

Date of Meeting	10 April 2014
Application Number	14/01417/FUL
Site Address	Shrewton Steam Laundries Ltd High Street Shrewton Salisbury SP3 4BZ
Proposal	Demolition of existing laundry buildings; erection of 9 dwellings (2 x 1-bed; 5 x 2-bed; 2 x 3 bed); alterations to accesses; landscaping and associated parking
Applicant	Rattue & Griffiths Ltd
Town/Parish Council	ORCHESTON
Electoral Division	TILL AND WYLYE VALLEY
Grid Ref	406970 144456
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

The Local Member, Councillor Ian West, has called in the application for the following reasons:

I believe it is now time for members to consider the two competing issues of trying to build new houses on Brownfield land but also trying not to include the risk of flooding
The scale of development
Visual impact upon the surrounding area
Relationship to adjoining properties
Environmental/highway impact
There is considerable local public interest in this application

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **REFUSED** with reasons.

2. Report Summary

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

1. Previous Committee Decision in relation to flood risk and whether the proposal would represent an acceptable form of development with particular regard to its flood zone location and the provisions of the NPPF

2. Whether the development will exacerbate flood risk or result in a worsening of flood depths or flooding to property or infrastructure – Previous Committee Decision and consultation response from the Environment Agency
3. Previous Committee Decision in relation to loss of employment
4. Scale, design, residential amenity/living conditions
5. Highway safety
6. Contaminated land
7. Protected species
8. Impact to SSSI/SAC
9. S016 Contributions (Affordable Housing – SWCS Core Policy 3, Recreational open space – saved policy R2 of Salisbury District Local Plan)
10. Archaeology
11. Other issues - Housing Land Supply, Viability

The application has generated Support from Shrewton Parish Council; 5 representations of objection and 2 representations commenting on the application.

3. Site Description

The site is located within the village of Shrewton, designated in the Local Plan as an Area of Special Archaeological Significance, Housing Policy Boundary and special landscape area.

The area is surrounded by residential dwellings to the south, west and north and The George Inn to the east.

The site is bounded to the east by the High Street, to the north by The Hollow leading to Elston Lane, and to the south are the residential curtilages of Winterbourne House and The Old Bakery.

The River Till, a main river and tributary of the River Avon designated as a SSSI being part of the River Avon Special Area of Conservation (SAC) forms the western boundary of the site.

The site lies within flood zones 2 and 3. The Environment Agency is responsible for designating flood zones. There are 3 zones in total across the country. Flood Zone 3 shows the area that could be affected by flooding from a river by a flood that has a 1% (1 in 100) or greater chance of happening each year. Flood Zone 2 includes outlying areas likely to be affected by a major flood, with up to a 0.1% (1 in 1000) chance of occurring each year. Flood Zone 1 shows the areas where flooding from rivers and the sea is very unlikely and where there is less than a 0.1% chance of flooding occurring each year. The majoring of England and Wales falls within this area.

The site is vacant having previously been used as Shrewton Steam Laundry business. The buildings are in a state of disrepair and one of the 2 storey cob buildings on the corner of the site between High Street and The Hollow has collapsed.

4. Planning History

Application ref	Proposal	Decision
13/05963/FUL	Demolition of existing laundry buildings; erection of 9 dwellings (2 x 1-bed; 5 x 2-bed; 2 x 3 bed); alterations to accesses; landscaping and	Refused 13/01/2014
S/2013/0406	Demolition of existing laundry buildings; erection of three four-bedroom dwellings with associated parking, access and landscaping works	Approved 05/09/2013
S/2012/1297	Demolition of existing laundry buildings; erection of three four-bedroom dwellings with associated parking, access and landscaping	Refused 07/11/2012
S/2011/1620	Demolition of existing laundry buildings, erection of 8 x dwellings (3 x 2 bed and 5 x 3 bed), alterations to access, landscaping and	Refused 30/01/2012

5. The Proposal

The site has been subject to a number of recent planning applications to demolish and redevelop the site for residential purposes.

A previous planning application (S/2013/0406) for three detached dwellings on the site was recommended for refusal on flooding grounds and loss of employment but was called into the Southern Area Planning Committee and was approved by Members of the Planning Committee.

The approved scheme followed 2 previous refused applications for residential redevelopment.

Planning permission was then refused using delegated powers (with agreement of the Local Member) for 9 residential dwellings under planning application reference 13/05963/FUL (2 X1 bedroom units, 5 X2 bedroom units and 2x3 bedroom units) for the following reasons:

(1) The proposed development by reason of the number of dwellings proposed; the bulk/massing (magnitude in three dimensions), scale (size in relation to surroundings) and design of the development in relation to existing buildings, and the layout and open siting and extent of vehicular hardstanding and car parking constitutes a poor design of development leading to a proposal that amounts to an overdevelopment of the site that is vehicle dominated. The proposal will have an adverse visual impact within the street scene; to the detriment of the character and appearance of the area which has a rural context and where the primary routes through the village are characterised by a fragmented form and grouping of traditional small scale buildings. By reason of the above, the development will also create a poor living environment to the detriment of the amenities of the future occupants of the site. Overall, the development is contrary to saved policies G1, G2, D2, H16 and C6 of the Adopted Salisbury District Local Plan and included in the saved policies listed in Appendix C, of the South Wiltshire Core Strategy, Objective

16 of the Council's design guide "Creating Places", draft policy 57 of the Wiltshire Core Strategy and guidance within the NPPF.

(2) *The proposed scheme provides insufficient on-site bin storage facilities for bins to stand whilst waiting to be emptied, which could lead to obstruction of the local highway network, impede, endanger and inconvenience all road users to the detriment of highway safety, contrary to saved policy G2 of the Adopted Salisbury District Local Plan and included in the saved policies listed in Appendix C, of the Adopted South Wiltshire Core Strategy and the Wiltshire Local Transport Plan 2011-2026.*

(3) *The proposed layout does not include separate pedestrian facilities along The Hollow site frontage, and the development and proposed layout (including parking spaces to the terrace of three dwellings and the single visitor parking space being located remote from the dwellings served in the separate parking area to the west of the site) is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with additional hazards to all users of the road, contrary to saved policy G2 of the Adopted Salisbury District Local Plan and included in the saved policies listed in Appendix C, of the Adopted South Wiltshire Core Strategy and the Wiltshire Local Transport Plan 2011-2026.*

(4) *The proposed scheme provides insufficient and inadequate on-site parking facilities with only one off-street visitors parking space for the scheme as a whole and all the parking spaces accessed from The Hollow are located within the flood flow path/floodplain storage area (floodzones 2 and 3), which could potentially flood and could lead to parking on the local highway network, which would impede, endanger and inconvenience all road users to the detriment of highway safety, contrary to saved policy G2 of the Adopted Salisbury District Local Plan and included in the saved policies listed in Appendix C, of the Adopted South Wiltshire Core Strategy and the Wiltshire Local Transport Plan 2011-2026.*

This is a resubmission of this refused scheme for 9 residential dwellings on the site (2 x 1 bedroom units, 5 X 2 bedroom units and 2 x 3 bedroom units).

