

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No. 1**

<b>Date of Meeting</b>	24 <sup>th</sup> September 2015
<b>Application Number</b>	14/12175/FUL
<b>Site Address</b>	Land between the junction of A36 (Southampton Road) and New Petersfinger Road, Salisbury, Wiltshire
<b>Proposal</b>	65 bed hotel with drive thru restaurant with associated parking, access and landscaping
<b>Applicant</b>	Life Property Salisbury Ltd and Shiedtype Projects Ltd
<b>Town/Parish Council</b>	Salisbury City
<b>Ward</b>	St Martins and Cathedral
<b>Grid Ref</b>	416505 129090
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Lucy Minting

**Reason for the application being considered by Committee**

Councillor Tomes has called in the application for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Design- bulk, height, general appearance
- Environmental/highway impact

**1. Purpose of Report**

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED subject to completion of a section 106 obligation (requiring offsite ecological improvement works to a calcareous grassland site at Lime Kiln Way (owned jointly by Wiltshire Council and Salisbury City Council in order to offset the ecological impacts arising from the loss of habitat at the development site), and conditions.

**2. Report Summary**

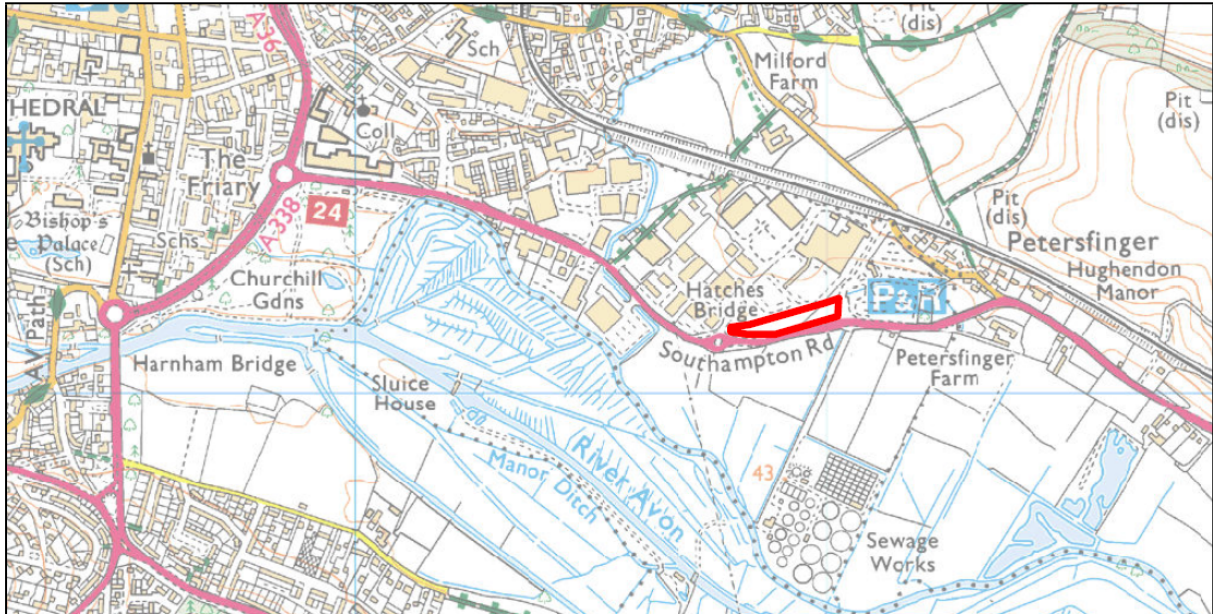
The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
  - Policy
  - Sequential test,
  - Disaggregation
  - Town centre impact
- Scale, design, and impact character and appearance of the area
- Sustainable Construction
- Highway considerations
- Ecology
  - Protected species & biodiversity
  - Impact to the River Avon SAC/SSSI
- Landscaping
- Drainage
- Archaeology
- Waste & recycling
- CIL

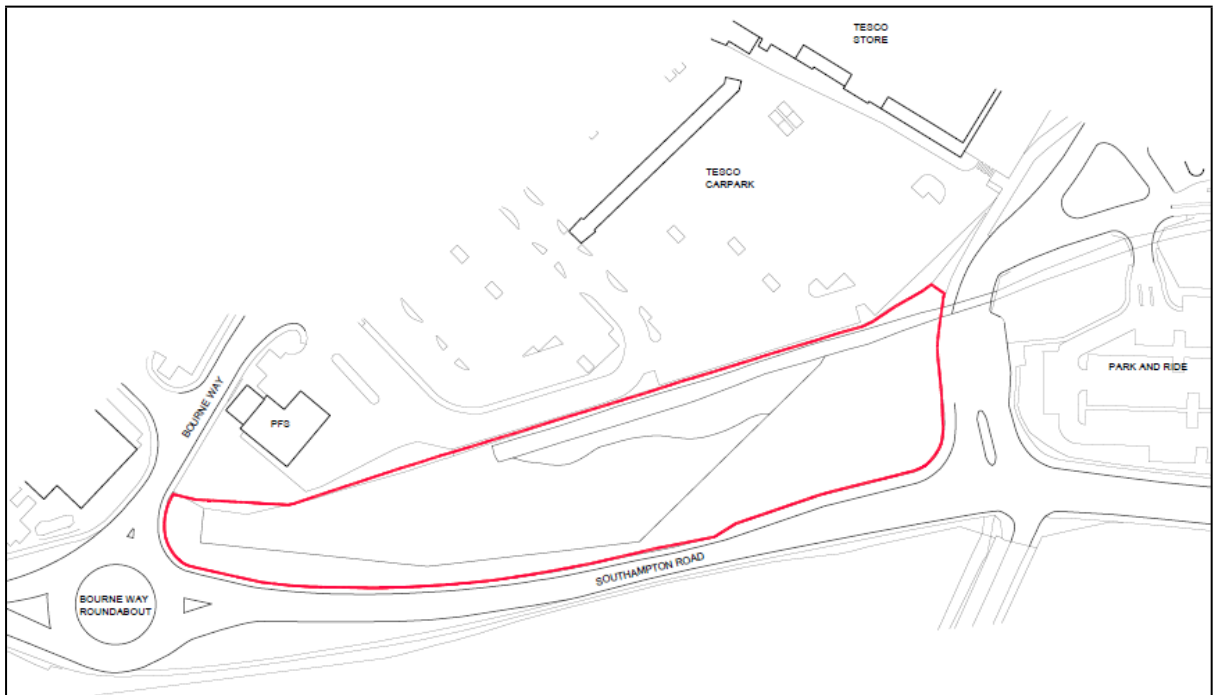
The application has generated an Objection from Salisbury City Council, 29 letters of objection and 4 letters of support.

### 3. Site Description

The site lies approximately 1.5km to the east of Salisbury City Centre and extends to 0.99ha.



It is a broadly rectangular shaped parcel of land sited between the A36, Southampton Road (one of the main arterial routes to Salisbury) to the south and the Tesco retail superstore car park and petrol filling station to the north. The site is bounded to the west by Bourne Way and to the east by New Petersfinger Road:



The site currently consists of scrub and grassland (part of the site to the east had been cleared and set out with hardcore and used for storage during the construction of the Park

and Ride, which is now overgrown) and is at a lower level to the adjacent pavement and carriageway to the A36, and the petrol filling station/car park to the north of the site. There is an embankment running along the northern boundary of the site which has a number of trees subject to a Tree Preservation Order. At the foot of the embankment is a drainage ditch which runs along the length of the northern boundary of the site.



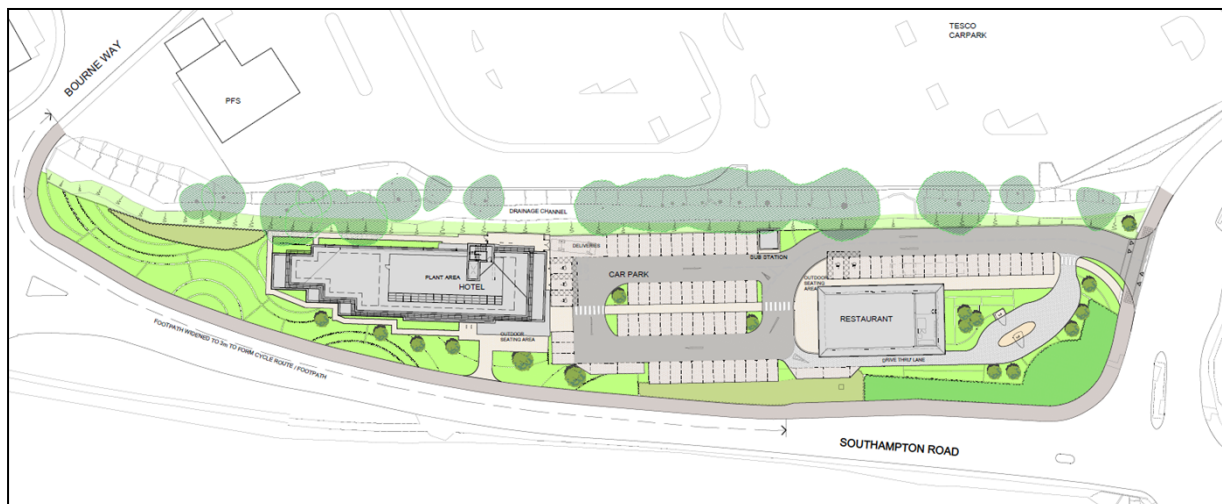
Vehicular access to the site is via New Petersfinger Road (the access to the Petersfinger Park and ride to the east and Milford Mill Road).

#### 4. Planning History

None

#### 5. The Proposal

The proposal is for a 2320sqm 65 bedroom hotel (with integrated bar and restaurant), a separate 502 sqm drive-through restaurant, with vehicular access onto New Petersfinger Road, car parking, servicing arrangements, landscaping and ancillary works.



80 car parking spaces are proposed (comprising 73 standard spaces, 2 grill spaces for the drive through restaurant and 5 accessible spaces) and 1 delivery bay. A total of 14 cycle spaces are proposed (8 for the hotel and 6 for the drive through restaurant).

The ancillary works includes widening the footpath around the site from Bourne Way, along Southampton Road and the extent of the site into New Petersfinger Road to form a cycle route/footpath and creating a new pedestrian access on the southern boundary of the site onto Southampton Road.

