

# **AGENDA**

Meeting: Southern Area Planning Committee

Place: The Pump Room - The Old Fire Station Enterprise Centre, 2 Salt Lane,

Salisbury, SP1 1DU

Date: Thursday 16 May 2024

Time: 3.00 pm

Please direct any enquiries on this Agenda to Lisa Alexander of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email <a href="mailto:lisa.alexander@wiltshire.gov.uk">lisa.alexander@wiltshire.gov.uk</a>

Press enquiries to Communications on direct lines 01225 713114/713115.

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#### Membership

Cllr Andrew Oliver (Chairman)
Cllr Sven Hocking (Vice-Chairman)
Cllr Richard Budden
Cllr Sam Charleston
Cllr Brian Dalton
Cllr George Jeans
Cllr Charles McGrath
Cllr Ian McLennan
Cllr Nabil Najjar
Cllr Bridget Wayman
Cllr Rich Rogers

#### **Substitutes:**

Cllr Trevor Carbin Cllr Ricky Rogers
Cllr Ernie Clark Cllr Graham Wright
Cllr Kevin Daley Cllr Robert Yuill

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# **Public Participation**

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult <u>Part 4 of the council's constitution.</u>

The full constitution can be found at this link.

Our privacy policy is found here.

For assistance on these and other matters please contact the officer named above for details

# **AGENDA**

#### Part I

Items to be considered when the meeting is open to the public

# 1 Apologies

To receive any apologies or substitutions for the meeting.

# 2 Minutes of the Previous Meeting (Pages 7 - 10)

To approve and sign as a correct record the minutes of the meeting held on 14 March 2024.

#### 3 Declarations of Interest

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

#### 4 Chairman's Announcements

To receive any announcements through the Chair.

# 5 **Public Participation**

The Council welcomes contributions from members of the public.

#### **Statements**

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

The rules on public participation in respect of planning applications are linked to in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application, and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public and others will have had the opportunity to make representations on planning applications and other items on the agenda, and to contact and lobby their local elected member and any other members of the planning committee, prior to the meeting.

Those circulating such information prior to the meeting, written or photographic, are advised to also provide a copy to the case officer for the application or item, in order to officially log the material as a representation, which will be verbally summarised at the meeting by the relevant officer, not included within any officer slide presentation if one is made. Circulation of new information which has not been verified by planning officers or case officers is also not permitted during the

meetings.

#### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Thursday 9 May 2024, in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Monday 13 May 2024. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

# 6 Planning Appeals and Updates (Pages 11 - 12)

To receive details of completed and pending appeals and other updates as appropriate.

# **Planning Applications**

To consider and determine the following planning applications.

7 Application Number: PL/2024/00694, Rear of Newhaven, Larkhill Road, Durrington (Pages 13 - 34)

Change of use of land and building adjoining Newhaven, Larkhill Road, Durrington from a vehicle repair workshop to a mixed use of a vehicle repair workshop and for the storage and distribution of logs.

Application Number: PL/2023/10726, Salisbury East Goods Yard, (former Eastern Sidings), Adjacent to Royal Mail Delivery Office off Fisherton Street, Salisbury, SP2 7QP (Pages 35 - 62)

Provision of car parking facility close to station to support redevelopment of forecourt to front of Salisbury Railway Station, providing a temporary car park facility for maximum of three years for use by passengers, with creation of 89 no. parking spaces for passenger use and 8 no. spaces marked out for Royal Mail use.

9 Application Number: 20/00337/FUL - Land to the east of Odstock Road and to the south of Rowbarrow, Salisbury (Pages 63 - 144)

(Revised) Erect 86 dwellings together with garages, car barns, and refuse/cycle stores. Lay out gardens and erect means of enclosure. Creation of new vehicular access to Odstock Road. Lay out internal roads, including drives and

pavements. Provision of associated public open space, play areas and landscape planting.

# 10 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

#### Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed





# **Southern Area Planning Committee**

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 MARCH 2024 AT THE PUMP ROOM - THE OLD FIRE STATION ENTERPRISE CENTRE, 2 SALT LANE, SALISBURY, SP1 1DU.

#### **Present:**

Cllr Sven Hocking (Vice-Chairman, in the Chair), Cllr Richard Budden, Cllr Sam Charleston, Cllr Brian Dalton, Cllr George Jeans, Cllr Nabil Najjar, Cllr Bridget Wayman and Cllr Rich Rogers

#### 8 Apologies

Apologies were received from:

- Cllr Andy Oliver
- Cllr lan McLennan
- Cllr Charles McGrath

## 9 Minutes of the Previous Meeting

The minutes of the meeting held on 11 January 2024 were presented.

# Resolved:

To approve as a correct record and sign the minutes.

#### 10 **Declarations of Interest**

There were no declarations of interest.

### 11 Chairman's Announcements

The Chairman explained the meeting procedure to the members of the public.

# 12 **Public Participation**

The committee noted the rules on public participation.

#### 13 Planning Appeals and Updates

The committee received details of the appeal decisions as detailed in the agenda.

It was:

#### Resolved:

To note the appeals report.