The amendments include additional and rearrangement of the bin stores/collection points, adding a 1.5m wide footpath to The Hollow frontage, and a change to the angle of the driveways to plots 5, 6 and 7.

6. Planning Policy

Adopted Salisbury District Local Plan saved policies, including the following saved policies listed in Appendix C, of the Adopted South Wiltshire Core Strategy:

- G1 – Sustainable development
- G2 – General Criteria for development
- D2 – Infill development
- H16 – Housing Policy Boundaries
- R2 – Open space provision
- TR11 – Off street parking spaces

TR14 – Cycle parking
C6 – Special landscape area
C18 – Development sites bounded by watercourses
CN21 – Archaeology
C12 – Protected species

Adopted South Wiltshire Core Strategy:

Core Policy 1 – The Settlement Strategy and distribution of growth in south Wiltshire

Core Policy 2 – Strategic Allocations

Core Policy 3 – Meeting Local Needs for Affordable Housing

Core Policy 5 – Employment Land

Wiltshire Local Transport Plan 2011-2026

Car parking strategy

Emerging Wiltshire Core Strategy:

Core Policy 2 – Delivery Strategy

Core Policy 57 - Ensuring high quality design and place shaping

EXAM/84 Topic Paper 15 addendum – Housing Requirement Technical Paper
28/02/2014

EXAM/91 Housing Land Supply Statement Base Date April 2014

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

Planning Practice Guidance

7. Consultations

Shrewton Parish Council

Support - Councillors observed that it was still too many houses for the site but agreed to support the application as it was necessary for new homes to be built. Councillors would like the opportunity to name the new development 'Carrier's Court' after the public house which had once been on site.

Environment Agency

No objections subject to conditions requested under previous planning application 13/05963/FUL (removed permitted development rights for outbuildings and enclosures, no raising of ground levels within the flood flow route, floor levels, surface water drainage, water efficiency).

Highways

No objections subject to conditions (scheme for the provision of the paved footway across the site frontage to be approved, discharge of surface water from the site, the first 5m of each vehicular access to be consolidated and surfaced, no occupation until each vehicular access, turning area and parking spaces have been provided) and note that it is anticipated that the paved footway would be adopted by the council via a legal agreement.

Archaeology

No objections subject to condition. The site is of archaeological interest lying on the edge of the medieval settlement. Recommend condition for a programme of archaeological works to be carried out as part of any development (recording of existing buildings and archaeological watching brief).

Public Protection

No objections subject to conditions (contaminated land investigation; limiting hours of demolition and construction and informative advising that no burning of waste should take place on site)

New Housing Team

No objection – A viability assessment has shown that it would not be viable to take an affordable housing contribution as a condition of any planning consent granted.

Wessex Water

No objections. New water supply and waste water connections will be required from Wessex Water.

Wiltshire & Swindon Biological Records Centre

Screening comments

River Till SSSI (River Avon SAC) within 20m

Water vole recorded within 55m (2011)

Ecology

This application for 9 dwellings doesn't involve changes that are different to the previously approved scheme (S/2013/0406) as far as ecology is concerned. No objections subject to conditions 4, 7 and 8 of S/2013/0406 being transferred across, in order to make any permission legally compliant with the Habitats Regulations (construction method statement & contaminated land investigation) and to provide nesting opportunities for birds and roosting opportunities for bats.

Natural England

No objections

Refer to Habitats Regulations and that provided the development is connected to Wessex Water sewer within current permit headroom then a likely significant effect due to phosphate impacts can be screened out.

Recommend Environment Agency's pollution prevention guidelines to address potential impacts such as sedimentation or other forms of contamination from construction activities

Natural England standing advice on protected species is relevant.

Features should be incorporated for roosting opportunities for bats or the installation of bird nest boxes for biodiversity enhancement in accordance with paragraph 118 of NPPF and Section 40 of the Natural Environment and Rural Communities Act (2006)

Wiltshire Fire & Rescue Service

Comments relating to fire safety measures which could be included as an informative. Reference to developer contributions for hydrants and water supplied for fire fighting and additional or amended fire and rescue service infrastructure - which is not an adopted policy.

Urban Design

Object, summarised:

The proposed revisions which include:

Adjustment of the driveways to show these at ninety degrees to the highway for plots 5, 6 and 7; Extension of the proposed pavement shown alongside 'The Hollow'; For dwellings 1 to 4 individual bin stores within their enclosed rear gardens, and individual bin collection points are added; For dwellings 5 to 9 inclusive the shared bin collection stand has been moved away from the road edge, enlarged and enclosed. This is now shown sited in the return between dwellings 7 and 8/9. Do not address the fundamental concerns and the proposals do not meet:

-The South Wiltshire Core Strategy saved Salisbury District Council Design Policy D2(Infill Development): The proposals do not respect or enhance the character of appearance of the area in terms of: (i) heights and massing of adjoining buildings, (ii) the architectural characteristics of adjoining buildings, and (iii) the complexity and richness of materials and form of existing buildings.