The application has been submitted along with the following reports:

- Planning Statement
- Design and Access Statement
- Drainage Strategy and Flood Risk
- Contaminated Land Report
- Construction Method Statement
- Transport Statement
- Landscape and Visual Appraisal
- Arboricultural Survey and Implications Assessment
- Ecology Statement
- Noise Technical Note
- Archaeology Assessment
- Energy Statement
- Waste Audit

## **6. Local Planning Policy**

### **The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20<sup>th</sup> January 2015:**

Core Policy 1 (Settlement Strategy)

Core Policy 2 (Delivery Strategy)

Core Policy 3 (Infrastructure Requirements)

Core Policy 20 (Spatial Strategy for the Salisbury Community Area)

Core Policy 21 (The Maltings/Central Car Park)

Core Policy 35 (Existing employment sites)

Core Policy 38 (Retail and leisure)

Core Policy 39 (Tourist Development)

Core Policy 40 (Hotels, bed and breakfasts)

Core Policy 41 (Sustainable construction and low carbon energy)

Core Policy 50 (Biodiversity and Geodiversity)

Core Policy 51 (Landscape)

Core Policy 52 (Green Infrastructure)

Core Policy 56 (Contaminated Land)

Core Policy 57 (Ensuring high Quality Design and Place Shaping)

Core Policy 58 (Ensuring the Conservation of the Historic Environment)

Core Policy 60 (Sustainable transport)

Core Policy 61 (Transport and New Development)

Core Policy 62 (Development impacts on the transport network)

Core Policy 64 (Demand Management)

Core Policy 66 (Strategic transport network)

Core Policy 67 (Flood Risk)

Core Policy 68 (Water resources)

Core Policy 69 (Protection of the River Avon SAC)

### **Salisbury District Local Plan saved policies:**

G7 (Sewage Treatment Works - Development Restraint Area)



**Wiltshire Local Transport Plan 2011-2026:**

Car Parking Strategy

Cycling Strategy

**Waste Core Strategy 2009:**

Policy WSC6 – Waste Reduction & Auditing

**Government Guidance:**

National Planning Policy Framework (NPPF) March 2012

NPPG

**7. Summary of consultation responses****Highways England (Formerly Highways Agency)**

No objections

The two main issues previously raised by Highways England in respect of the development were:-

1. The need to demonstrate adequate car parking provision to ensure that parking overspill onto the Strategic Road Network (SRN) is avoided; and
2. The need to demonstrate traffic impacts on the A36 junctions

Following the submission of additional information, Highways England is content that the proposed development would not have a severe impact on the operation of the A36 and on this basis offer no objection to the application.

**Local Highways Authority**

No objections subject to conditions

As the A36 comprises the SRN and is within the jurisdiction of Highways England (HE), HE will determine the impact of the proposed development on the A36 in this location and provide relevant advice to the local planning authority in this respect.

The principal concerns for the local highway authority are:

- i) The proximity of the site access to the traffic signal controlled junction of the new P&R access road and Southampton Road, the A36 Trunk Road.
- ii) The potential for the site generated traffic to use Milford Mill Road
- iii) Site parking provision

Following submission of additional information (a model has demonstrated that the closeness of the junctions will not give rise to transport impacts of a severe nature; the developer has agreed to the provision of traffic signal controls at the railway bridge arch which would have the effect of traffic calming on Milford Mill Road; and additional information provided in relation to the assessed parking accumulation, which has demonstrated that the level of parking provision will not result in any material impact on the local highways) the local highways authority recommend conditions (x-X)

**Economic Development**

Hotel development is not supported, no comments on proposed drive through restaurant

The Wiltshire & Swindon Visitor Accommodation Futures Study prepared for VisitWiltshire and Swindon and Wiltshire LEP in June 2014 makes a clear recommendation that *‘further budget hotels in Salisbury should ideally be in the city centre in order to maximise the*

*contributions that they could make in terms of supporting the development of the city's evening economy through generating business for restaurants and bars, and in terms of minimising unnecessary traffic movement from an edge of city hotel. The currently proposed Premier Inn [on Castle Street] would meet this requirement.'*

The report also points out that *'Salisbury does not currently have any budget hotel provision in the city centre, with the city's existing Premier Inn located at the northern outskirts of Salisbury.'* It is therefore all the more important that budget hotel provision comes forward in the city centre to support the night time economy.

### **Wiltshire Fire & Rescue**

Comments relating to requirements identified under B5 of Approved Document B relating to The Building Regulations 2010 and recommendations to improve safety and reduce property loss in the event of fire, which could be included as an informative.

### **Environment Agency**

No objections subject to conditions (Construction Environmental Management Plan) and Water Efficiency and Climate Change informatives.

Surface Water Drainage - The site is less than 1 hectare in size (therefore is outside our remit) but is affected by surface water flooding, as shown on the Flood Map for Surface Water. The Wiltshire Council drainage engineers will assess the submitted Flood Risk Assessment.

### **Wiltshire Council Drainage Engineer**

Support with conditions (scheme for discharge of foul water and surface water from the site to be agreed and implemented prior to first use, no development to commence on site until Highways England have removed their current discharges from the A36 onto the site) and informative (formal land drainage consent will be required).

### **Wessex Water**

The applicant proposes to pump and drain foul flows from the site to the existing public foul sewer in the adjacent industrial estate. Arrangements will be subject to agreement in accordance with the Water Industry Act 1991.

There must be no surface water connections to the public foul sewer network; the applicant proposes to discharge surface water to local watercourse which will require approval of your authority.

Grease and fats should not be discharged to the public sewer and appropriate arrangements should be designed and provided to prevent contaminated discharge by using a suitable grease interceptor and a maintenance programme to remove and dispose of this waste.

Points of connection to the public water network to be agreed and subject to application; buildings above two storeys will require on site boosted storage.

Non domestic supplies required for fire-fighting or commercial use will require assessment with network modelling subject to design requirements. We will normally recommend the use of storage tanks where network capacity is not available or where off site reinforcement is necessary to provide the stated demand.

The proposal is located within the odour consultation zone for Wessex Water's Petersfinger sewage treatment works which serves the Salisbury Community. Whilst there is a risk of odour complaint at the site under certain conditions, assessment shows that this risk is predicted to remain at a reduced level under prevailing weather conditions and Wessex Water advises the local to consult the local public protection officer for further comment.

### **Public Protection**

No objection subject to conditions

The acoustic assessment identifies that the site is surrounded by a number of noise sources (including traffic noise from the A36 and Tesco superstore, associated petrol station and car wash, and the proposed drive through restaurant). Recommend conditions (scheme to protect the future customers at the hotel against noise and a construction management plan to ensure that nearby sensitive receptors are not adversely impact from construction noise) Recommend condition for construction hours and no burning of waste on site (this should be added as an informative as burning of waste is covered by environmental protection legislation)

Our records do not show any sites of potential land contamination.

We are aware that the proposed site is located within the consultation zone for Wessex Water's Petersfinger sewage treatment works. Given the distance between the proposed development and the sewage works and as we have no records of complaints in relation to odour from the treatment works it is unlikely that odour will be an issue.

### **Natural England**

The application site is in close proximity to the River Avon Special Area of Conservation (SAC) and Special Site of Scientific Interest (SSSI). In order to assist you in screening for the likelihood of significant effects relating to Habitat Regulations Assessment:

- The proposal is not necessary for the management of the SAC
- The information provided indicates that there is not likely to be a significant impact on the SAC as the ditch on the development site is not connected to the River Avon.
- Pollution prevention measures should be adhered to.

We have not assessed the application and associated documents for impacts on protected species. We would expect the local planning authority to consider impacts on local sites (biodiversity & geodiversity), local landscape character and local or national biodiversity priority habitats and species.

The local planning authority should consider securing measures to enhance the biodiversity of the site in accordance with paragraph 118 of the NPPF and Section 40 of the Natural Environment and Rural Communities Act (2006)

### **Ecology**

No objection subject to conditions (works to be implemented in accordance with a CEMP in order to protect the River Avon SAC; a protected species method statement in order to avoid impact to protected species during construction and a detailed design scheme and management for the ditch and its adjacent habitat to maximise the biodiversity potential of the ditch) and a mitigation scheme for offsetting the ecological impacts arising from the application in accordance with Core Policy 50 at a site in Lime Kiln Way (which would be controlled via a S106 agreement). The Lime Kiln Way site is a calcareous grassland site which has been neglected for many years which will benefit from having scrub removed as a one off measure since parts of it are very overgrown. This would take the site from poor to moderate condition.

**Landscape Officer**

No objections

**Urban Design**

Support subject to conditions (materials and finishes, external lighting) and reference to need for separate advertisement applications

**Archaeology**

No objection, subject to condition (programme of archaeological investigation)

**Historic England (formerly English Heritage)**

No comments/objections

**Conservation Officer**

No objections

The site is outside the Conservation Area and it is not considered the development will have significant impact on views towards the cathedral.

Defer to the comments from the urban designer on design

**Energy Policy Officer**

No objections subject to condition

The BREEAM pre assessment complies with the Core Policy 41, and should be conditioned.