# 14 <u>Application Number: PL/2023/05387 - Land at Littledown, Shaftesbury,</u> Wiltshire, SP7 9HD

#### **Public Participation**

Mr Philip Denahlik spoke in objection to the application

Mr Mark Everall spoke in objection to the application

Ms Anne Perkins spoke in objection to the application

Mr Geoff Wilde (Agent) spoke in support of the application

Cllr Phoebe Fortescue of Donhead St Mary Parish Council spoke in objection to the application.

Cllr David Curless of Semley Parish Council spoke in objection to the application.

A public speaker wished it to be noted that the late correspondence which had been circulated to the Committee at the start of the meeting was not also provided individually to each registered speaker.

Note: The procedure for late correspondence is for the Case Officer to verbally summarise new information, as set out in the Planning Committee Procedure para 5. There is no requirement for printed copies to be provided at the meeting.

The Senior Planning Officer, Joe Richardson, introduced a report which recommended that the application for conversion and re-use of a redundant rural building for economic development B2/B8 use. Key details were stated to include the principle of development including planning history, design and scale; amenity impacts including the AONB and PROW; ecological Impact; parking and highway Safety.

Presentation slides shown at the meeting were also available online as supplement 1 to the agenda.

Attention was drawn to the late correspondence which had been emailed to members ahead of the meeting by an objector and the division Member.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on whether the application could be broken into separate matters, with regards to the retrospective permission and the change of use, where it was confirmed that the application must be considered as a whole.

The retrospective permission was due to the need to rectify changes to the barn, as it had not been built as per permission granted in 2019.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The unitary Division Member, Councillor Richard Budden then spoke on the application, noting the location of the site inside the Cranbourne Chase National Landscape (CCNL) area, the proximity to the A350 and nearby business parks, making reference to Planning Policy guidance which stated a balance of limited development in order to protect such areas.

Reference was made to National Planning Policy Framework (NPPF) paras 85.88.89 and to Core Strategy CP34.

Cllr Budden challenged the Officer report at page 27, where it was stated that the building was considered to be in a sustainable location.

Cllr Budden noted that other estates of light industrial units in Semley would be more appropriate for the proposed development and therefor para 89 of the NPPF did not apply.

In addition, the site did not have access to sustainable transport solutions and the application failed to address strong objection from the CCNL and did not account for newly strengthened countryside act.

Cllr Budden then moved the motion of refusal for debate. The reasons given as contrary to Core Policies CP34, CP51, CP60, CP61 of the WCS, paras 109 and 182 of the NPPF and the CROW Act 2000 (as amended).

The motion was seconded by Cllr Bridget Wayman.

In response to statements the Case Officer confirmed that he had considered impact of AONB/CCNL, the lighting aspect, in line with the Dark Skies Initiative and a sustainability section was included in the report.

A debate followed where the location, highway impact, sustainability, alternative locations, the age of the barn, limitations for Dark Skies with the requirements for lighting and possible conditions, were discussed.

In addition, the Committee also considered the design of the barn and the type of business which may in the future make use of it as it was felt that those aspects were not evident in the application. Members also considered the benefits of increased local employment.

At the close of discussion, on balance the Committee did not support the application.

The Committee then voted on the motion of refusal, against Officer recommendation for the reasons as stated above.

#### Resolved

That planning permission for application PL/2023/05387 be refused, against Officer Recommendation, for the following reasons:

The application site relates to an existing agricultural barn on agricultural land, with vehicular access onto the narrow Wincombe Lane, and directly adjacent a public footpath system. The site is elevated, and within a predominately rural location within the Area of Outstanding Natural Beauty with any users or visitors to the site being reliant on the use of a private vehicles. Given the availability of other purpose-built employment units in the area, and the lack of justification provided for the proposed use, it is considered that the retention of the building for a Class B2/B8 employment use would not outweigh the significant harm the proposal would cause to the landscape character and tranquillity of the AONB, resulting from the associated noise, disturbance and light pollution created, and the resultant non-agricultural appearance of the site. As a result, the proposal would be an inappropriate form of unsustainable development detrimental to the special character and appearance of the landscape of the AONB/National Landscape. Subsequently, the proposal is considered to contrary to the aims of Core Policies CP34, CP51, CP60, CP61 of the Wiltshire Core Strategy and the aims AONB Management Plan, and the NPPF, including paragraphs 109 and 182 of this guidance, and also the CROW Act 2000 (as amended).