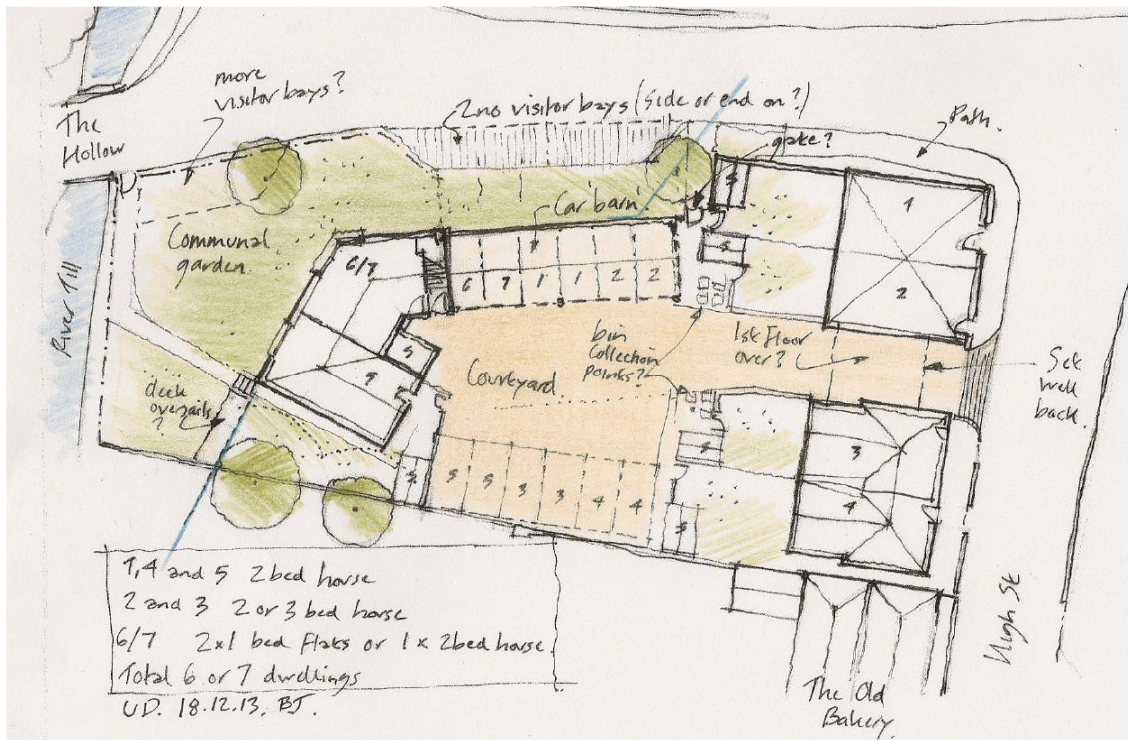
-Draft Wiltshire Core Strategy Core Policy 57: the proposal does not represent a high quality of design, drawing on the local context or making a positive contribution to its character.

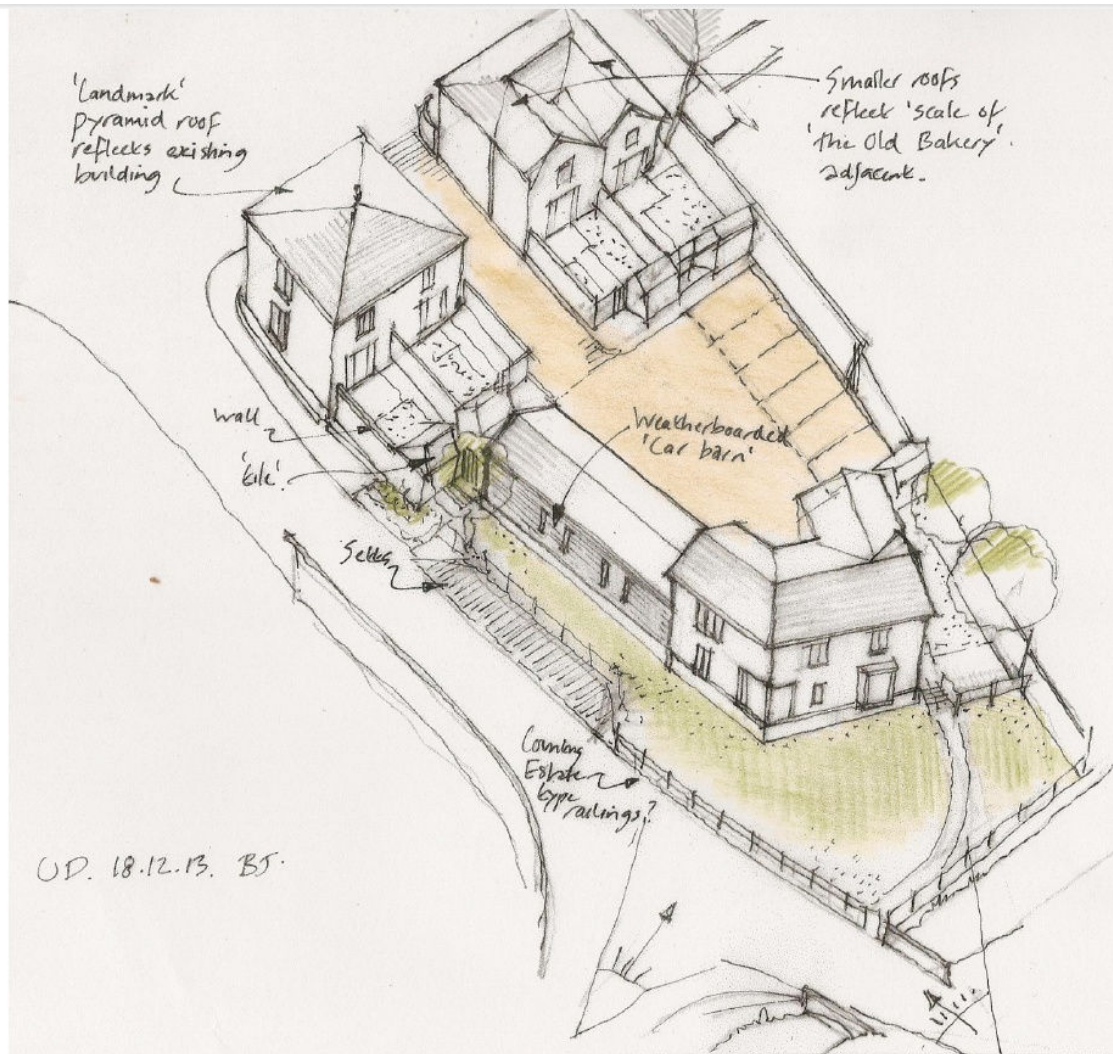
-Objective 16 of 'Creating Places' Supplementary planning document – the design takes little account of its local setting.

- Question whether the proposals meet South Wiltshire Core Strategy saved Salisbury District Council Policy G2 in terms of parking, bin storage and accessibility concerns.

I conclude this proposal is an overdevelopment of the site and does not represent a high quality of design; the standardized housing design approach does not respect or enhance the intrinsic local context and character given the prominent setting of the site and its proximity to the historic core of the village.

The particularly contextual and constrained nature of this site requires a bespoke design approach and crafted design for a locally distinctive scheme to emerge. My sketch below indicates one possible design approach to accommodating a significant number of residential properties from which an appropriate scheme could be developed to suitably address my concerns with the layout and design.





8. Publicity

This application was advertised through the use of a site notice, press notice and letters of consultation.