**8. Publicity**

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

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

- Additional hotel will hopefully encourage more competitively priced rooms in Salisbury (existing hotels expensive)
- Drive through restaurant will add to services available within the city
- Will encourage growth in the city
- Will bring investment and employment benefits on a small infill site
- Traffic on Southampton Road has always been a problem. Only limited traffic impact from hotel guests and workers/unlikely to be worse
- Traffic congestion on Southampton Road is caused by the roundabout outside the College
- Good location away from historic parts of Salisbury
- Convenience of out of town location for users - close to Tesco and shops on Southampton Road, linked trips possible, avoiding (Salisbury city centre hard to drive to in rush hour) and easing traffic congestion into the City
- Long term traffic solution is via a by-pass and not to inhibit progress
- Consistent, contemporary and modern design appropriate for Southampton Road
- Improvements to drainage on A36 will alleviate/resolve flooding of meadows to the South
- Application from established businesses should be welcomed and embraced in order to advance Salisbury in 21<sup>st</sup> century

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

- A36 (Southampton Road) is already overdeveloped
- A36 has traffic congestion problems (accepted by Highways England as a bottleneck) and is already over capacity/often gridlocked (sometimes to Alderbury bypass)



- Additional traffic (including large delivery lorries) and inadequate parking in unsuitable location will exacerbate traffic congestion problems – danger of traffic queues building up particularly at busy times
- Drivers will miss the turning to the New Petersfinger Road access and add to congestion on the Bourne Way roundabout/drivers stopping/swerving on the A36
- Additional traffic congestion will discourage visitors to Salisbury
- Highway safety implications/risk of accidents from additional traffic close to park and ride entrance/users of New Petersfinger Road including pedestrians and cyclists (site access cuts across a cycle track and footpath)
- Detrimental impact on local traffic - Increased traffic on narrow and unsuitable Milford Mill Road which has weight and width restrictions but is used as a rat-run (road is unsafe for pedestrians, cyclists and horseriders due to increase in traffic since the opening of the park and ride and no footpath). Traffic would have to pass under narrow railway bridge, sharp bend, over Grade I listed bridge and through a residential area and 4 schools. Issue needs to be resolved before allowing any additional traffic.
- A36 Carriageway needs dualling
- Tesco were prevented from making an access onto the Petersfinger Road and an application for a house was turned down by highways
- In combination traffic impact from proposed Sainsbury supermarket and Tesco application
- Suggest alternative location on Wilton side of Salisbury
- Proposals would discourage people from using the city centre tourist accommodation and lead to loss of business, closure and staff losses
- Developers should be encouraged to apply for new projects in the city centre
- Aesthetic grounds – site is a natural green area with trees. Adverse visual impact from proposed ribbon development and associated advertisements is overdevelopment and inappropriate to have drive through restaurant development at the gateway to medieval Cathedral city and environs (a very historical area) and will not enhance visitor experience to Salisbury
- Commercialisation of site and distraction to drivers from internally illuminated signs, pole signs, totem signs, flagpoles, banners
- Any illumination should prevent light pollution and if approved, intensity of illumination should be reduced during night and turned off when premises are closed to the public
- Questions raised over description/spelling of proposed drive through restaurant
- Contrary to Salisbury Vision
- Flooding issues – the site is affected by surface water flooding/water draining off the road, and has been under water over successive winters. Development of site (with necessary drainage works) would displace water and exacerbate flooding downstream. Drainage pits will only collect water which will have to be pumped away– where will the water go to?
- Site is of historical interest due to old drainage system called Dutch drainage system
- Any exterior hard paving should be permeable to allow surface water to soakaway
- Ecology impact - site is better suited for preserving nature/used by wildlife/trees/use as water meadows
- Damage to the environment and loss of habitat (loss of 11 trees and shrub growth)
- Site is very close to River Avon SAC/SSSI
- Threat to wildlife habitat at Petersfinger used by reed warblers and cuckoos
- Insufficient provision of biodiversity enhancement for wildlife
- Habitat Regulations Assessment required
- Impact to trees to be retained from tree removal
- View from site is of sewage farm
- No real benefits

- How will this help local obesity problems
- Environmental impact from rubbish potential from fast food outlet/attracting vermin
- No need for more fast food restaurants/hotels.
- Salisbury needs retail development to compete with Amesbury/Southampton
- Not a lack of jobs in the area as companies are unable to fill advertised positions

### **Salisbury City Council Object**

The design of the buildings should be more imaginative and different from the norm, it is currently bland and boring.

There are too many highway impacts on both the A36 and the Petersfinger Road area which will potentially make an already very congested situation worse

The alleviation of flooding issues have not been fully clarified, in an area which is known to flood.

### **Laverstock & Ford Parish Council Object**

This development will inevitably lead to an increase in traffic using Milford Mill Road. The traffic on this road is already greater than its capacity and any plan that causes an increase is unacceptable.

### **Clarendon Park Parish Council Object**

1 - Salisbury does not need such a development. There are numerous hotels and B&Bs in and around Salisbury, including a hotel like the one proposed, on the London Road at Bishopdown.

2 - Such a site would pull yet more business from Salisbury City Centre.

3- The proposed site is prone to flooding and at time of writing this is currently under water.

4- The proposed development would add to traffic on the Milford Mill Road.

5- The proposed development would add to traffic to and from the junction of New Petersfinger Road with the A36. This junction is often blocked by traffic going into Salisbury and the extra traffic would make this worse.

6-Because the area floods, it will displace water downstream into the Avon making the risk and potential height of flooding greater.

7-Although separated from the Avon by the A36, this is an artificial boundary. Flooding of the site would appear to include some ground water from the Avon.

8-We should ask if the area should be thought of as part of the flood plain. In which case, is the Environment Agency reason not to comment sound? If the above is correct, the area is a part of the flood plain where development should be prevented.

### **Comments from Sustrans**

Sustrans is responsible for the development of National Cycle Route 24 (NCN24) and works closely with Wiltshire Council on the development of local networks across the county. The location of the proposed development is important because it lies on an important east-west corridor connecting Salisbury to outlying settlements. For this reason the proposed cycle path along the south side of the development is welcomed. Ideally this path will replace the existing line of NCN24 to the north. We have three comments to make with regard to the proposed cycle path:

1. The path width should be not less than 3 metres at any point. As well as accommodating cycle traffic in and out of the city it is likely to serve trips to the park and ride and the fast foot outlet. Consequently any width less than 3 metres will not provide the necessary level of service.

2. Where the cycle path crosses the entrance to the development it must be set back from the junction by a minimum distance of 5 metres. The current design does not adequately protect cycle movements across the mouth of junction. Cyclists are vulnerable to collisions from the turning vehicles approach from the limit of their peripheral vision. The crossing design should be in accordance with the recommendations in Local Transport Note 2/08 para. 10.3.6. From the site layout there appears to be space to incorporate this recommendation by modifying the landscaping proposals.

3. We also recommend that speeds and the awareness of drivers entering and exiting the development should be controlled by locating the crossing on a raised table. This will ensure vehicles decelerate before entering or delay acceleration on leaving. It will also ensure that drivers tempted to eat or drink on departure are made fully aware of the potential for cyclists or pedestrians crossing in this location.

### **Comments by Salisbury Civic Society Object**

*Impact on the Eastern Approach to Salisbury* - The visually degraded character of the Southampton Road entrance to the city is widely accepted as a negative factor, and the Salisbury Vision contains a broad aspiration for its improvement. However, the focus is on improving the existing road between the Bourne Way roundabout and the College roundabout and making more effective use of the existing business/retail park development, not in extending this urban development eastwards, beyond the Bourne Way roundabout, into the green rural gateway to Salisbury

*Landscape Impact Generally* - The Lower Avon Valley in which the site is located is clearly identified as one of sensitivity in landscape terms in the supporting evidence for the South Wiltshire Core Strategy and the recently approved Wiltshire Core Strategy. Specifically, this evidence is contained within the Salisbury District Landscape Character Assessment and the complementary Settlement Setting Assessment. The latter identifies '*the locally distinctive character inherently associated with the water meadows, which strongly contributes to the setting and special character of Salisbury and its historic core*' and '*the need to conserve the strongly rural character and associated sense of tranquillity*'. Core Policy 51 Landscape of the Wiltshire Core Strategy states that '*Development should protect, conserve and where possible enhance landscape character and must not have an unacceptable impact upon landscape character.....*' This includes considering '*the locally distinctive character of settlements and their landscape settings*' and '*the separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe*'.

The proposed development would simply extend the existing urbanisation of the Avon Valley further eastwards along the A36, well beyond the present 'gateway' formed by the Southampton Road/Bourne Way roundabout. The applicant recognises the poorly designed (and managed) development of Salisbury Business Park along the A36, (exacerbated in recent years by the removal of some of the original tree planting), but wishes to extend the same treatment eastwards along the A36 where good initial intentions will fade away into poor and indifferent management and a further deterioration in the rural character at the margin of the Avon Valley. Development should not proceed any further eastwards beyond the Bourne Road roundabout.

*Urban Fringe*- Technically the area may be termed as urban fringe although it is still predominantly green and rural in character, even with the park and ride site and sewage works. Tesco is well screened and separated from this area which has the potential for improvement to create an attractive and natural green gateway introduction to the unique water meadow setting of Salisbury (See attached aerial image of this area). The rural

character would be seriously diminished if these proposals are approved. Urban fringe should not be used as justification for more development but rather an opportunity for landscape improvement, especially if Salisbury is to maintain its reputation 'as a good place to live'.

*Wildlife Impact* - The applicant has gone to great lengths to downplay the current ecological value of the site although it has equally, through more appropriate management, a greater potential for improvement to meet its potential as a wetland habitat, especially when considered as part of a mosaic of similar wetland habitats within this area. It is also of value in buffering the more important and protected sites within the vicinity and as a stepping stone or corridor site for transient species including wetland and terrestrial invertebrates, newts, frogs, toads, small mammals and birds. It is probably also a suitable habitat for slow worm and grass snake. It offers far more potential for biodiversity enhancement than the proposed development ever could. In addition to providing a potential wetland habitat and natural feature on the green approach to Salisbury, the site also acts as natural sump to store flood/groundwater during periods of high rainfall.

*Buildings and Traffic* - The Southampton Road is the main route into the city from the south east and it is a visual disgrace and embarrassment for such a historic city. This proposal is too big for the site.

The large predominantly red brick hotel does nothing to improve this road and indeed because of its height and close proximity to the carriageway, the drive through restaurant and extensive parking, it will dominate the north side of the road. The drive through restaurant in particular will also further increase traffic and litter along the Southampton and New Petersfinger Roads, already a serious concern with the existing development. The proposed mixture of urban amenity and semi natural planting does little to relieve the urbanisation and overdevelopment of this site

Although a great effort has been made to make this development acceptable and to justify it in term of policy and other aspirations for Salisbury it in no way overcomes the potential negative consequences of these proposals. Instead it will further add to the degradation of Salisbury's unique character and qualities. Overall, therefore, the Society is strongly opposed to the proposals contained within this application which it sees as potentially very damaging to the long-term setting of the City.

### **Comments by Salisbury Area Greenspace Partnership Object**

This site is small but significant multifunctional greenspace & one of the few remaining on the north side of the A36 trunk road at the key gateway into Salisbury City from the south & should be retained for the following reasons.