# 15 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 4.20 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail <a href="mailto:lisa.alexander@wiltshire.gov.uk">lisa.alexander@wiltshire.gov.uk</a>

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk

# Wiltshire Council Southern Area Planning Committee 16<sup>th</sup> May 2024

Planning Appeals Received between 01/03/2024 and 03/05/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
PL/2023/00661	15 Water Street, Bulford, Salisbury, Wilts, SP4 9DZ	Bulford	Certificate of lawfulness for siting of a caravan within the curtilage	DEL	Written Representations	Refuse	02/05/2024	No
PL/2023/01376	51 Blue Boar Row, Salisbury, SP1 1DA	Salisbury	Retrospective permission for erection of fascia board sign	DEL	Written Representations	Refuse	12/03/2024	No
PL/2023/06709	Land to rear of 42 Kitchener Road, Amesbury, Salisbury, SP4 7AD	Amesbury	Erection of 2 dwellings (Use Class C3) and associated works	DEL	Written Representations	Refuse	19/03/2024	No
PL/2023/07178	62 St Edmunds Church Street, Salisbury, SP1 1EQ	Salisbury	Replacement of timber framed windows, glazing and front door to front elevation with UPVC double glazed units (Retrospective).	DEL	Written Representations	Refuse	11/03/2024	No
PL/2023/07494	57, East Hatch, Tisbury, Salisbury, SP3 6PH	West Tisbury	Barn / store with adjacent hardstanding	DEL	Written Representations	Refuse	09/04/2024	No
PL <b>A</b> 023/09224	Prestex House, 7-8 Edison Road, Salisbury, SP2 7NU	Salisbury	Change of use of vacant office to 6 bed dwelling.	DEL	Written Representations	Refuse	02/04/2024	No

Planning Appeals Decided between 01/03/2024 and 03/05/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2022/07357	Nursery Farm, Stock Lane, Landford, Salisbury, SP5 2ER	Landford	Notification for prior approval under Part 3, Class Q for one agricultural building to be converted into five residential dwellings.	DEL	Written Reps	Refuse	Dismissed	14/03/2024	None Age
PL/2022/07816	Oak View, High Post Road, Netton, Salisbury, Wilts, SP4 6AP	Durnford	Variation of planning conditions on planning permission 20/11293/FUL.	DEL	Written Reps	Refuse	Allowed with Conditions & Varied	03/04/2024	None D
PL/2023/00740	Stonehenge Touring Park, Whatcombe Brow, Orcheston, SP3 4SH	Orcheston	Certificate of Lawfulness for the use of land as a touring caravan site for holiday purposes and parking of unoccupied touring caravans during the months of November to February	DEL	Inquiry	Refuse	Allowed	02/04/2024	Appellant applied for Costs - COREFUSED

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PL/2023/00745	Stonehenge Park,	Orcheston	Certificate of lawfulness for use of	DEL	Inquiry	Refuse	Allowed	02/04/2024	Appellant
	Whatcombe Brow,	1	land as part of a holiday touring						applied for
	Orcheston , SP3 4SH	1	park for the purposes of						Costs -
	1	1	recreational use by guests of the						REFUSED
	1	1	holiday park throughout the year						
	1	1	and seasonal grass pitches for						<u> </u>
	1	1	tents, campervans and touring						<u> </u>
	1	1	caravans during the months of						
	<u> </u>	<u> </u>	April to September each year	<u> </u>					<u> </u>
PL/2023/00794	Land Adjacent to Knapp	Broad Chalke	Change of use of a parcel of land	DEL	Written Reps	Refuse	Dismissed	11/03/2024	None
	Farmhouse, High Lane,	1	to residential use, the erection of						
	Broad Chalke	1	a detached 3-bedroom dwelling, a						
	1	1	detached carport, creation of a						
	1	1	new access onto High Lane, hard						
	1	1	and soft landscaping and						
	1	1	associated works (resubmission						
	<u> </u>	<u> </u>	of PL/2022/08054)	<u> </u>				ļ	
PL/2023/01274	15 Bugdens Close,	Amesbury	Retrospective fence - within the	DEL	Written Reps	Refuse	Dismissed	05/04/2024	None
	Amesbury, Salisbury,	1	border of property, to the side/rear						
	SP4 7WG	<u> </u>	of the house.	<u> </u>				<u> </u>	
PL/2023/01827	The Stables, New	Winterslow	Conversion of existing building	DEL	Written Reps	Refuse	Allowed with	07/03/2024	None
	Manor Farm, Pitton	1	into a 2 bedroom residential				Conditions		
	Road, West Winterslow,	1	dwelling. The building is sited						
ָ <b>ט</b>	SP5 1SE	1	close to the road side and has						
Pag	1	1	adequate parking and amenity						
<u> </u>	<u> </u>	<u> </u>	area for the dwelling.	<u> </u>					
PL/2023/04958	The Flat, 81 Wilton	Salisbury	Retrospective conversion of	DEL	Written Reps	Refuse	Dismissed	20/03/2024	None
12	Road, Salisbury, Wilts,	1	existing basement to 1 bedroom						
10	SP2 7ER		flat	<u> </u>				<u> </u>	

#### REPORT FOR SOUTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	16 May 2024					
Application Number	PL/2024/00694					
Site Address	Rear of Newhaven, Larkhill Road, Durrington					
Proposal	Change of use of land and building adjoining Newhaven, Larkhill Road, Durrington from a vehicle repair workshop to a mixed use of a vehicle repair workshop and for the storage and distribution of logs					
Applicant	Mr D Hook					
Town/Parish Council	Durrington					
Electoral Division	Durrington – Cllr Graham Wright					
Grid Ref	53.578415, -5.869006					
Type of application	Full Planning					
Case Officer	Hayley Clark					

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

At the request of the elected member Cllr Graham Wright due to the relationship with adjoining properties (Amenity and Public Protection Issues) and environmental/highway issues.

#### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations. Having reached a balanced conclusion, the report recommends that planning permission be **approved subject to conditions**.

#### 2. Report Summary

The main issues to consider are:

- 1. Principle of development/background
- 2. Visual Impact
- 3. Residential amenity
- 4. Highway issues
- 5. Other issues raised

#### 3. Site Description

The application site is located on the south side of Larkhill Road within the settlement boundary of Durrington. Durrington is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area).

The application site is located to the rear (south) of a residential dwelling known as Newlands; Newlands is within the same ownership as land to the south of Newlands subject to this current application. To the east the site is bounded by an extended residential dwelling known as Tresses and to west the site is adjacent to a residential dwelling known as Treetops but is separated from Treetops by an existing access tack leading from Larkhill Road to agricultural land which borders the rear of properties along the south side of Larkhill Road. The northern side of Larkhill Road also comprises residential dwellings.

Access to the site is via an existing vehicular access direct from Larkhill Road which serve Newlands and the land to the south of Newlands. The site itself comprises an extended single storey building with a current authorised use as a vehicular repair workshop and associated external yard.

### 4. Planning History

S/1995/0285 Extension to Existing Workshop and Demolition of another. Approved 28/04/1995

S/1986/1113 Erection of vehicle repair workshop. Approved 24/09/1986

79/592 Extension to utility room. Approved 14/06/1979

2426 Erection of open fronted garage for storage of lorries used in connection with haulage business. Approved 19/12/1962

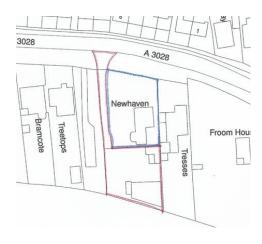
1049 Erection of garage and installation of petrol pumps for private use only. Approved 10/10/56

860 Erection of bungalow. Approved 20/07/55

TP229 Site clearance for erection of garages for storage of commercial vehicles. Approved 20/07/55

#### 5. The Proposal

The proposal is a full application for the use of the external yard and part of the existing building to form a mixed use development to combine storage and distribution of logs with motor vehicle repairs; the application is retrospective. There are no external works proposed.



Location plan

The application has been submitted following complaints to Public Protection relating to noise and disturbance from the use of the application site.

#### 6. Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guidance (Planning practice guidance for beautiful, enduring and successful places)

# Wiltshire Core Strategy (2015)

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 3 – Infrastructure Requirements

Core Policy 4 – Spatial Strategy for the Amesbury Community Area

Core Policy 35 – Existing employment site

Core Policy 57 - Ensuring High Quality Design and Place Shaping

Core Policy 60 - Sustainable Transport

Core Policy 61 - Transport and Development

Core Policy 64 - Demand Management

Core Policy 69 - Protection of the River Avon SAC

#### **Supplementary Planning Documents:**

Creating Places Design Guide SPG (April 2006)

Wiltshire Design Guide

#### 7. Summary of consultation responses

#### **Durrington Town Council** – Objection

- Noise from new activity for residents
- Fumes and air pollution from incineration of materials
- Increase in number of HGV's using the site carrying large loads
- Larkhill Road is busy A road in a residential area, extra traffic will put pressure on current road users
- Safety is consideration flammable materials (logs) in a small space increasing risk of fire.
- Hours of operation in a residential area, allowing residents to enjoy homes at weekends and afternoon/evening is important.

# **WC Highways** – Support

 The site is currently authorised for motor vehicle repairs, the use will continue to operate alongside a log distribution business which is the subject of this planning application. The log distribution business appears to be very low key with one delivery per month of logs entering the site and approximately 2 or 3 vehicle loads leaving the site per week, all on a 3.5 tonne truck.

Vehicles gain access to the site via an existing dropped kerb access onto the A3028 Larkhill Road. I am satisfied that acceptable visibility splays exist to meet the requirements set out in Manual for Streets for a road of this nature. Whilst

the proposal may result in a slight increase in vehicle activity, this does not raise any highway safety concerns.

The proposal is supported by the Highway Authority.

# Public protection - Original comments:

Amenity (Including noise, lighting, odour, smoke.)

This department has investigated a complaint about noise from the wood processing business impacting at a neighbouring property. While it was not appropriate for formal action to be taken at the time because the dwelling was not lived in, our experience of noise from the wood processing business was that it was significant. During our investigation we mainly focused on noise from wood processing such as a generator and movement of individual logs. I understand that this application states there will be no wood processing on site and activities associated with the wood business would be storage and distribution only.

The area is generally residential edging onto rural and the adjacent dwelling has recently been extended under PL/2023/00706. This extension includes a large patio area to the rear and large patio doors across the rear façade. The extension has brought the living area of the property further south than it was before and very close to the active area of the site in question.

Although the wood processing was found to be dominant during our investigation, even with this being removed storage and distribution of logs would be an intensification of use from the vehicle maintenance currently permitted at this location. Associated noise will come from the forklift engine and movement, reversing beepers, banging and crashing of logs and crates. These are sounds that would not be associated with a vehicle maintenance business and the intensity, frequency and duration of noises like this would not be controllable through the planning process should permission be given.