5 third party representations of objection, summarised as follows:

- Agree with Parish Council that site has deteriorated to a dangerous and unacceptable state, and site needs to be developed, but planning decision should be based on what is deemed appropriate and not based on existing site conditions
- Has not properly addressed previous refusal reasons
- Agree that the new footpath and waste storage facility addresses reasons 2 and 3 of planning refusal but not refusal reasons 1 or 4
- Overdevelopment of site – number of dwellings, bulk/massing, scale and design out of keeping, vehicle hard standing and parking facilities are poorly designed and site is vehicle dominated
- Proposed dwellings are not in keeping with the character and appearance of surroundings
- More appropriate sized dwellings needed

- Local roads are not lightly trafficked - already congested with resident, business parking and commuting cars using the roads as a short cut from the A303. Increased traffic following new Stonehenge Visitor Centre and closure of A344 can be verified by STAG (Stonehenge Traffic Action Group). This has not been taken into consideration
- Site is on a dangerous bend
- Conflict with large vehicles including buses, coaches, farm traffic and lorries
- Safety impact to highway, pedestrian and all users of highway including children who access the local BMX track and recreation ground - Each unit will require parking for 2/3 cars and at least 18-27 spaces. 16 car parking spaces proposed is insufficient leading to parking on nearby roads and adding to congestion and obstruction of highway. Parking to properties 5, 6 & 7 are not practical require reversing in or out of onto narrow section of road with bus stop opposite and blind corners in both directions.
- 1 visitor parking space insufficient
- Inadequate bin storage and collection points – lead to obstruction of pavement for 2 week cycle of refuse collection and possible highway/pedestrian safety impact
- Bulk, style and design of east block units with archway is out of keeping with all other buildings in the village
- Proposal indicates gardens and car parking spaces in the flood zone contour and house just outside - recent inclement weather has shown how important it is not to build close to the river
- Documents submitted with application in relation to flooding have not been updated to the current proposal for nine dwellings and relate to the approved 3 unit scheme instead.
- Effluent from 9 dwellings would exacerbate problems relating to flooding and sewerage in the vicinity of the site during recent adverse weather
- Would support less units with more parking and further away from the flood zone contour.
- Concerns about proximity of unit 4 to cob wall of adjacent dwelling - potential structural impact and sufficient space for maintenance – ADM Note that the distance from the side wall of unit 4 and The Old Bakery is marked on the proposed site layout plans at 0.9m on both this scheme and the previously approved scheme for 3 dwellings and that potential impact to cob walls are civil issues although may be covered under the Party Wall Act and Building Regulations.
- Preference for approved 3 unit scheme

2 third party representations of comment summarised:

- Pedestrian safety improved by provision of footpath in The Hollow
- No improvement to safety exiting onto High Street from the proposed arch where sight lines poor
- The 4 Hollow exits will be hazardous to pedestrians and motorists, bus stop, horse riders
- No attempt to meet refusal points 1 or 4 concerning overdevelopment and vehicular concerns
- Deterioration of current structures - something needs to be done

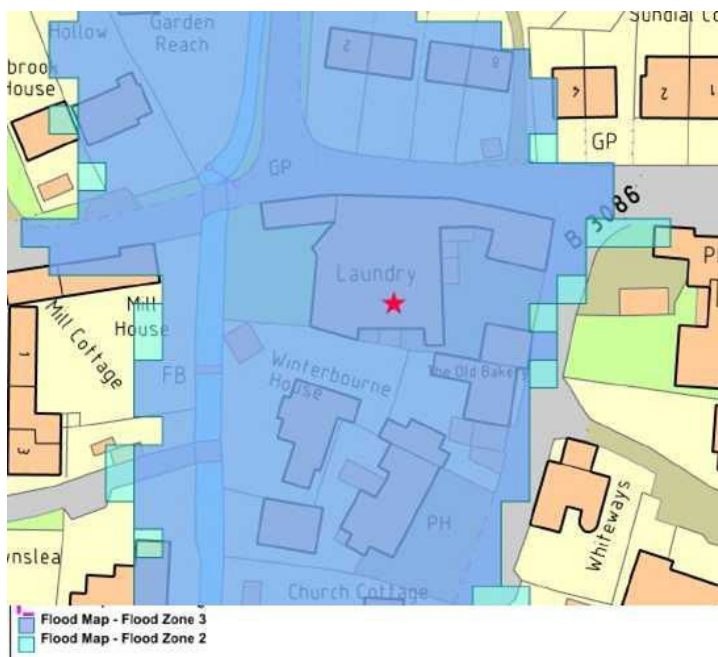
- Need to ensure properties 1 and 2 enter and exit via High Street – note railings are proposed preventing access onto The Hollow
- Properties 5-9 very close to flood zone contour
- Junction to Elston Lane has been flooded and was closed to traffic
- Suggest fewer dwellings built on the site

CPRE – The proposal would result in too cramped a development, out of character with that part of the village and also including recent development. It is also overly dominant in that location

9. Planning Considerations

9.1 Previous Committee Decision in relation to flood risk and whether the proposal would represent an acceptable form of development with particular regard to its flood zone location and the provisions of the NPPF

The entire site is located within flood zones 2 and 3 and the National Planning Policy Framework, Planning Practice Guidance and the adopted South Wiltshire Core Strategy (SWCS) are clear that sites within flood zones 2 and 3 should not be developed with residential schemes ahead of all other sites in flood zone 1 (which has to be demonstrated through a Sequential Test).



The local planning authority applies the sequential test. As the local planning authority has identified a readily available and deliverable 5 year supply of housing land in Flood Zone 1, there is no need consider sites outside of Flood Zone 1. A sequential test has been submitted with the application but this has only considered sites put forward in the Parish of Shrewton in the Strategic Housing Land Availability Assessment (SHLAA) and not the whole of the local planning authority area with no special justification to reduce the geographical area of search.

We have also requested a condition to ensure no raising of ground levels above the design level of 80.30mAOD.

Whilst there remains the possibility of de minimus objects being placed within the privately owned driveway areas, with more certainty over the control of ground levels and the more significant obstructions (fencing, walling, sheds, gates etc.) we consider that on balance it would be unreasonable to object to this revised scheme.'

9.3 Previous Committee Decision in relation to loss of employment

The approved scheme was also recommended for refusal on the grounds that the loss of employment remained an issue whilst the principle of residential use in a flood zone was unacceptable. The previous committee report explained that as the site was considered unsuitable for residential use then the local planning authority would expect continued use for employment purposes unless it was fully demonstrated through marketing and the site has not been marketed since November 2010.

However, as the Members of the Committee resolved to grant planning permission for the residential redevelopment and agreed the principle of residential use in a flood zone, in this particular case, it would be unreasonable to refuse this application on these grounds.

9.4 Scale, design, residential amenity/living conditions

Policy G1 of the Adopted Local Plan promotes the efficient use of land but this must be balanced against the need to protect and improve the established character and local distinctiveness of existing residential areas and development should not be allowed if it would be out of character or harmful to its locality.

The requirements of policy G2 include that all development must conform to the general criteria of policy G2 and other Local Plan policies, in particular those relating to design.

Policy D2 states that proposals for street and infill development will be permitted where the proposals respect or enhance the character of appearance of an area including the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths.

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*'.

The Council's urban designer has provided detailed comments' concluding that the proposed scheme is an overdevelopment of the site and does not represent a high quality of design which does not respect or enhance the intrinsic local context and character.