1. Wildlife Value - Looking at early maps it is clear that this site with its drainage channel along the northern boundary is a remnant part of the Avon Valley now cut off by the A36. It still remains a wetland habitat with standing water over the winter.

The Ecological Assessment for the Petersfinger site was produced by Ecology Solutions in November 2104. The report stated that 'Ecology Solutions undertook an extended Phase 1 Habitat Survey of the application site in November 2012, with an update undertaken in November 2014. This survey ascertained the general ecological value of the land contained within the boundaries of the site and identified the main habitats and associated plant species, with notes on fauna utilising the site.' The point needs to be registered that November is the wrong time of year to undertake these surveys. It was out of season and therefore the value of the report is called into question.

One consequence is that the temperatures were too low to observe activity of basking reptiles such as grass snake & slow worm that have been observed to inhabit this area and were not mentioned in the report. Furthermore, there are typical plant species such as



Yellow Flag Iris & Marsh Marigold that flower in spring which have not been picked up in the Ecological Assessment.

In addition, this site forms an important stepping stone for the transient species, such as dragonflies and other insects, newts, frogs, toads, small mammals such as water voles, and birds that have not been included in the two Phase 1 habitat survey reports.

It is felt that such fundamental failings casts doubt on the veracity of the whole report & especially when recording the presence of water voles.

Lastly, the idea that wildlife would be enhanced by suitable habitat provided by the development is ecologically unsound. Any assessment should not judge sites in isolation from others, since several habitats may combine to make it worthy of importance to nature conservation. There is a significant loss of habitat and open space that acts as a wild life corridor and the site also provides a holding area for retaining flood water when required during the winter.

2. Value as Landscape Setting - This is a gateway project in the wrong place. The Bourne Way roundabout forms the urban 'gateway' identified in the Salisbury District Landscape Character Assessment (2008) and now embedded in the Wiltshire Core Strategy. In line with Core Strategy Policy 51 – Landscape, extending the urbanization of this part of the Avon Valley eastwards along the north side of the A36 is contrary to policies for conserving and enhancing the 'distinctive and memorable approaches to the historic core of the city from first views and urban gateways'. Furthermore, If this application were to be approved it would set a precedent for further development on the north side of the A36 and in an eastwards direction which would be difficult for the local authority to resist.

The 'Salisbury District Landscape Character Assessment (2008)' clearly identifies the landscape character of the area as having a high sensitivity. The site is an important greenspace with a significant tree group close to the northern site boundary & together with the naturalistic planting of the adjoining park and ride site, makes a significant contribution to the character of this edge of town location on the north side of the A36. Furthermore, it provides a valuable visual connection to the sensitive open countryside and river valley landscape to the south of the A36. Overall it presents an important opportunity to create an attractive natural gateway and approach, and enhance the setting of Salisbury and this key approach to the city.

The proposal represents considerable over development of this small site which is less than a hectare in size. It would be difficult to achieve sensitive design & landscape measures & to maintain them, in order to visually integrate such bulky buildings & ensure that this development makes a positive contribution to this sensitive area.

3. Unacceptable Traffic Generation - The hotel and McDonalds drive through and restaurant would generate a substantial amount of traffic in an area which is already severely congested and could close down opportunities for more comprehensive landscape/townscape improvements to the A 36 corridor in the future.

### **Comments by Cycling Opportunities Group for Salisbury (COGS) – Object**

The Cycling Opportunities Group for Salisbury (COGS) is a voluntary organization with 170 members seeking to improve cycling facilities in and around Salisbury by working in partnership with Sustrans and Wiltshire Council.

1) Such a development is not in the South Wiltshire Core Strategy adopted in February 2012 or in the Salisbury Vision - Whilst a better gateway to a medieval cathedral city was envisaged in both these documents, the former specifies housing development sites, and the latter prioritises city centre development, principally in the Maltings area. Further development and attracting hotel occupants to Southampton Road is likely to jeopardise the success of city centre businesses.

- 2) The land is subject to groundwater flooding - This will require considerable drainage to avoid flooding every winter and mitigation to prevent displaced water causing flooding elsewhere.
- 3) The restaurant will act as a trip generator at times when congestion on the A36 is at its maximum.
- 4) The vehicular access from New Petersfinger Road cuts across a shared use cycleway - The development does not allow for priority to cyclists and pedestrians at the junction and it should.
- 5) The Travel Plans have very weak sustainable transport targets - Timebound and measurable targets should be set to increase the percentage of travel to the site by public transport, cycling, walking and car sharing, rather than "Decrease the number of staff who travel to work by single occupancy car; Increase the use of non-car modes of transport. "
- 6) The number of cycle parking spaces is listed inconsistently throughout the documentation - Section 5.2.2 of the Transport Assessment refers to 2 stands for the hotel and 2 stands for the restaurant, a total of 8 parking spaces. However, the Design and Access Statement refers to an additional "secure staff cycle cages for 6 bicycles". The Premier Inn Travel Plan (p7) refers to 2 covered stands that will accommodate 8 cycles, whereas the McDonald's Travel Plan does not specify a number of stands but states that there will be some for staff and customer use. (Section 6, p8) Wiltshire Council's Cycling Strategy specifies standards for numbers of parking stands and these should be adhered to and number and location specified in the detailed design of both buildings.
- 7) The impact of generated traffic on Petersfinger Road and Milford Mill Road has not been assessed adequately - These form part of National Cycle Route 24 and, between Milford House and Queen Manor Road, the Golden Way local cycle route. Traffic generated to the restaurant from residential areas in Laverstock and Milford will increase danger to pedestrians and cyclists. Some improvements at the railway bridge are suggested for cyclists and pedestrians, but traffic lights will delay journeys for these sustainable modes as well as for motorists.

## **9. Planning Considerations**

### **9.1 Principle**

#### **9.1.1 Policy**

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

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) and the development plan which comprises the adopted Wiltshire Core

Strategy (WCS), which also includes some saved policies of the Salisbury District Local Plan (SDLP), the Wiltshire Local Transport Plan and the Waste Core Strategy.

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

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

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

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. The site is within the established retail and commercial area of Southampton Road and although the site is outside the Limits of Development for Salisbury; it is within the Southampton Road Principal Employment Area (outlined in purple on the extract from Figure G.12 of the WCS):



The WCS explains that Principal Employment Areas are considered to be critical to the economic roles of Principal Settlements, Market Towns and Wiltshire as a whole, with their continued use and intensification for employment purposes (use classes B1 - business, B2-

general industrial and B8 –Storage or distribution) encouraged. Although not in B1, B2 of B8 uses, the applicant has advised that the development proposals would provide up to 95 full and part time jobs.

The supporting documentation submitted with the application states that *‘The proposal will maintain and strengthen the functional relationship between the application site and the wider commercial area by providing a restaurant facility to support existing uses as well as providing an enhanced accommodation offer to support the city centre and wider tourist market...The application proposal seeks to make effective use of a vacant site within the urban area of Salisbury to facilitate significant new investment, creating new job opportunities for local people and providing a sustainable development. Such factors are strongly supported by planning policy at all levels and are a material consideration in the determination of the application.’*

Core Policies 39 and 40 support tourist accommodation development within Principal Settlements subject to the proposal not having a detrimental impact on the vitality of the Town Centre and avoiding unacceptable traffic generation.

Core Policy 38 requires proposals for retail and leisure proposals not within the town centre to be accompanied by a sequential and impact assessment (where the floor area exceeds 200 sqm).

#### **9.1.2 Sequential test**

In order to achieve sustainable growth the NPPF seeks to promote the vitality and viability of town centres by focusing new economic growth and the development of main town centre uses in town centres.

Drive through restaurants and hotels and restaurants are both defined as main town centre uses in the NPPF:

*‘Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).’*

Paragraph 24 of the NPPF states that *‘local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan.’* Applications for main town centre uses should be located in the town centre, then in edge of centres and only if suitable sites are not available should out of centre sites be considered.

The application documentation includes a sequential test and the planning statement advises ‘Premier Inn and McDonalds have expressed a wish to open within the immediate future’.

The sequential test considered vacant sites (no existing vacant units of sufficient size are available to accommodate the development proposals) and considered other potential development sites and concluded that they were all unavailable, unsuitable and/or unviable for the proposed development.



The town centre sites considered in the sequential test included:

- The Maltings and Central Car Park – this is considered to be unsuitable for a drive through restaurant as these require locations on through-roads and Core Policy 21 envisages open pedestrianised streets and public spaces. The site is also currently unavailable (the site is only subject of draft proposals by Stanhope).
- Brown Street Car Park – discounted as being identified for potential housing (saved policy H6)
- Former Bus Station – insufficient size and unsuitable/unviable due to impact to the viability of the existing McDonalds restaurant in close proximity
- Bus Depot – Site is unavailable (owner The Go Ahead Group PLC have confirmed that the site is not available at present and the business has no intention of selling as intend to continue to operate from it)
- Salt Lane Car Park – discounted as being identified for potential housing (saved policy H5)
- Scots Lane and Chipper Lane – unsuitable as site is only large enough to accommodate a 50 bedroom hotel and unavailable as Abode Hotels are planning to proceed with boutique hotel proposals.

The sequential test also acknowledged that planning permission (13/01494/FUL) was granted in January 2014 for the demolition of the existing Tesco store and Avon and Riverside Houses on Castle Street to facilitate a replacement store and hotel at 2<sup>nd</sup> and 3<sup>rd</sup> floors and that Premier Inn has acknowledged interest in the site should it come forward as a further complimentary in centre hotel facility but explains that the site is currently unavailable for a minimum of 4 years - as there is no progress to commence works within the next 2 years and given the complex site constraints works on site could take 2 years to complete.

### **9.1.3 Disaggregation**

The planning policy team raised concern that the hotel and drive through restaurant are not dependent upon or related to one another and that it would seem reasonable that the applicants could apply flexibility in disaggregating the proposals and considering two alternative and more centrally located sites, including consideration of the Maltings/Central Car Park, which has been allocated for a retail led mixed use development to enhance Salisbury city centre's position as a sub-regional shopping and cultural centre under Core Policy 21.

It is considered that in principle it is reasonable for a drive through restaurant to be in an out of town centre location given the nature of the use needing to be a main transport route easily accessible by car.