Given the proximity of dwellings nearby I have to recommend against intensification of the business use of this site in regard to wood storage and distribution due to likely unacceptable adverse impacts on residential amenity.

# <u>Comments from Agent in response to Public Protection Objections (and third party comments)</u>

In general terms the objections to this application – including from Public Protection – relate to matters of noise and disturbance, traffic generation and also matters such as the burning of waste materials on site.

The context against which these comments should be considered is the lawful use of the site as a vehicle repair workshop. Planning permission granted for this use (S/86/1113/TP) allows for vehicles to be repaired and serviced on site between the hours of 8am to 6pm Mondays to Fridays as well as on Saturday morning. Until 2014, the site was rented to Durrington Vehicle Services who used the site for this purpose, repairing vehicles within the hours set out on the planning approval. In more recent years the building has been used less frequently for vehicle repairs by the applicant and his brother, however its commercial use could be reinstated at any time.

The objection from Public Protection gives the impression that the applicant is deliberately making a noise on site (reference to 'banging and crashing of logs on site' is unfortunate). My client does move crates of logs on site, but does not so as to make

excessive noise. Logs are not required to be moved on a daily basis and any noise from a forklift moving is occasional (in this respect, since it was raised Mr Hook has noted when he's used the forklift and this has amounted to around 30 minutes per week although it is accepted that there will be times when it is more than this). It is accepted that when the forklift is being used there will be some noise that is audible within neighbour's gardens, however this is a site that has a lawful commercial use against which this should be considered.

Through having the log storage business on site it is not practical for the buildings to be used for motor vehicle repairs other than on an occasional basis as set out above. Were the log storage business to be elsewhere and the buildings used for commercial vehicle repairs, then it's submitted the potential for noise and disturbance to neighbours would likely be greater than logs being stored and moved within the site. There would be a regular movement of cars, vans or lorries in and out of the buildings; the noise of vehicles being repaired and, in particular, revved or run in to assess the outcome of repairs or tuning. We submit that the comments from Public Protection do not give sufficient weight to the fallback position were the log storage business not to be on site.

Similarly, in respect of comments received relative to traffic movements: these would be far greater were the site to return to full use for motor vehicle repairs which is the alternative to the regularisation of the current storage and distribution use/retention of existing use. Traffic generated by the log storage business and occasional use by the applicant and his brother for servicing vehicles is considerably less than the fallback position of the lawful use of the site. Permission for this lawful commercial use for vehicle repairs was in place when permission was granted for the extension of the neighbouring dwelling referred to by Public Protection

Objections have also been raised over the burning of waste materials on the site. No waste materials have been burnt on site for a number of years. On occasion a woodburning stove has been used in the workshop on a cold day, however the impact of this is no greater than any local resident having a fire at home. An objection has also been made in respect of the height of stacked log cages and Mr Hook has confirmed that they would not be stacked more than 2 high in future.

We are pleased to note that your colleague in highways has no objection to the proposal in terms of the suitability of the access for the proposed use.

In summary, the principle objection to this submission appears to be the potential for noise to be generated by a forklift moving crates of logs. Although a different noise profile to repairing cars or commercial vehicles on site, we don't consider that this alternative use should be considered unacceptable on this basis. My client is happy that this proposed use of the site be restricted to the same hours as that on the planning approval for motor vehicle repairs, so any movement of logs on the site would be during agreed 'working' hours.

#### Public protection – <u>Further comments</u>:

The agents comments are noted. For clarity my comments were not to be interpretated as the applicant would be purposely making banging and crashing noises, some impulsive noise like this would be inherent to storage and distribution of logs as logs are put into crates, crates are stacked and moved around. There is lawful use permitted as a vehicle mechanics, but it is understood the site has not been intensively used for this purpose for some years. There is now an adjacent dwelling with a living area in close proximity so we have to carefully consider the impacts of this change of use.

A matter that also has to be considered here is that Newhaven dwelling is not tied to the commercial use and without a formal tie between the two sites they could be under different ownership in the future. Newhaven would be more impacted by noise from the commercial site than the adjacent dwelling and it is foreseeable that should the occupation of Newhaven not be linked to the commercial use future occupiers would be more sensitive to the noise. Should permission be granted it is recommended that occupation of Newhaven is tied to the commercial site.

The agents comments about the noise having a different noise profile than a mechanic are relevant. Given this change, should permission be given we would look for the hours of use to be more restrictive than they are currently for the vehicle mechanics use. I would suggest restricting the use to normal weekday working hours of 09:00 – 17:00 Monday to Friday may suitably restrict operations and therefore times noise will impact at adjacent dwellings. If residents living nearby know they will not be disturbed outside of these times and at weekends it will likely make them more accepting of noise during working hours should they be impacted.

In regard to burning on site it is alleged there has been burning of waste materials on site which the applicant denies. We have no evidence to support either side but while it may not be the intention of the current owner to burn waste materials or have bonfires future owners/occupants may have different intentions. There are dwellings in close proximity and a ready supply of fuel. Therefore, in addition to more restrictive hours of operation and a tie it is recommended the following condition is attached should planning permission be given:

There shall be no burning undertaken on site at any time other than in the wood burner installed inside of the workshop.