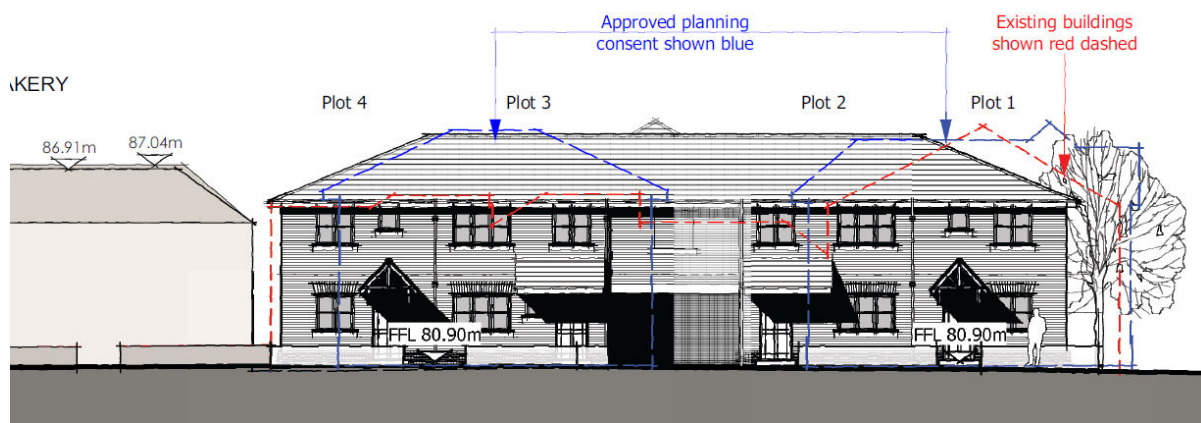
The design and access statement accompanying this application refers to the existing amount of built form on the site (59% of the total site area) and as the footprint of the proposed 9 unit scheme is less at 27.2% of the total site area, the

agent does not consider that concerns regarding overdevelopment can be credible, and that the existing built form immediately abuts the frontage along the length of The Hollow whilst in contrast the proposed scheme would introduce open-fronted elements which the agent considers are characteristic of the locality.

The urban designer explains that the primary routes through the village are characterised by a fragmented form and grouping of traditional small scale buildings and that the proposed terrace of 4 dwellings across the High Street frontage in particular with continuous eaves and ridge height introduces a significantly larger block in this streetscape with its single facade and roof, repetitive common facade elements and single wall finish is considered to present an overall bulk and monolithic appearance that will be overly dominant within the street scene and out of character and scale with neighbouring buildings.

This is appreciable by comparing the existing roofscape and urban form plan of the buildings along the primary routes. The existing High Street frontage is of a lesser scale, facade height and roof volume and has a significantly wide opening between two separate buildings with that alongside The Old Bakery to the south which is of a much lower height.

The approved 3 dwelling scheme (shown outlined in blue on the High Street elevation extract below) is considered to suitably address this with a more varied building frontage; roof form and height with comparably smaller roof spans in keeping with the scale of adjacent buildings.



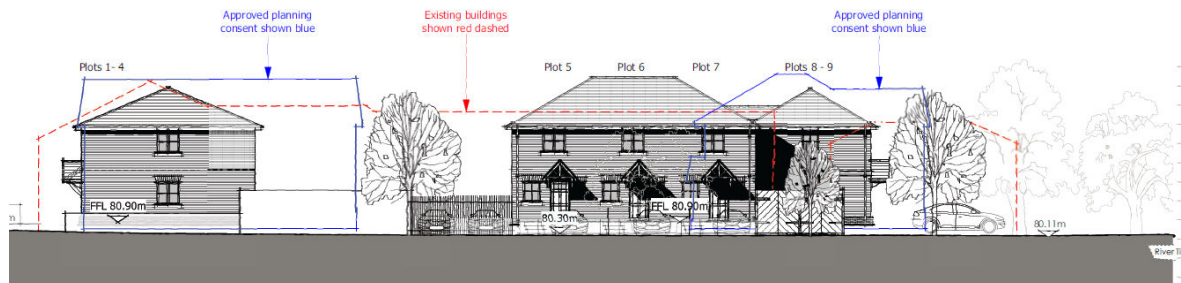
High Street – street scene elevation extract

The urban designer advises that the rigid nature of the proposed layout, the repetitive form and detailing of the dwellings, along with the open siting and concentration of the proposed residents car parking imposes a distinctly suburban estate solution to the site not characteristic of the village vernacular and will present a visually poor setting which will dominate the site to the detriment of the character and appearance of the street scene.

The urban designer goes on to explain that in particular the internal return corner joining the two blocks forming dwellings 5 to 8 inclusive will appear particularly awkward in form and of secondary importance at this prominent junction. This will represent a poor quality of design in this setting in contrast to the simple stature conveyed by the existing 'villa' like building it replaces which makes a positive backdrop to the road approach from the north:



The extent of vehicle hardstanding and parked cars will dominate this setting to the detriment of the street scene which will be compounded by the utilitarian compound created by the 1.8m high railed enclosure to the parking bays for plots 1 & 2 and the 1.8m high close boarded fence enclosing the rear gardens of plots 1 & 2 with the potential focus on proprietary garden sheds and conservatories; the bland rear facade of the terrace of dwellings 1 to 4; the larger fenced bin collection enclosure for dwellings 5 -9 has been moved away from the road edge but is still the focus of the view on the approach into the village from the north and clearly visible from the road junction.



The Hollow – street scene elevation extract showing car parking in front of the 3 terrace dwellings and parking area to western side of the site

In contrast the approved scheme for three dwellings set the car parking within the site where it would be obscured from the street by dwellings and boundary treatments, and the rear of dwelling 1 of the approved scheme has a projecting gable

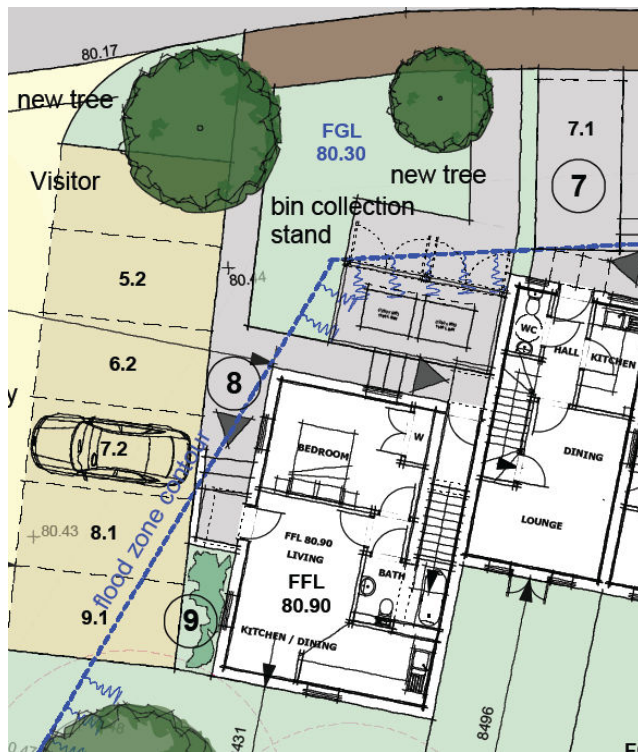
end to enliven this setting and maintain the characteristic relatively small scale roofs of buildings lining the street edge.