However, the hotel proposal could be more easily accommodated with the town centre, and indeed planning permission has been granted for a 65 bedroom hotel in the town centre.

The council sought legal advice on requiring the developer to disaggregate the two elements of the scheme (the hotel and the drive through restaurant). Disaggregation was a concept explicitly referred to in PPS 4 prior to the implementation of the NPPF. The NPPF does not

refer to disaggregation and the PPG does not mention it explicitly. The legal advice officers have received is that disaggregation no longer forms part of the sequential test and the NPPF does not require an applicant to demonstrate disaggregation. The Rushden Lakes call-in decision by the Secretary of State has confirmed the government policy that there should not be any attempt to disaggregate proposals involving multiple elements onto multiple sequentially preferable sites.

#### **9.1.4 Town centre impact**

Paragraph 26 of the NPPF also states that when assessing applications for retail, leisure and office development which are not in accordance with an up-to-date Local Plan, the LPA should also require an impact assessment to include assessment of:

- The impact of the proposal on existing, committed and planned public and private in a centres or centres in the catchment area of the proposals; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre, up to ten years from the time the application is made.

One of the main issues officers have therefore considered is the potential impact upon the town centre.

With regard to the drive through restaurant proposals, the impact assessment submitted with the application states *'McDonalds has experience of operation in excess of 700 drive through restaurants across the country with complementary in centre stores...McDonalds indicate that only 10-15% of trade is likely to be diverted from the existing, extremely popular in centre store'*.

It is considered that the proposed drive through restaurant is unlikely to have a significant adverse impact on the vitality or viability of the town centre.

As part of this impact assessment officers instructed an independent expert to carry out a town centre impact assessment to advise on the potential impact from the proposed out of town hotel proposal on existing hotels and identified 'planned' (being those with planning permission or planning applications currently being considered) hotel proposals in the city centre.

The independent assessment advises that whilst 'significantly adverse' impact is defined for retail as greater than 10%, there is not one measure to determine hotel impact or assess whether a hotel investment would go ahead or not. The decision-making process for any hotel development is complex and covers market, potential yield, financing, development and brand-related issues. However, in terms of a healthy level of trade for hotels, 70% occupancy is an industry-recognised 'norm' at which point hotels are usually denying some levels of business/at capacity for some of the time, so there is an excess of demand over supply at certain times in this scenario.

It is for this reason that most hotel developers and operators would want to see occupancy averages of at least this level in the market if they were going to develop/invest in new supply, and most would be looking to achieve a stabilised occupancy in year 3 of 70% minimum, ideally 75%+. If occupancies were to remain below 70% for any length of time, it

could therefore have an impact on investment decisions and on the viability of existing businesses, depending upon the particular circumstances of each business, particularly the need to service debt and make profit.

The 'identified hotel proposals' are as set out in the table –Premier Inn North extension (a current application), Abode (the old Post Office site in the city centre – which had permission for conversion to a 50 bedroom hotel but now expired), Premier Inn Castle Street (the Tesco store site in the city centre with planning permission for a 65 bedroom hotel), and the proposed extension to the White Hart Hotel (a current application).

The table considers different scenarios (based on any or all of these identified hotel proposals/extensions coming forward) and the impact on hotel bed occupancy rates measured as a percentage occupancy rate.

Salisbury Hotels Fair Share Occupancies Impact Of Extra Supply On Market Area Accommodation							
	No Rooms	Cumulative New Rooms	Cumulative overall supply				
<b>Base Line Supply 2014</b>	<b>494</b>						
<b>Potential new projects</b>							
Premier Inn Extension to Salisbury North	42	42	536				
Premier Inn Southampton Rd	65	107	601				
Abode	40	147	641				
Extension to White Hart	28	175	669				
Castle St Premier Inn	65	240	734				
<b>Possible Outcomes</b>							
	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Base Case no change</b>	<b>71%</b>	<b>72%</b>	<b>73%</b>	<b>74%</b>	<b>80%</b>	<b>84%</b>	<b>91%</b>
<b>All projects proceed, worst case scenario –Premier Inn North extension and Southampton Rd 2016, Abode and White Hart 2017, Premier Inn Castle St 2019</b>	71%	72%	69%	63%	66%	64%	69%
<b>No Southampton Rd project but all others proceed as above</b>	71%	72%	73%	69%	72%	70%	75%
<b>No Abode project but all others proceed as above</b>	71%	72%	69%	66%	69%	67%	72%
<b>All projects proceed except Castle Street</b>	71%	72%	69%	63%	66%	70%	75%

The independent impact assessment concludes the following:

*'The fair share analysis suggests that at an overall level, there is capacity in the Salisbury city centre market to absorb all of the identified hotel proposals in the next 5 years (with slightly longer recovery in the wider area), but that when each scheme might be delivered will determine the depth of the impact and the time taken to recover to a healthy 70%+ occupancy in each case. This is a worst case scenario.'*

As the impact assessment finds that there is capacity in the Salisbury city centre market to absorb all of the identified hotels in the next 5 years with recovery to a "healthy" occupancy level for all, there cannot be a **'significant impact'** on the city centre.

Officers have also had regard to the likely implementation or otherwise of all the 'identified hotel proposals' (the 'worst case scenario' being implementation of all). Although these proposals (with the exception of the Abode permission which has now expired and Premier Inn North application which is still under consideration) have permission, there are no guarantees that they will all be implemented.

Officers have also had regard to the impact of occupiers of the hotel not visiting the city centre in view of the out of centre location and have concluded that, in all probability, due to the proximity of the site from the city centre, the occupiers will visit the city centre in any event; and the capacity for all of the proposed hotels to operate at high levels of occupancy within 5 years means that the city centre will benefit in any event.

Paragraph 27 of the NPPF goes on to advise that 'where an application fails to satisfy the sequential test or is likely to have significant adverse impact on the town centre the application should be refused.

Because there is no significant and adverse impact upon the town centre, it would be unreasonable to refuse on the sequential test alone especially given the legal advice/case law that disaggregation is no longer a requirement of the NPPF/PPG.

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

## **9.2 Scale, design, impact to character and appearance of the area**

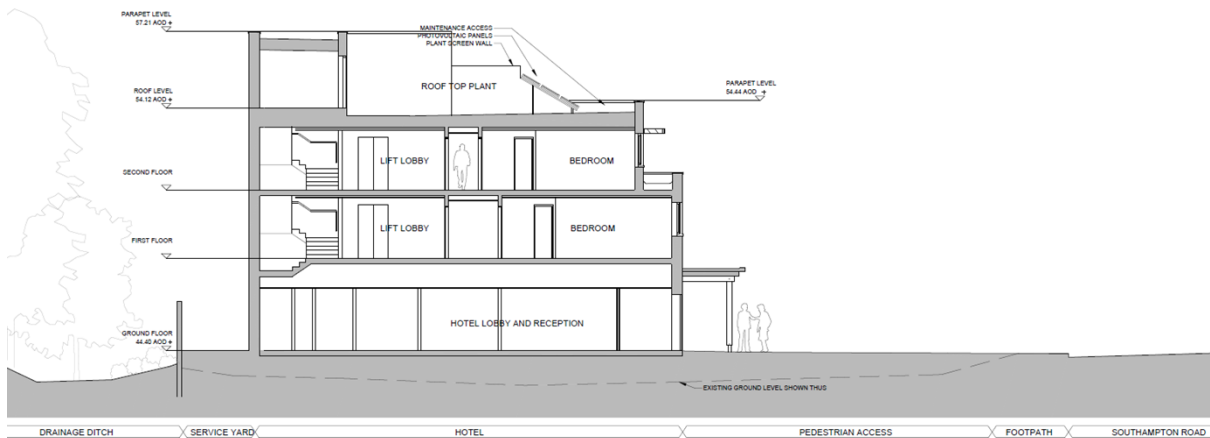
The NPPF defines core planning principles which include that planning should always seek to secure high quality design.

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

Objections have been raised that the proposal is an overdevelopment which will dominate the north side of the A36 a key gateway into the city and will have an adverse impact upon the setting of Salisbury.

An important characteristic of the site is its prominent location with a large frontage along the A36 at a main entrance to the city. Although the site itself is of a rural character, consisting of scrub and grassland, the setting of the site is influenced by the urban context of the A36, park and ride facility and the commercial/industrial development to the north and west.

The proposed hotel is set out over three floors to the western end of the site and approximately 61.1m long, 16.5m wide and 12.8m high from finished floor level (10.05m high up to the 2nd floor parapet).



The above section plan shows how the profile of the proposed hotel building has a stepped form.

The proposed drive through restaurant is set out over two floors is to the eastern part of the site closest to the access from New Petersfinger Road and approximately 25.2m long, 12.7m wide and 8m high.



Proposed materials (which are recommended to be controlled by a planning condition) for the scheme include:

- Facing brickwork
- Render
- Vertical timber cladding
- Metal panels
- Projecting canopy with timber soffit and glulam timber columns

- Curtain wall double glazing to lobby and dining area
- Aluminium framed high performance windows
- Metal Brises soleil

No objections have been received to the application from Heritage England (formerly English Heritage) or the Conservation Officer.

The scheme was subject to extensive pre-application discussions on the design and the Council's urban designer supports the scheme subject to conditions for the following reasons:

*'The design conveyed on this application has responded positively to the concerns I raised at the pre application consultation stage notably with the reduction in the overall height and bulk of the hotel and vertical emphasis of its elevations through its stepped form, horizontal emphasis of openings and the set-back top storey to create a visibly calmer and better proportioned composition, that would form an appropriate backdrop to the meadows, and with the appropriate correlation now apparent in the facing materials/finishes and elements on both buildings proposed.'*

*The application now demonstrates an appropriate response to the local context and setting in terms of Core Policy 57 subject to the appropriate selection of facing and external materials & finishes and external lighting which are indicative only on the application and may be handled by a planning condition, and subject to the appropriate applied corporate signage and associated lighting under application for advertising consent.'*

### **9.3 Sustainable Construction**

CP41 requires all non-residential development to achieve the relevant BREEAM 'very good' standards by incorporating design measures to reduce energy demand.

The application documentation includes a BREEAM pre-assessment estimator, which the Council's Energy Policy Officer has advised complies with Core Policy 41, and should be conditioned.

