for access only for proposed mixed use development comprising residential (up to 1250 dwellings), employment, local centre, community uses, primary school, public open space, landscaping and associated access works including demolition of existing house and farm buildings At Land to the North West of Fugglestone Red and Bemerton Heath, Salisbury.

Officers have made some minor changes to the wording of the conditions proposed in the officer report such that it is now recommended that the following changes are made to the conditions previously proposed.

17) Prior to the commencement of 50% of the dwellings in each phase approved under Condition 5, a scheme shall be submitted to and approved by the LPA setting out how each public open space within that phase will be purposely designed to be attractive to dog walkers. Such a scheme as is approved shall be implemented prior to first occupation of the dwellings.

REASON: The development has the potential to have an effect on Camp Down SSSI, Bemerton Heath Local Nature Reserve, and Camp down County Wildlife Site from dog walkers from the new development. As such it is considered important to make open space within this development attractive to dog walkers in order to minimise this effect.

Policy C10 ecology

18) Prior to the commencement of development hereby approved a scheme to demonstrate how biodiversity loss from the site will be offset by specific biodiversity gains shall be submitted to and approved by the Local Planning Authority. Such a scheme as is approved shall be implemented prior to first occupation of the dwellings.

Reason: The development is likely to result in the loss of some biodiversity from the site such as Brown Hares and farmland birds and such biodiversity loss needs to be compensated for through biodiversity gains.

Informative: With respect to specific measures for biodiversity gains, these may include but should not be limited to measures such as –

- All casual open space to be seeded with a low maintenance species rich grass mix that is suited to the chalk geology. In suitable locations this should also be rich in wildflowers to encourage a diversity of pollinating species.
- Eastern boundary of the site is currently a hedgerow. This should be enhanced as necessary and incorporated into the GI for the scheme (Not currently shown on the GI plan for the site).
- Design of lights to avoid light spill on to areas of value for bats
- Bat roosting and bird nesting features incorporated into the built environment (integral to the buildings).

- A proportion of the semi-natural grassland to be managed for reptiles and enhanced for hibernation etc

Policy C10

37) No development shall take place until full details of how on site renewable energy and/or energy efficiency will be provided for the development to reduce CO2 emissions from energy use by owners/occupiers of the buildings by 10% 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: In order to ensure that the development complies with the principles of sustainable development.

39) Prior to first occupation of the development hereby approved a programme for the phasing of the development shall be submitted to the local planning authority for approval in writing. In particular, the programme shall state that the Employment Land will be provided with all necessary services to the site boundary, fully accessible and fully available prior to the occupation of the 300th dwelling on the site; and the District Centre shall be completed and ready for occupation prior to the occupation of the 400th dwelling on the site. The development shall be carried out strictly in accordance with the approved programme for the phasing of the development.

REASON: To ensure the proper planning and phasing of the development in accordance with an appropriate scheme.

Members will have noted that at the time of writing the Education contributions were being finalised and the education departments comments have now been received.

Primary Education

Agreement has been reached with the developer to provide a new primary school as shown on the masterplan to serve the development.

Agreement has been reached between the developer and the local education authority to provide a financial contribution for 162 secondary school places. Negotiation is ongoing on the sum of money to be provided in this respect but the Education authority consider that an agreement can be reached. If it cannot the application would be brought back before members for reconsideration on this point.

Officers consider that the provision of a new primary school and the relevant contribution towards secondary provision are sufficient to meet the needs of the site and meet the requirements in the development template.

Wiltshire Councils Tree Officer – No objections

Further representations

Further representations have been received from The Bemerton Heath surgery who are concerned that there will be no vehicular access between the new development and the existing development at Bemerton Heath.

Further additional representation

I would like to make the point that the officer's report has failed to adequately summarise many of the points made in my original representation on this scheme. For instance I pointed out there was quite a challenging climb to reach the site from Salisbury which would be a deterrent for cyclists, so I suggested that a pool of electric bikes to serve the residential dwellings, or the businesses, or both, could encourage people to try this option. I pointed out that this emission-free mode of travelling would have significant advantages over using the car for accessing Salisbury. Unfortunately the word 'electric' has been omitted in the officer's report where the proposal has been paraphrased as "cycle use through perhaps a pool of bikes should be encouraged" – which of course rather misses the whole point of the suggestion!

It is very disappointing that the officer's report on this planning application recommends only a pedestrian link to the UKLF site when many of the representations requested that the link be provided for both pedestrians and cyclists. For example the Natural England response indicates that "As a functional transport link we would like to see the link being suitable for cycling, with some form of unlit surfaced track, in keeping with a rural character".