With regards to residential amenity, Paragraph 17 of the NPPF states that one of the overarching planning principles that underpin the planning system is 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”*.

In line with this objective, ‘saved’ Policy G2 seeks to ensure that development proposals avoid undue disturbance, interference, conflict with or overlooking of adjoining dwellings or uses that would be detrimental to existing occupiers.

In terms of impact to existing occupiers, the siting of units 3 and 4 is similar to that of plot 2 of the approved scheme and units 1 and 2 approximately replicate the situation of plot 1 of the approved scheme; units 5-7 are located over 30m from the rear elevations of the bungalows in Hindes Meadow and over 18m from the side elevation of Winterbourne House to the south; unit 8 is ground floor only and unit 9 has no windows on the east elevation preventing overlooking to the gardens of units 5-7 and only has a kitchen window on the south elevation.

The revised scheme has amended the position of the bin storage areas to meet highway requirements although this would now be directly outside the bedroom window of the 1 bedroom unit (unit 8). Whilst this is a second window to the bedroom, and the agent considers that the relationship of the bin store to any side window of unit 8 and 9 will not be problematic in amenity terms explaining that the principal elevation of units 8 and 9 are to the western elevation; the west elevation and other bedroom window to unit 8 has a poor outlook, overlooking the communal parking area. Amending the scheme to address highway issues (explained in section 9.5) is considered to have resulted in a worse impact to residential amenity for future occupiers.



Extract from layout plan showing position of bin collection stand adjacent to the bedroom window of the 1 bedroom ground floor unit.

Whilst it is not considered that the proposed scheme will result in undue overlooking or conflict with existing dwellings in the vicinity of the site; given the above comments, it is considered that cumulatively, the scale of the development proposed (and in particular the scale and extent of the built form and open and dominant hardstanding/parking spaces) amounts to overdevelopment of the site and will create a poor living environment to the detriment of the amenities of the future occupants of the site and the overall character and appearance of the site.

9.5 Highway safety

The highways officer considered that the previously refused scheme did not provide sufficient on-site bin storage facilities for bins to stand whilst waiting to be emptied, did not provide pedestrian facilities along The Hollow site frontage with a layout proposing car parking spaces remote from the dwellings would generate an increase in pedestrian traffic on a highway lacking adequate footways and insufficient and inadequate on-site parking facilities with only one off-street visitors parking space. It was also considered that as the parking spaces accessed from The Hollow (and 1 accessed from the High Street) are within the flood flow path/floodplain storage area (floodzones 2 and 3), it was considered that these could potentially flood and lead to parking on the local highway network. These issues could lead to obstruction of the local highway network, impede, endanger and inconvenience all road users to the detriment of highway safety and the previous application was refused on these grounds.

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 on-site parking requirements for the 9 dwellings proposed are 16 allocated spaces and 1.8 visitor spaces. The proposed scheme provides 16 allocated spaces and 1 visitor space.

This amended scheme provides additional on-site bin storage facilities and adds a paved footway along The Hollow site frontage.

The Council's urban designer consultation response refers to the consented proposal which placed all the car parking outside of the flood zone contour and raises concerns on the practicality and convenience of accessing vehicles with the double banked arrangement within the confines of the courtyard parking shown for plots 1 to 4 inclusive; the remoteness of the parking spaces for dwellings 5, 6 and 7, the location of the parking within flood zone and unavailability of these spaces and accessibility to dwellings and bin stores during a period of flooding and only one visitor space being provided.

9 allocated parking spaces are within the flood zone contour; the footpath access to units 8 and 9 is within the flood zone contour, and no additional visitor parking space has been provided.

However, the planning agent has provided photographs having been monitoring the recent flooding situation in Shrewton confirming that whilst the winter of 2013/14 has been the wettest on record (since records commenced in 1910) and exceptionally high groundwater levels in the Oct 2013 to Jan 2014 period; the river has remained *in-bank* past the Laundry site and whilst there has been flooding elsewhere, the application site has not flooded:



Photograph from agent dated 13/02/2014 from Elston Lane showing site has not been flooded.



Photograph from agent dated 13/02/2014 looking west showing site has not been flooded.

Whilst the responsibility for plotting flood zones rests with the Environment Agency and not the local planning authority (and as such the site remains within flood zone 2 and 3); taking into account the consultation response from the Environment Agency raising no objections to the proposal and the fact that the site has not flooded this year, in combination with the close proximity of the site to the parking area associated with the recreation ground (which could accommodate visitor

parking); the highways officer has raised no objections to the level of parking or the proposed parking within the flood zone contour.

The highways officer is satisfied that the development will not have any significant impact on highway safety and raises no highway objections subject to conditions.

9.6 Impact to SSSI/SAC

The site backs onto the River Till, which is a tributary of the River Avon and component of the River Avon System Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). This site has protection under national and international legislation and the Conservation (Natural Habitats & c) Regulations 1994.

Under the Habitat Regulations 1994, any development with the potential to affect a SAC and its designated species must be subject to strict scrutiny by the decision maker, in this case the local planning authority. The Authority should not permit any development, which would have an adverse effect on the integrity of the River Avon SAC, alone or in combination with other developments, unless certain rigorous tests are met.

Applications need to supply sufficient information to allow the Council to determine whether there will be likely significant effects of the development on the SAC features (4 species of fish, a species of snail and aquatic vegetation) and demonstrate that appropriate measures will be taken to ensure that the river system is protected from any pollution and how these will be addressed.

Having regard to consultation responses and any other information available, the local planning authority needs to decide whether the plan or project, as proposed, alone or in-combination would adversely affect the integrity of the site, in the light of its conservation objectives. That is, whether the plan or project would adversely affect the coherence of the site's ecological structure and function, across its whole area or the habitats, complex of habitats and/or populations of species for which the site is or will be classified.

The council's ecologist has completed a Judgement of Likely Significant Effect which demonstrates there will be no likely significant effects on the River Avon SAC.

There is a potential for the development to have an effect on the River Avon System SSSI and SAC, during the construction phase but this could be overcome through the imposition of conditions requiring a contaminated land investigation and a detailed construction method statement to be submitted to and approved by the local planning authority.