### **9.4 Highway considerations**

The A36 is within the jurisdiction of Highways England and Highways England will determine the impact of the proposed development on the A36 in this location and provide relevant advice to the Local Planning Authority in this respect.

The two main issues raised by Highways England in respect of the development were:-

- The need to demonstrate adequate car parking provision to ensure that parking overspill onto the Strategic Road Network (SRN) is avoided; and
- The need to demonstrate traffic impacts on the A36 junctions

Highway's England originally recommended temporary non-approval as it was concluded from the evidence originally submitted with the application, that the car parking provision was inadequate, the capacity assessment of the A36 junctions was inconclusive and further information was requested.

Further information relating to both points was provided by ADL Traffic Engineering Ltd on behalf of the applicant.

Highways England have now advised that in relation to the capacity assessment of the A36 junctions, once the additional information had been provided, they are content that the model was sufficiently well calibrated and validated and met acceptability standards. The modelling of the proposed development showed that the impact on the SRN is likely to be minimal.

In relation to parking, Highways England's concern stemmed from the fact that parking availability for the McDonalds restaurant appeared low. A shortage of parking could give rise to the risk that vehicles trying to park would cause queues to extend onto the public highway thereby interfering with the operation of the A36 Southampton Road junction. Parking demand was ultimately calculated on the basis of the arrival rate and average duration of stay for the McDonalds restaurant. The calculations showed that provided the average duration of stay was less than 40 minutes, then parking availability would be sufficient. ADL have now provided survey information which confirms that the average duration of stay at existing McDonalds restaurants is less than 40 minutes. Highways England have advised that the parking provision is acceptable, and have raised no objections to the application.

Wiltshire Council highways officer has advised that the principal concerns for the local highway authority are:

i) The proximity of the site access to the traffic signal controlled junction of the new P&R access road and Southampton Road, the A36 Trunk Road

This proximity is of concern because of the potential interaction between the junctions, and the consequential potential for queue build-back from the site access into the A36, and the potential difficulties for traffic to exit the proposed site into queuing traffic waiting at the signals to enter the A36.

As a consequence of these concerns, which are shared by the Highways Agency, the developer's transport consultant arranged for a visual simulation model (S-Paramics) to be built to demonstrate the potential for interaction, and the ability to egress the site without undue delay. The model has demonstrated that the closeness of the junctions will not give rise to transport impacts of a severe nature. It should be noted, however, that the modelled information uses extant traffic movements in relation to the park and ride site, which is known to operate below capacity at present. However, additional use of the site could reasonably be expected to be by pass-by traffic, and not introduce a material number of new trips at the traffic signal controlled junction.

ii) The potential for the site generated traffic to use Milford Mill Road;

Whilst the transport assessment seeks to quantify the amount of traffic using this road, it is but a forecast, and the numbers could be higher than anticipated, depending upon the attractiveness of the fast food outlet to the local community. Accepting that there is an issue here, the developer has agreed to the provision of traffic signal controls at the railway bridge arch, which would have the effect of traffic calming on Milford Mill Road, in the vicinity of the bridge, as well as introducing delays at the signals to positively deter traffic from using the

lane. Such a facility would clearly affect existing users of the lane as much as they would any development traffic, and could result in a reduction of overall traffic on the route. It is the view of officers that such a facility would result in a positive outcome

### iii) Site parking provision

Following concerns expressed as to the level of parking provision on the site, the applicant has submitted revised drawing 1390-SK39-A, and 1390-po1-G, which provides for an additional 6 spaces, providing a total of 80 on the site. This is below the maximum parking provision for the two land uses (Wiltshire Car Parking Strategy), but there is potential to share spaces. Although no account is taken of any linked trips between Tesco (and other retailers on the Bourne Retail Park), it is considered this is unlikely to have a material impact on parking demand on the McDonalds site.

The amended drawing changes the arrangement at the access to the drive through ordering point; the changes will reduce any likelihood of a queue forming back into the access road and impacting on New Petersfinger Road. The proximity of the entry point to the New Petersfinger Road remains of some concern because of the short decision-taking time on entry to the site.

The highways officer is satisfied though, on the basis of the additional information provided in relation to the assessed parking accumulation on the site that, subject to all spaces being shared between the hotel and the fast food outlet, that parking provision will not result in any material impact on the local highways.

The existing stone bridge parapet on the opposite side of New Petersfinger Road is sufficiently high to block visibility and inter-visibility for cars exiting the P&R site and those existing the proposed site access; this issue needs to be addressed by taking the height of the parapet down, possibly replacing the upper courses of stone with railings.

It is noted that revised drawing 1390-PO1-G still incorrectly shows the arrangement at the Bourne Way Roundabout, insofar as it does not represent the changes introduced a year or so ago through the provision of a widened Bourne Way exit arm. This will affect the arrangements in this vicinity for the combined pedestrian/cycle route along the site frontage.

Following the submission of additional information, the Highways Authority and Highways England (formerly Highways Agency) have raised no objections to the proposal subject to conditions.

The recommended highway related conditions include a scheme for the provision of permanent shuttle working traffic signals at the Petersfinger Road/Millford Mill Road railway bridge, together with facilities for pedestrian and cycle passage through the bridge and widening of the footway of Southampton Road, between Bourne Way and New Petersfinger Road for use as a shared pedestrian and cycle facility.

These highway requirements resulting from the development will be funded by the developer. A Section 278 Agreement will be required with the Local Highway Authority (for the site access and shuttle traffic signals) and Highways England (to complete the footway/cycletrack works proposed on the A36 trunk road). A S278 agreement is a legally



binding document between the relevant Highway Authority and the developer to ensure that the work to be carried out on the highway is completed to the standards and satisfaction of the relevant Highway Authority.

Other recommended conditions include details of the site access to be agreed (to address vehicle, pedestrian and cycle movements at the access); internal layout; lowering of the eastern parapet of the watercourse culvert for visibility; details of cycle parking; the footway to be widened to 3.5m; a construction management plan; a car parking and servicing management plan; and a condition restricting formal meeting or conference facilities or the use of the restaurant/bar facilities by non-paying overnight guests in order to ensure adequate parking.

The Town and Country Planning (Development Affecting Trunk Roads) Direction 2015 requires that where the local planning authority does not propose to determine the application in accordance with the recommendation of Highways England, the local planning authority must consult the Secretary of State giving the reasons why the local planning authority does not propose to determine the application in accordance with the recommendation and must not determine the application until the Secretary of State responds/a period of 21 days has elapsed.

## **9.5 Ecology**

### **9.5.1 Protected species & biodiversity**

The application is supported by an Ecological Assessment based on a habitat survey undertaken in November 2012 and November 2014 and specific surveys for bat roosts in trees, badgers, water voles and reptiles.

The Council's ecologist has explained that the site is probably remnant of grazing marsh which has been encapsulated by bunds for development on all sides and whilst the site supports approximately 0.13 ha of swamp habitat (which is likely to be classed as habitat of principal importance for conserving biodiversity under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006), it is under the threshold for designation as a County Wildlife Site. The site also supports stands of tall herb fen on the margins of the swamp community and shrubs and trees on the site boundaries which are also considered to be habitat of principal importance.

Applications should include biodiversity enhancement measures, in accordance with paragraph 118 of the NPPF. Section 40 of the Natural Environment and Rural Communities Act (2006) also states 'Every public authority must in exercising its functions have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.' Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Core Policy 50 requires features of biodiversity to be retained, buffered and managed favourably. Where this is not possible, mitigation and compensation must be secured to ensure no net loss of the local biodiversity loss. The development proposal retains trees

along the northern boundary, but the rest of the site would be cleared of vegetation. New landscaping is proposed as part of the application.

Objections have been raised to the ecological information submitted with the application including on the grounds that the applicant has downplayed the current ecological value of the site and surveys have been undertaken at the wrong time of year.

The Council's ecologist has recommended conditions including a protected species method statement to avoid impacts to protected species during construction and a detailed design scheme and management plan for the ditch and its adjacent habitat to maximise biodiversity of the ditch.

The Council's ecologist has also agreed 'in principle' a mitigation scheme for offsetting the ecological impacts arising from the application in accordance with Core Policy 50 at a site in Lime Kiln Way, off Odstock Road in Salisbury.

This is a calcareous grassland site which has been neglected for many years which will benefit from having scrub removed as a one off measure since parts of it are very overgrown and would take the site from poor to moderate condition and would be controlled via a S106 agreement.



The Council's ecologist has estimated the costs for the improvement works at Lime Kiln Way as follows:

- To cut and clear 75 % of the scrub present leaving the thick boundary intact and removing the isolated bushes , stump treat all cut stumps to prevent regrowth, transport to fire sites on patches of bramble for burning, or create dead hedge where required. £10,000.00 plus vat.

- Reptile survey (and badger survey), refugia costs for reptile survey, habitat assessment for reptiles. Including sum for reptile translocation assuming this is required which seems likely. Maximum £8000 + VAT
- Provision of site management plan, including liaison with Wiltshire Council and Salisbury City Council. £5,000 + VAT
- Monitoring and review of management plan in years 5 and 10 post initial scrub clearance £2000 + VAT
- Contribution to ongoing annual management for 25 years £25,000 (no VAT)
- Total sum required therefore would be £50,000 (+ VAT on the relevant sums). This money would need to be secured by a S106 agreement with both Wiltshire Council and Salisbury City Council.

### **9.5.2 Impact to SAC/SSSI**

The site lies close to the River Avon Special Area of Conservation (SAC) and Site of Special Scientific Interest. The SAC is protected under the Habitats Regulations 2010.

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 LPA. 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 by producing a method statement that assesses potential risks and how these will be addressed.

Having regard to Natural England's advice, other 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 referred to Natural England's consultation response (which indicates that there is not likely to be a significant effect on the River Avon SAC because the northern ditch is not connected to the River Avon) and the Drainage Strategy and Flood Risk Report submitted with the application (December 2014) which confirms that the ditch falls from west to east into a pipe beneath the Park and Ride access road and ultimately the River Avon. Natural England requests that EA pollution prevention measures are adhered to and incorporated into the plans. The Environment Agency also recommends a condition for the submission of a Construction Environmental Management Plan.

In light of advice from Natural England, the Environment Agency and the Council's ecologist, there is a potential for the site to have an effect on the SAC. However, in view of the advice that the proposal would not be likely to have significant effects on the environment and subject to the imposition of conditions it is considered that the development will not adversely affect the integrity of the European Site.