#### Further comments from Agent in response to Public Protection

My comments about the proposed use having a different noise profile to the existing are were on the basis that there would be less noise from a mixed use including storage and distribution use than were the site to be used purely for vehicle maintenance and servicing. As such, there would not appear to be a need to reduce the hours during which the site can operate, however my client could work within the 9am to 5pm Monday to Friday timeframe as set out so we can live with this for the mixed use of the site as proposed.

The only issue we have with this restriction is that, on occasion, my client or his brother use the building for servicing a vehicle on a Saturday morning. This is not a regular occurrence, however we would not wish to agree a new time restriction and then fall foul of this over an occasional use of the building. As such, if a new condition limiting hours of operation could allow for the workshop only to be permitted to be used for the servicing of vehicles between 9am and 1pm on a Saturday (in addition to the 9 to 5 weekday restriction on the use of the whole site) that would seem a workable solution. The workshop is already permitted to be used on a Saturday morning so this would not be a change to the present arrangement.

Given the current arrangement with Newhaven and the site, we don't consider that a restriction that they should be tied through a planning condition would be reasonable. The occupation of Newhaven was not restricted to someone also occupying the adjoining site when it was permitted to be used for vehicle maintenance and, as we've previously submitted, the current mixed use proposal is likely to result in less disturbance for adjoining neighbours than were the site to be used as a commercial vehicle repair centre. The imposition of a weekday time restriction as suggested by

Public Protection would create an additional safeguard over the existing permission for occupiers of Newhaven as well as for the other neighbours to the site.

There are lots of houses in Wiltshire that are neighbouring sites which have a commercial use where there are deliveries and traffic movements – often at unsociable hours. By way of example, just near to the site, there are houses on Stonehenge Road which are adjoining the Stonehenge Inn and its car park across the road. Houses on Bulford Road adjoin the garage, petrol station and shops next to the roundabout. Given the hours during which these businesses operate, there would appear to be more potential for disturbance for residents than a use as adjoining Newhaven with restrictions as to the hours of use. My point being, that someone buying Newhaven in the future would be aware that it was next to a site that has a lawful commercial use and decide whether that was appropriate for them. What we don't consider is the case is that the change from the current use of the site to that proposed warrants the site and the occupancy of Newhaven being tied when this is not presently the case.

# 8. Publicity

The application was publicised by neighbour notification to properties immediately adjacent to the site. Representations from four third parties have been received in objection to the proposal at the time of writing the report. Comments are summarised as follows:

#### From occupier of Tresses

- Logs have been processed at Newhaven since we started renovating our property at Tresses before January 2023.
- Were informed by Mr Hook that the log processing business planning permission was legitimate but research showed it was illegally being carried out in Newhavens garden/garage area
- Informed applicant a noise compliant was to be lodged. This included diaries and evidence of noise starting back to January 2023. There is a contravention notice currently placed on Newhaven for the log processing business.
- Welcome that cutting/splitting or any processing of logs will no longer take place in Newhaven's rear garden/garage area, however, this business has increased from a few IBC cages to approx. 100 now stored at Newhaven and anticipating a further uplift if change of use is approved.
- The noise from logs being loaded and unloaded has been continuously documented in the noise complaint diaries to Wiltshire council. This impacts our ability to enjoy our garden, patio area and home.
- The cages for storing logs are stacked well above the boundary wall between Tresses and Newhaven. This is not only unsightly and an invasion of our privacy but will cause loss of afternoon/evening natural daylight and sunlight to the garden of Tresses.
- The continual running of a motor engine when waiting to or loading/unloading logs has also been documented in the noise diaries to Wiltshire Council; engines are at times left running for hours with total disregard for the noise and pollution nuisance imposed on neighbours.
- The incineration of materials has been evidenced and takes place on the property causing a stench across Tresses and the surrounding area. There is clear evidence of the incinerator in photo 3 of the planning application provided by Newhaven.