Subject to the imposition of these conditions it is considered that the development will not adversely affect the integrity of the European Site.

9.7 Contaminated land

A phase 1 desk study and Report on a Ground Investigation has been submitted as part of the application documentation which includes recommendations for additional work which could be conditioned and the council's contaminated land officer raises no objections.

9.8 Protected species

The ecological assessment submitted with the application found no presence of protected species on site although the buildings were considered to have the potential to support bats and nesting birds and mitigation measures in relation to these could be conditioned.

Following concerns raised by the parish council to the previously application for 3 dwellings (S/2013/0406) that water voles may be using the river; the council's ecologist visited the site and advised that there is no suitable habitat for this species in the near vicinity of the development as the riverbanks on either side of the river both up and down stream of the road bridge next to the development are about 1m tall and built of brick/concrete blocks; there is no fringing vegetation and stream water occupies the entire width of the channel and there is no chance of water voles either burrowing or feeding near or being affected by the proposed development.

Applications should include biodiversity enhancement measures, in accordance with paragraph 118 of the NPPF and subject to transferring the condition from the approved scheme for nesting and roosting opportunities for birds and bats, the council's ecologist has advised that this application for 9 dwellings doesn't involve changes that are different to the previously approved scheme (S/2013/0406) as far as ecology is concerned and no objections are raised.

9.9 Affordable Housing – SWCS Core Policy 3, Recreational open space – saved policy R2 of Salisbury District Local Plan)

The proposals trigger the requirement for on-site affordable housing provision of 25% on site provision under Core Policy 3 of the South Wiltshire Core Strategy and for recreational open space contributions under saved policy R2.

Core Policy 3 states *'the provision of affordable housing will be negotiated on a site-by-site basis taking into account the viability of the development'*. A site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken.

The recently published National Planning Practice Guidance refers specifically to how *'viability should be considered for brownfield site in decision taking'* and refers back to the NPPF which sets out a core planning principle that in making decisions, local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not high environmental value. To incentivise the bringing back into use of brownfield sites, the guidance states that local planning authorities should take a flexible approach in

seeking levels of planning obligations and other contributions to ensure that these do not make a site brownfield site unviable.

The guidance goes onto state that where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

The guidance goes onto state 'it is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability, but where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.'

In the context of unviable developments Affordable housing and recreational open space contributions are not considered 'essential' to enable developments to 'work' either in isolation or within their wider context.

The applicant has provided an open book financial viability appraisal to the New Housing Team. The Housing Officer has used this to complete a financial appraisal of the development.

The 9 unit scheme will result in a Gross Development Value (GDV), well below the normal minimum of 15-20% and the financial appraisal has shown that it will not be viable for the developer to provide on-site affordable housing or contributions towards recreational open space.

9.10 Archaeology

The site is in an area of archaeological interest and already there is made ground across much of the site, there may well be an earlier top and subsoil which may seal archaeological remains and as such there is potential for archaeological remains to be on site. The council's archaeologist has advised that the buildings appear older but have been in use as a laundry since the earlier part of the 20th century and there appears to be some machinery that was associated with that use still present within the buildings.

The council's archaeologist has recommended that if the application was approved a written programme of archaeological investigation would need to be agreed. This would need to take the form of a recording of the existing buildings prior to demolition and an archaeological watching brief.

9.11 Other issues

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law 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 South Wiltshire Core Strategy which retains saved policies of the Salisbury District Local Plan (which were deemed to be up to date and relevant) was adopted in February 2012 and is now the statutory development plan and is considered to be an up-to-date plan.

9.111 Housing Land Supply

The NPPF requires each Local Planning Authority to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land (paragraph 47). The implications being, if this cannot be demonstrated, then the policies in the development plan relevant to the supply of housing cannot be considered to be up to date. In these circumstances, unless any adverse impacts would significantly and demonstrably outweigh the benefits, proposals should be considered favourably for permission (NPPF paragraph 14). The adequacy or otherwise of a 5 year land supply is therefore a material consideration in the determination of this application.

The planning agent has referred to the emerging Wiltshire Core Strategy and the 5-year Housing Land Supply and considers that *'the Council is unlikely to remain able to demonstrate a 5.25 year supply of housing land.'*

The SWCS is expected to be replaced by the draft Wiltshire Core Strategy which sets out the long-term planning and development aims for Wiltshire and that was examined in public by an independent Planning Inspector between 6 May 2013 and 18 July 2013.

The Wiltshire Core Strategy proposed that a minimum of 37,000 homes should be built from 2006 – 2026 within Wiltshire. The Inspector asked the council for more information on certain areas of the strategy through his latest procedural letter dated 2nd December 2013 including housing land supply and that the housing requirement should be increased to approximately 42,000 new dwellings.

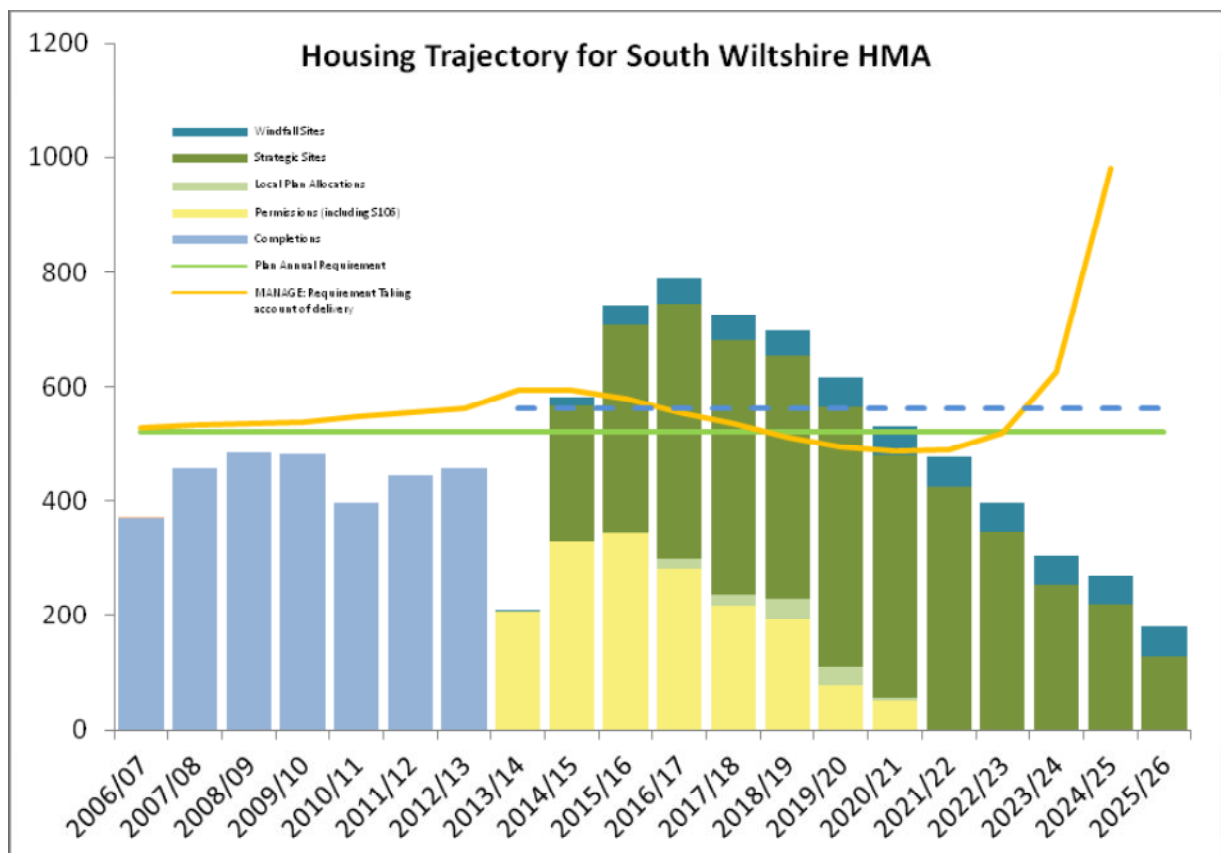
The Council has gathered further evidence for the Inspector, EXAM/91 (Housing Land Supply Statement 2014) and EXAM/84 (Addendum Housing Requirement Technical Paper) are relevant to Housing Land Supply.