The water demand after construction will potentially impact on water resources. Core Policy 68 of the WCS requires all non- residential development will be required to incorporate water efficiency measures and a condition can be added requiring details to be agreed.

## 9.6 Landscaping

Objections to the application include impact to landscape and that development should not extend any further eastwards beyond the Bourne Road roundabout as this forms the urban 'gateway' identified in the Salisbury District Landscape Character Assessment (2008)

The trees along the northern boundary are protected by a Tree Preservation Order (TPO) and are large deciduous species (Poplar and willow) with a mixed species deciduous understorey.



View looking west across the site to the tall Poplar trees

The application has been accompanied by an Arboricultural Impact Assessment which has surveyed existing trees and shrubs with a stem diameter over 75mm at 1.5m height within the site and has assessed these for condition, details recommended tree works and includes recommendations to ensure the health and safety of the trees to be retained within the future development. A tree protection plan has been included with the application documentation showing the trees to be retained and the root protection areas (the distance that construction should normally be kept back) – highlighted in blue on the plan below:





New landscaping is proposed as shown on the extract from the landscaping plan:



The Landscape and Visual Appraisal accompanying the planning application explains that the proposed landscaping scheme includes:

- Column shaped trees and low amenity groundcover planting between the hotel frontage and the A36
- Larger, specimen trees located near the hotel entrance
- Swathes of low maintenance groundcover located on the west approach to replicate the character of riverside vegetation within Britford Meadows to the south of the site.
- Structure planting within the development boundary to the west of the hotel
- Native structure planting within the development and highways boundary to the south of the main car park
- Trees and amenity groundcover within car parking areas

The arboricultural report explains that in order to implement the development proposals six low quality trees will have to be removed; although considering the poor quality of the trees to be removed and given recently planted boundary planting to the south-east of the site, the significance of the main trees on the northern boundary, and the proposed landscape scheme, it is considered that the removal of these trees will not have a significant impact on the sites arboricultural resource or wider landscape.



The street scene plan of the development looking north from the A36 illustrates the development proposals in context with the retained mature TPO trees at the rear of the site (which also act as a screen for Tesco) and new tree planting in front of the hotel.

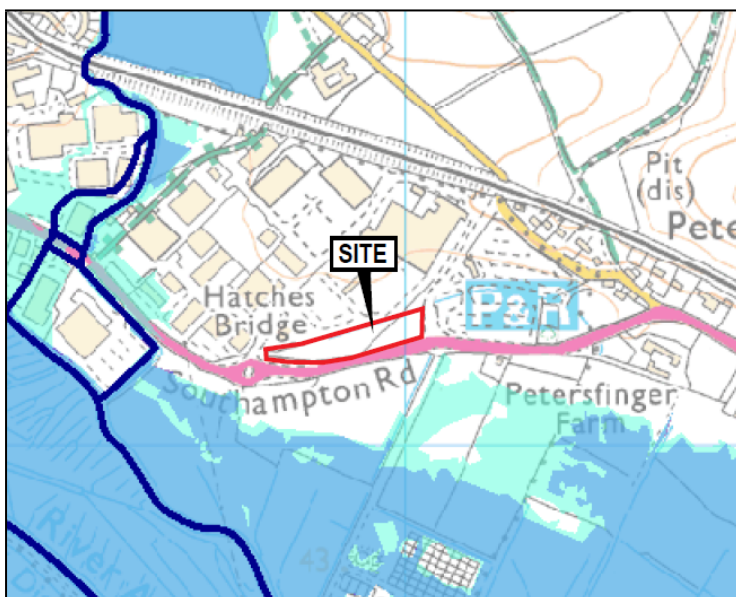
A visual appraisal of the proposed development has been undertaken which has identified that the actual visual envelope associated with the proposed development is generally enclosed by existing built development within the urban fringe, or by tree cover within the lower valley and Britford Meadows. Potential views of the development would be restricted to immediate areas of the River Avon valley, generally within 1km, and these are often screened by intervening hedgerows and trees bordering the A36 to the south, by woodland to the north of Petersfinger Farm, or by surrounding large scale buildings within Salisbury Business Park or at Tesco to the north and west of the site. The visual impact assessment concludes that 'the proposed development would be viewed in the same context, and appear consistent with the scale, mass and height of the surrounding commercial and retail estates within the Business Park to the west of the site.'

The Council's landscape officer has raised no objections to the scheme.

The arboricultural report explains that close management of the works on site will need to be controlled via an Arboricultural Method Statement to be prepared to the satisfaction of the local planning authority. Details of the protection measures for the retained trees (and a detailed planting specification for the new landscaping and management plan) can be conditioned.

## 9.7 Drainage

The site is located within flood zone 1.



The Environment Agency is responsible for designating flood zones. The country is divided into 3 flood zones. Flood zone 3 (the dark blue shaded area on the above plan) 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 (the light blue area on the above plan) 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 majority of England and Wales falls within flood zone 1.

Whilst the site is located within flood zone 1, surface water runoff from the A36 discharges directly onto the site (the responsibility of Highways England) and as the site is in a slight hollow and there is no effective drainage outfall from this site, standing water collects during the winter season.

A flood risk report has been submitted in support of the application. This explains that whilst the site is in flood zone 1 and is 400m north of the River Avon and is protected against fluvial flooding by Southampton Road and the bund along the ditch to the north of the site, in order to ensure that the development is protected against any ingress of flood water during an extreme flood event occurring along the River Avon, it is proposed that the site levels be set at a level of 0.6m above the 1:1000 year flood level (flood zone 2) of the River Avon 400m to the south.

Supporting documentation submitted with the application also explains that Highways England has a scheme to alter their system which presently discharges (without any formal consent) onto the site (and is a major contributor to water collecting on the site). The Council's drainage engineer has advised that a condition restricting commencement of development on site until Highways England have altered the drainage from the A36 would be acceptable.

The supporting documentation also explains that in order to provide a suitable surface water drainage strategy for the site the drainage channel along the northern boundary will need to be improved which will require the southern edge of the channel to be formalised with a kerb edging and also an amount of vegetation clearance from within the channel itself. The levels at the base of the drainage channel will remain unchanged.

The drainage strategy for the site proposes to increase the levels within the sites interior by approximately 1 metre and the southern bank of the ditch will be re-profiled to accommodate this increase in levels. The arboricultural method statement confirms that *'no changes are proposed to the northern bank of the channel where the stems of the retained trees are located...it is not anticipated that any damage will occur to the above ground elements of the retained trees.'*

The Council's drainage engineer has recommended a condition for the details of the surface water drainage scheme to be agreed.

The applicant has also clarified the proposals for the foul drainage arrangements for the site. It is proposed to make a connection to the existing public foul sewer which runs from Bourne

Way, across the A36 and to the sewage treatment works. Permission will be required from Wessex Water but as this will not affect third party land, the Council's drainage engineer has confirmed that this has addressed his previous concerns that the required off site connection to the public foul sewer can be made and the site can be adequately drained in foul terms in principle. The drainage engineer has recommended a condition for the specific details of the foul water discharge scheme to be agreed (which will include a pumping station on the site given the site levels).

## **9.8 Archaeology**

Paragraph 128 of the National Planning Policy Framework states that "where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation".

The desk based assessment submitted with the application recognises that the site has the potential to contain archaeological remains particularly from the prehistoric and early medieval period. The results of trenched evaluation on land to the south of the site have also revealed a burial that is likely to date to the Romano-British period, and the Council's archaeologist has advised that this confirms the archaeological potential for the site.

The applicant considers that the development proposals are unlikely to impact on any archaeological remains given the fact that the ground levels will be raised and piled foundations are proposed to minimise ground disturbance of any archaeological deposits. The Council's archaeologist has advised that in order to raise no comments to the application, details of specific levels and undertakings with regard to drainage and services would be required and has advised that a condition for a programme of archaeological works should be applied to any planning consent.

## **9.9 Waste & recycling**

The Council's approach to waste reduction and auditing is outlined in Policy WCS6 of the Waste Core Strategy June 2009. This policy requires that proposals for any new development of shopping facilities over 500 square metres and leisure facilities will need to provide facilities for the source separation and storage of different types of waste for recycling and / or composting.

A waste audit has been submitted as part of the application documentation which details proposed waste minimisation techniques during the construction phase of the development and recycling steps to ensure maximum waste recovery once the proposed hotel and drive are in operation.

## **9.10 CIL**

The Community Infrastructure Levy (CIL) came into effect on the 18<sup>th</sup> May 2015; CIL will be charged on all liable development granted planning permission on or after this date and would therefore apply to these proposals.



CIL is a new levy that local authorities can choose to charge on development in their area, and which Wiltshire Council has taken the decision to implement. CIL will contribute towards the “funding gap” between the total cost of infrastructure necessary to deliver new development and the amount of funding available from other sources.

CIL is separate from the planning decision process, and is administered by a separate department. A Community Infrastructure Levy Charge of £70 per square metre will also apply to the hotel element (approx. £165,000). A separate Community Infrastructure Levy Liability Notice would be issued only if planning permission is granted.

If a subsequent formal application were to be approved; the following informative would be added to any planning approval decision advising that the development would be subject to the Community Infrastructure Levy:

*The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website*  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

## **10. Conclusion**

The proposed development scheme is considered to satisfy the sequential test and will give rise to no significant adverse impact on the vitality and viability of Salisbury City Centre. The proposal will generate up to 95 full and part time jobs.

Ecology, design, drainage and highways concerns have been overcome during the course of the application and no objections have been raised to the scheme from Highways England, the Council's ecologist, urban designer, landscape officer, drainage engineer or highways officer.

## **RECOMMENDATION**

**To delegate to the Area Development Manager to grant planning permission following completion of a Section 106 obligation requiring offsite ecological improvement works to Lime Kiln Way in order to offset the ecological impacts arising from the loss of habitat at the development site, and subject to the following conditions:**

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2) No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

3) No development shall commence on site until Highways England have removed the existing surface water drainage discharges from the A36 onto the site.

REASON: To ensure that the existing A36 has an appropriate point of discharge of drainage from the A36 to prevent flooding of the A36.