- Newhaven has knowingly breached their current business planning permission both for use business and for the hours permitted. These have been documented by ourselves since January 2023 as advised by Wiltshire Council Noise and Nuisance department.
- Breaches include working past 18.00 pm Monday to Friday and past 13.00pm on Saturdays and even operating on Sundays.
- The disregard for neighbours and planning permission appears both current and historic as can be seen in the comment from 1986 and 1995 by Tresses previous owners and the current noise diaries.
- 1986 Complaint relates to the building of an extension to include existing workshop and demolition of another. From Tresses. 1995 – Complaint relates to HGV use and working outside the permitted hours. Planning officers on both occasions expressed concern for Newhaven stretching the limits of planning permission which, with supporting evidence match our own concerns.
- The use of Newhaven for a log storage and delivery business with "flexibility" of use matching business hours from previous planning permission, in our opinion seeks to mislead the planner as the application clearly states operating a part time business only. The vehicle maintenance business is neither innovative nor required at present, as can be evidenced by its absence of use for many years.
- There is a floodlight attached high up on the garages casting intermittent unwanted and unnatural light indirectly to our garden and dining area.
- If planning permission is granted, further assurance that only vehicles used for the log storage and delivery service would be maintained at Newhaven should be considered as there are established vehicle maintenance businesses in the local area on industrial rather than residential sites.
- The person applying for planning permission for the log storage and distribution business does not live or work on the premises regularly and is not the same person who has been processing/delivering logs.
- There are both established vehicle repair workshops and log processing businesses in the local area on appropriate industrial and farming sites. Neither business at Newhaven is innovative nor environmentally aligned with The National Planning Policy Framework supported by the Wiltshire Core Strategy 2015 or the Green/Blue Infrastructure policy for Wiltshire's Natural environment plan for 2022-2030. "Planning policies and decisions should consider suitable locations for storage and distribution operations at a variety of scales." (National Planning Policy Framework (paragraph 87). 4.2 "The challenge is to plan for growth whilst maintaining people's quality of life and protecting Wiltshire's high value environment " (Wiltshire Core Strategy).
- We support the upstart of new businesses and have renovated our house using professional local tradesmen. We purchased our house in October 2022 with no idea that we may eventually be living next door to a log processing plant/storage area.
- This is a residential area with young families and children in beautiful surroundings and wildlife, we therefore question whether this is the right place for a business such as this.
- A more suitable industrial site may be that which the Hooks already operate another business from approx. 500m from Newhaven.

#### From Occupier of Treetops

- Noise and pollution. We have lived here for the last 9 years and the vehicle workshop
  causes very little inconvenience just the odd movement of vehicles. For the last six
  months the storage of logs has been on going, severely impacted on our quality of
  life. The noise is not just in the garden but also in the house.
- The forklift truck continuously clanking and rattling as it moves across the uneven ground stacking the metal cages is piercing.
- Add to this the Diesel fumes from the forklift truck that drifts into our garden on a still
  day or when the wind blows from the east, makes the garden virtually unusable.
  We've had to bring the grandchildren in out of the garden when this happens as one
  of them has asthma.
- The industrial unit is in the middle of a residential area. The vehicle repair workshop, repairs vehicles in an enclosed garage. So causes minimum noise pollution and disruption. The proposed log distribution and storage is carried out outside next to residential properties causing maximum noise, pollution and disruption.
- The storage of huge amounts of firewood on the site within feet of residential properties including Newhaven itself, must surely be a danger. If this was to catch fire there would be a huge risk to life and property, including the vehicle workshop with its combustible materials. Has the risk been assessed by the fire authority.
- The photo in the design and access statement, doesn't do the access to the site justice. To the right of Newhaven is a bend with restricted visibility and a mini roundabout further along. The speed of the vehicles coming off the roundabout can make this part of the road quite dangerous, add to the fact vehicles are sometimes parked on the grass verge restricting visibility further, can make exiting the site especially with slow large vehicles dangerous. We have trouble exiting our drive and our access is a further 20 metres up from Newhaven.
- The design and access statement states that only one delivery of logs by a 3.5-ton truck will take place per month, with 2/3 loads delivered out per week. I don't see how a 3.5-ton truck which can only carry 1.245 tons maximum per load can amass such a huge quantity of logs that are stored on this site, with just 12 trips per year. Up until now the delivery of wood to site has been by large HGV lorries that have had to reverse down the site off the road causing traffic to be stopped and inconvenience to all.
- industrial unit is in the middle of a residential area and the proposed new planning is detrimental to the health and mental wellbeing of the surrounding residents who would be unable to enjoy the use of their homes and gardens till after 6pm at night and 1pm on Saturday.

# From Occupier of Bramcote

- Object due to sheer volume of noise and pollution coming from the site. The
  continual hum of an engine and the stench of diesel fumes, has on countless
  occasions driven us inside and prevented us from enjoying our garden, which has
  regularly occurred outside of their permitted hours. We are in the middle of a
  residential area and just cannot fathom why the applicant(s) can't use their unit
  further up the road that is part of an industrial area.
- Welcome the statement that this application proposes that there will be no processing of any logs on site.

- Furthermore allowing a log storage facility will still cause the neighbouring properties considerable disturbance due to the crashing and stacking of crates, revving of a forklift engine and toxic fumes from the continual running of diesel vehicles.
- 6.2 of 'Access' states that there is good driver visibility for access and egress. The A3028 (Larkhill Road) is a main arterial route through Durrington. This road is extremely busy at times. There is a plausible likelihood that an increase of slow delivery vehicles emerging from, and turning into the Newhaven property will pose an additional risk to highway safety without adequate control measures in place.
- Likely to be a substantial amount of combustible material (logs) stored in situ for long periods of time. Would like reassurance there are suitable control measures in place to manage this risk, and for them to be supported by the necessary authorities.
- CP55 of the Wiltshire Core Strategy (2015) relates to Air Quality. The proposal will likely be detrimental to the immediate area's 'air quality' with an increase of vehicle movements as mentioned in multiple points above.
- We embrace the National Planning Policy Framework, and promote the development of businesses but not at the detriment of others and their enjoyment of properties. We hold concerns that an industrial site situated so close to residential properties is disruptive on day-to-day activities.