It would be very short-sighted not to design the UKLF-Fugglestone Red path with the needs of cyclists and wheelchair users in mind as well as pedestrians. This will be a key link between two important residential developments, and will serve as a route to school for pupils living on the UKLF site who are attending Sarum Academy. This should therefore be designed from the outset with the extra width necessary for a shared use path, rather than having to come back to widen this link in years to come.

One other letter relating to landscape issues

Considers that the landscape measures proposed should be part of a well thought through landscape strategy for the site and is an essential part of the master planning process and needs to lead not follow development. Such a strategy should include details of the size, extent, typical species and planting densities.

For the planted buffer Zones, off site planting, mitigating planting and new planting required to enhance and extend the existing shelterbelts and woodlands in a northwest – southeast direction to create a proper structural landscape framework. A long term management plan would also be an essential requirement.

It is essential that all new structure planting should be carried out in advance in the early stages of development this will ensure that the site's green infrastructure will begin to establish at the earliest opportunity.

**Plan List Item 3 S/2012/0815/ OL – Outline application for proposed new cemetery with vehicular access from The Avenue
At Land North West of the Avenue, Salisbury. SP2 9PS**

Members should note that this site falls within the ward of Cllr Richard Beattie and not Cllr Ricky Rogers as shown in the committee report.

South Newton Parish Council have stated that they were not consulted initially on this application. Records show that the parish council was consulted but they have stated that they did not receive this consultation.

The letters were subsequently sent out by e-mail and received by the parish council
A further letter was sent out notifying them of the committee date.

No response has been received.

Appendix 1

Dear Councillor

I would like to draw your attention to the 27 people in Highfield Road who signed a petition expressing concerns about the disused access being opened up for pedestrians between our road and the new development on the proposed 60-home development on the former Highbury and Fisherton Manor Schools (S/2012/1282/FULL), which is due to be discussed at the southern area planning committee on Thursday 14 February.

This was discussed at Salisbury City Council's planning committee which also objected to the link proposal as part of its opposition to the whole development. Unfortunately, these objections were not included in its response to Wiltshire Council.

I want to make it clear that I am not opposed the development as such – indeed I think it is an important development that should go ahead, although I acknowledge that others have their own objections which you will need to consider.

A number of residents are concerned that Highfield Road, which is effectively a cul-de-sac because the gate is currently locked and has been since the old school closed, will become a pedestrian short cut for the new estate residents to and from the city centre. I should point out that this was only ever an access to and from the old school, was locked at all other times and was never a general access.

This could cause noise and disturbance in this quiet cul-de-sac and change the nature of the road for ever while increasing security concerns. Notwithstanding the comments of the planning officer, I would reiterate concerns about conflict between new pedestrians and vehicles using Highfield Road. This is a very narrow and congested street with poorly maintained pavements. Cars often have to mount one pavement to avoid vans parked in the street and delivery vans have to do the same thing. Pedestrians often walk in the road because it is, frankly, easier to do so only to be forced back on to a pavement if a vehicle approaches.

I agree with the planning officer Mr Adam Madge that this issue does not warrant refusing the entire application but I have confirmed with him this week

that it would be possible for you to approve the application while inserting a condition that the link is not opened up.

I would also like to draw to your attention to the fact that the Highways Department is not prepared to adopt the access because the estate designer has been unable to remove the steps within the curtilage of the new development. I suspect that one of the reasons for this is that Wiltshire Council does not wish to be liable for any injuries that might arise from people using the access. The access would, therefore, be privately owned and controlled. I have received the following in response to a question about this issue to the developers:

“This area of un-adopted land, as well as other elements of driveways and roads on the site that will remain un-adopted, will be placed in to a residents’ management company. Residents will be contractually bound to contribute towards the maintenance and insurance of such areas, including cover for 3rd party claims, should injuries occur on any aspect of the development. This practice is common on most of our developments and is accepted by all local authorities.”

The steps are in a parlous condition and, contrary to comments previously made by the developer, there does not now appear to be any plans to enhance the link, merely for residents to ‘contribute towards the maintenance’. I think this should be a matter of real concern for the committee and for anyone moving into this new estate. I hope that on this occasion you will err on the side of caution and in favour of existing residents rather than potential residents, bearing in mind that the highways officers does not consider that the link is essential for the development.

I therefore request that you carefully consider placing a condition on the application that this link is not opened up, if you are minded to approve the development.

Kind regards,
Dick Bellringer,
21 Highfield Road,
Salisbury.