3) No development shall commence on site until a scheme for the discharge of foul water from the site (including off-site foul sewer and on-site pumping station), has been submitted to and approved in writing by the local planning authority. The development shall not be first used until the onsite foul water drainage systems have been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to ensure that the development can be adequately drained.

4) No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to ensure that the development can be adequately drained.

5) No development shall commence shall commence on site until a protected species method statement has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the agreed method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to avoid impacts to protected species during construction.

6) No development shall commence on site until a detailed design scheme and management plan for the ditch and its adjacent habitat has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the agreed method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to maximise the biodiversity potential of the ditch.

7) No development approved by this permission shall be commenced until a Construction Environmental Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The plan shall include pollution prevention measures to prevent pollution of the water environment and details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the construction phase of the development. It shall include details of the following:

- The movement of construction vehicles
- The cutting or other processing of building materials on site
- Wheel washing and vehicle wash down facilities
- The transportation and storage of waste and building materials
- The recycling of waste materials (if any)
- The loading and unloading of equipment and materials
- The location and use of generators and temporary site accommodation
- Pile driving (if it is to be within 200m of residential properties)

The construction phase of the development will be carried out fully in accordance with the approved Construction Environmental Management Plan.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to prevent pollution of the water environment and ensure that nearby sensitive receptors are not adversely impacted from construction noise.

8) No development shall commence until a scheme of water efficiency measures to reduce the water consumption of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of the conservation of water and energy resources.

9) No development shall commence until detailed drawings of the site access have been submitted to and approved in writing by the local planning authority. The site access shall then be provided in accordance with the agreed details and prior to any other development commencing on the site, except insofar as is approved in writing by the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of highway safety.

10) Notwithstanding the layout arrangements shown on drawing No 1390-P01-G, development in relation to the drive through restaurant shall not commence on site until details of the site roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, path gradients, car

parking, street furniture, and the food ordering controls, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first brought into use until the site roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, path gradients, car parking, street furniture and the food ordering controls have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to ensure that the roads are laid out and constructed in a satisfactory manner.

11) The hotel and fast food outlet development hereby approved shall not be first brought into use until all parts of the service road which provides access to it and the servicing and parking facilities have been constructed in accordance with the approved plans.

REASON: To ensure that the development is served by an adequate means of access.

12) No development traffic shall enter or leave the site directly from or to the A36 Trunk Road; all site access shall be gained via New Petersfinger Road. Any temporary access arrangement shall be in accordance with details which shall first have been submitted to and approved by the Local Planning Authority in consultation with Highways England.

REASON: In the interests of highway safety.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no vehicular access shall be made direct from the site to the A36 trunk road.

REASON: In the interests of highway safety.

14) No development shall commence on site until details of lowering of the eastern parapet of the watercourse culvert under New Petersfinger Road have been submitted to and approved by the Local Planning Authority. No part of the development shall be first brought into use until the eastern parapet of the watercourse culvert under New Petersfinger Road has been lowered in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of highway safety and the provide inter-visibility between vehicles using the Park and Ride and the proposed site access.

15) No development shall commence on site until details of the cycle parking facilities in accordance with the Wiltshire Cycling Standards for cycle parking have been submitted to and approved in writing by the local planning authority. The development shall not be first brought into use until the cycle parking facilities have been completed in accordance with the agreed details and shall be retained for use in accordance with the approved details at all times thereafter.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in the interests of sustainable development.

16) Travel planning for the hotel and the food outlet facilities shall be implemented in accordance with the travel plans submitted in support of the planning application for a period of five years from the respective dates of first use; target setting and monitoring of the travel plans shall be undertaken in accordance with schemes to have been submitted to and agreed by the Local Planning Authority. The results of the monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plans arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

17) No development shall commence on site until a scheme for the provision of permanent shuttle working traffic signals at the Petersfinger Road/Millford Mill Road railway bridge, together with facilities for pedestrian and cycle passage through the bridge, have been submitted to and approved by the Local Planning Authority. No part of the development shall be first brought into use until the agreed scheme has been implemented in accordance.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in order to discourage excessive traffic movement along Millford Mill Road.

18) Prior to the first use of either the hotel or the fast food outlet approved on the site, the footway of Southampton Road, between Bourne Way and New Petersfinger Road, shall have been widened to 3.5m for the extent shown on approved drawing 1390-PO1-G, or such other extent as shall have been agreed by the Local planning Authority, including the relocation of the bus shelter, for use as a shared pedestrian and cycle facility.

REASON: In order to encourage transport to and from the site by sustainable means.

19) No development shall commence on site until a Construction Traffic Management Plan has been submitted to and approved by the Local Planning Authority. The Plan shall include details of:

- i) the proposed measures to be implemented to ensure that lorries can safely be accommodated on the site without the need to reverse from the site or temporarily park on the local road network,
- ii) the means of cleaning detritus from vehicles leaving the site and for sweeping the local roads
- iii) the site compound location,
- iv) the days and times of operation and maximum hourly lorry trips.

The 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development

is undertaken in an acceptable manner to ensure that adequate measures are taken to ensure that the highway is not adversely affected by construction activity.

20) No development shall commence on site until a Car Parking and Servicing Management Plan has been submitted to and approved by the Local Planning Authority. The Plan shall contain details of:

- i) proposed arrangements to ensure that parking on the site is controlled in such a manner as to ensure that capacity is available for users of the site, including any shared provision with Bourne Retail Park (the Plan should include for the provision of ANPR cameras used to regulate the time of stay for the non-hotel use of the land) and
- ii) of the proposals for managing parking spaces which are to be used for the purpose of parking the fast food outlet store delivery vehicles. The latter details shall include information on the restrictions imposed on the timing of delivery lorries to the site.

The site shall be operated at all times in accordance with the approved Plan, and parking spaces shall be used for no other purposes at any time except in accordance with the approved Car Parking and Servicing Management Plan.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner to ensure that parking provision remains adequate to accommodate visitor and service traffic at all times, in the interests of highway safety.

21) The hotel shall be used for the purposes of overnight stays for guests only. There shall be no formal meeting or conference facilities provided, nor shall non-paying over-night guests use the facilities provided on the site.

REASON: In order to ensure that parking facilities are adequate on the overall site.

22) No development shall commence on site until a scheme for protecting the future customers at the hotel against noise from road traffic, Tesco site and proposed Drive through restaurant has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the use commences and maintained at all times thereafter.

REASON: The proposed hotel development is surrounded by a number of noise sources and the acoustic assessment submitted with the application advises that it will be necessary to undertake an extended environmental noise survey to establish the noise impact onto the Premier Inn facades. The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of amenity of the future customers of the hotel.

23) 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.

REASON: In the interests of amenity.

24) No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of

Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc.)

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

26) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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.

27) No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted



to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

28) The development hereby approved shall achieve the BREEAM's 'Very Good' Standard as documented / proposed by the applicant's submitted BREEAM Pre Assessment, and within 3 months of being first occupied or brought into use, a post construction stage certificate certifying that the 'Very Good' standard has been achieved shall be issued and submitted to the local planning authority for its written approval.

REASON: To ensure that the objectives of sustainable development set out policy CP41 of the Wiltshire Core Strategy are achieved.

29) No development shall commence on site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

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

Drawing No. 1390-X01-D Location Plan, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P02-F Hotel and Restaurant Site Plan – Roof Plan, dated 15.04.15, received by this office 15.04.2015

Drawing No. 1390-P01-G Hotel and Restaurant Site Plan – Ground Floor, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P25-D Hotel and Restaurant Long Elevations, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P12-H Proposed Hotel North & West Elevations, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P11-G Proposed Hotel South & East Elevations, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P05-I Proposed Hotel Ground Floor Plan, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P06-I Proposed Hotel First & Second Floor Plans, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P07-F Proposed Hotel Roof Level Plan & Roof Plan, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P10-F Proposed Hotel Sections, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P21-E Proposed Restaurant Elevations & Section D-D, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P15-C Proposed Restaurant Ground, First & Roof Plans, dated 15.12.14, received by this office 18.12.2014

Drawing No. 1390-P20-E Proposed Restaurant Elevations & Section C-C, dated 13.04.15, received by this office 15.04.2015

Drawing No. 1390-P30-B Hotel and Restaurant Details, dated 15.12.14, received by this office 18.12.2014

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

**INFORMATIVE: Advertisement consent required**

The detailed elevations submitted with the application show the likely location and appearance of several advertisements associated with the development proposals. 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.

**INFORMATIVE: Cost of building recording/archaeological work**

The applicant should note that the costs of carrying out a watching brief and/or archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

**INFORMATIVE: Land Drainage Consent**

In order to comply with Land Drainage Consent legislation, the developer will be required to obtain formal land drainage consent for proposed outfall to water course to cover any permanent and/or temporary works to form the outfall prior to construction of any Stormwater drainage works on site as required under the Land Drainage Act 1991. If changes are required to drainage to proposals to obtain Land Drainage Consent, you may need to apply for variations of any approved planning consent.

**INFORMATIVE: Wiltshire Fire & Rescue**

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on requirements identified under the Building Regulations and fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

**INFORMATIVE: Public Protection**

No burning of waste or other materials should take place on the development site during the demolition/construction phases of the development.

**INFORMATIVE: Environment Agency - Water Efficiency**

The incorporation of water efficiency measures into this scheme will provide resilience to some of the extremes of weather conditions that climate change brings. It benefits users by reducing water bills, and also benefits wider society by allowing more water to go round in times of shortage. The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling

and rainwater harvesting should be considered.

**INFORMATIVE: Environment Agency – Sustainable Construction**

We would encourage the incorporation of sustainable design and construction across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced and BREEAM standards should be implemented.

**INFORMATIVE: Environment Agency - Pollution Prevention**

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

**INFORMATIVE: Works to the public highway subject to Section 278 Agreement**

The site access, the shuttle traffic signals installation and works to the parapet wall will be subject to a s278 agreement with the local highway authority. Access arrangements across the site access bellmouth area will be required to reflect the need to accommodate a safe cycletrack.

Works on the trunk road including footway/cycletrack works will also need to be agreed with Highways England, and subject to a s278 agreement.

**INFORMATIVE: Community Infrastructure Levy (CIL)**

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

**INFORMATIVE: Reference to section 106 agreements**

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated – to be confirmed.