Table 3 of the Housing Requirement Technical Paper 28/02/2014 sets out the deliverable housing land supply for the period 2013-2018 for each Housing Market Area (HMA) updated to reflect the current land supply and revised HMA requirements:

Housing Market Area	Housing Requirement 2006-2026	Estimated housing completions 2006-2014	Five year housing requirement 2014-2019	Deliverable supply 2014-2019	Number of years deliverable supply
East Wiltshire	5,940	2,636	1,377	1,545	5.61
North and West Wiltshire	24,740	9,233	6,461	7,285	5.64
South Wiltshire	10,420	3,305	2,965	3,592	6.06
Swindon (within Wiltshire)	900	156			

Table 3: Housing Land Supply relative to the housing requirement (Updated table 3 of the Housing Land Supply Statement, August 213)

Each of the HMAs currently has five years' supply of deliverable land for housing development, with South Wiltshire having 6.06 years deliverable supply. The topic paper submitted to the Inspector explains that housing land supply is strong in South Wiltshire, reflecting decisions that have already been taken about sites through the adopted South Wiltshire Core Strategy. The housing trajectory for South Wiltshire shows a sufficient supply of deliverable land to support a five year supply for the 4 years 2014/2015 and therefore there is no urgent or immediate need for further housing to be permitted on this site to meet strategic requirements:



Housing trajectory 2006-2026 for South Housing Market Area

9.112 Viability

It is considered highly likely that an acceptable form of development will involve fewer units than currently proposed.

The planning agent has advised that fewer units would raise viability issues and refers to Section 70(2) of the Town and Country Planning Act 1990 and paragraph 173 of the NPPF stating that these indicate that *'financial viability is a material consideration to an application.'*

Paragraph 173 is as follows:

'Ensuring viability and deliverability

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a 'local finance consideration' as a grant or other financial assistance that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy/CIL.

The Community Infrastructure Levy (CIL) is a new charge which local authorities will be empowered, but not required, to levy on most types of new development. The proceeds of the levy will provide new local and sub-regional infrastructure to support the development of an area in line with local authorities' development plans. CIL will be levied in pounds per square metre of the net additional increase in floorspace of any given development. Wiltshire Council does not currently have a CIL as this is dependent upon the progress of the Wiltshire Core Strategy and in the meantime therefore S106 contributions are applied where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Therefore, as explained in section 9.9, and the planning practice guidance on *'how should viability be considered for brownfield sites in decision taking'*; local planning authorities should take a flexible approach on levels of S106 contributions/CIL on

brownfield sites and in this case the council has taken a flexible approach as it has been demonstrated that it is not viable to seek either affordable housing or recreational open space contributions.

The deterioration of the buildings is giving cause for concerns to residents in the village and the Parish Council have supported the scheme observing that whilst it is considered that *'it was still too many houses for the site, but agreed to support the application as it was necessary for new homes to be built.'*

The design and access statement explains that

'the buildings on the site are old, in need of significant visual (and structural) improvement and generally detract from the street scene' and 'the removal of the industrial buildings and their replacement with residential units would be expected to result in a net benefit to the character and appearance of the local townscape and to the amenities of the existing neighbouring residential properties' although accepts that 'it is nevertheless important to consider the physical form of the surrounding properties in relation to the proposed development to ensure that the resulting scheme has at least a neutral effect, or preferably, a net improvement to residential amenities.'

The planning practice guidance on

'how should viability be considered for brownfield sites in plan making' advises that 'local plan policies should reflect the desirability of re-using brownfield land, and the fact that brownfield land is often more expensive to develop and particular consideration should be given to local plan policies on planning obligations, design, density and infrastructure investment.'

Officer's accept that the site is in a poor state of disrepair, and whilst 'consideration' should be given to local plan policies on design and density to encourage development on brownfield sites; and the agent has advised that fewer units could raise viability issues; this is not considered to override the fact that the proposed scheme is considered to be unacceptable as an overdevelopment of the site for the reasons explained in section 9.4.

10. Conclusion

Overall, it is considered that the scheme will result in an overdevelopment of the site, to the detriment of the character and appearance of the area which is considered to significantly and demonstrably outweigh the benefit of redeveloping the vacant, brownfield site.

Recommendation

To Refuse the application for the following reason:

(1) The proposed development by reason of the number of dwellings proposed; the bulk/massing (magnitude in three dimensions), scale (size in relation to

surroundings) and design of the development in relation to existing buildings, and the layout and open siting and extent of vehicular hardstanding and car parking constitutes a poor design of development leading to a proposal that amounts to an overdevelopment of the site that is vehicle dominated. The proposal will have an adverse visual impact within the street scene; to the detriment of the character and appearance of the area which has a rural context and where the primary routes through the village are characterised by a fragmented form and grouping of traditional small scale buildings.

By reason of the above, the development will also create a poor living environment to the detriment of the amenities of the future occupants of the site. Overall, the development is contrary to saved policies G1, G2, D2, H16 and C6 of the Adopted Salisbury District Local Plan and included in the saved policies listed in Appendix C, of the South Wiltshire Core Strategy, Objective 16 of the Council's design guide "Creating Places", draft policy 57 of the Wiltshire Core Strategy and guidance within the NPPF.