From occupier of Tresses (responding direct to submitted design and access statement)

- Submitted Design and Access statement (DAS) has misleading information
- The log storage business has far out grown the scale described in part 5 (of the DAS) before being granted permission to proceed on the smaller scale described.
- There is no clear evidence the vehicle repair workshop has been used by the family business since we purchased Tresses and as such we would have no objection to this element so long as the use was strictly for Hooks Haulage vehicles only and not an attempt to circumnavigate rules to start a new vehicle repair business next door to our home.
- Site is Newhavens garages, not a separate piece of land, and it should not be regarded as anything but the garages to the rear of Newhaven
- The rear corner of Tresses sits approx. 2.5 meters from the eastern edge of the storage area.
- Application site appears unused for vehicle maintenance other than personal use or Log Cutting/Log Storage/Burning Materials
- Picture 2 of DAS does not represent the elevated view from the rear of Tresses which looks across the top of the boundary wall with Newhaven and is now impeded by IBCs stacked 3 high
- Picture 3 of DAS Incinerator clearly evident which has been used to burn greenery casting a stench across the southern edge of Durrington
- S/1986/1113 No current evidence of trees being planted between properties at the adjoining wall or surface finish to breeze block construction being agreed or applied as part of the planning process.
- Does this allow other vehicles not within the haulage business to be serviced on site?
   This is of great concern as this would increase commercial use considerably?
- A Storage Yard already exists on Larkhill Road and is described in Durrington and Larkhill Design Statement 2012. Coincidentally this is where the Hooks currently operate another business from and could be an ideal location to store Logs rather than in the middle of residential housing.

- Is potential for noise increase from the site. Existing motor vehicle workshop does not appear to be of practical use, however there is concern a vehicle maintenance facility could grow from any relaxation in current limitations even though there are established facilities in the local community within 50m of Newhaven and again next to the Hook family haulage yard approx. 500m from Newhaven.
- Current stockholdings do not match the scale presented site has approx. 100 cages on site, stacked 2 or 3 cages high, blocking light, lack of privacy and is an eyesore.
- Flexible use means no limitations to the more regular clattering of cages, opening and shutting of garage doors or forklift operations within the yard. Not to mention the repair of cages through grinding and cutting in the garages generating more noise and disturbance
- if approval were granted that cages were not allowed to be stored within 10m of the boundary wall with Tresses to ensure our garden remains a private space and cages be stacked to a maximum height of 2 cages in line with the boundary wall and no-one be allowed to clamber on top of invade Tresses privacy? Could the quantity of cages also be limited to a maximum full year supply of 24 cages to maintain the size of business in line with the Design and Access statement
- A boundary hedge/tree line on the Newhaven side would reduce noise. An appropriate surface finish could be agreed and applied to the garages.
- In terms of vehicle movements, with larger number of crates on site than outlined in DAS, scale of business not what is described in DAS.

#### 9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. This requirement is reiterated by the NPPF, which is a material consideration in the decision-making process.

#### 9.1 Principle and background

- The application site relates to land and buildings to the rear of Newlands, Newlands is a residential property with the land and buildings to the rear benefiting from an existing extant permitted use as a motor vehicle repair shop (use class B2).
- Existing permitted hours of use are : -

Mondays to Fridays 8am to 6pm Saturdays 8am to 1pm Sundays and Bank Holidays No use.

- The use of the site as commercial was established in the 1950's and has been an existing small scale employment site since.
- The extant permission is not tied via a specific personal/named persons use condition. It is also not tied by condition to a specific B2 use.

 The principle of continued commercial use is therefore acceptable subject to compliance with other relevant national and local polices and having regard to the detailed consideration of the site-specific constraints and impacts, in this case the access and highway safety, the visual impact of the proposed development and relationship with the existing residential properties.

# 9.2 Visual Impact

The proposal is for the change of use of land and part of the existing building to create a mixed use for motor vehicle repair and for storage and distribution of logs. The motor vehicle repair is an existing use, the log storage and distribution is new and has been undertaken as an unauthorised use for a number of months. This application seeks to regularise the unauthorised use. There are no proposed physical works, extensions or alterations.

Newhaven is set back from Larkhill Road with a mature hedge forming the boundary at the back of the road side verge. The application site is located to the rear (south of Newhaven, with a metal fence and gates located approx. 48m from Larkhill Road. The site to the rear of Newhaven is not visually prominent within the streetscene as can be seen from the photos below

Image below taken from Google maps showing entrance and boundary hedge to Newhaven along Larkhill Road.



Photo below taken from north side of Larkhill Road looking direct down the driveway of Newhaven towards the application site.



Photo below taken from entrance to Newhaven looking south



Photo below showing gates, boundary to application site, existing building and crates of logs on site.



The applicant has confirmed that the crates the logs are stored in are 1.20m in height, a double stack is therefore 2.40m in height.

It is not considered that the proposed use will have significant visual impacts on the locality due to its siting and scale. Any approval can include a condition to restrict the height of crates stacked to two crates only to limit the height to 2.40m.

The comments noted from third parties relating to the existing building as unfinished blockwork which is unsightly. The application is however only seeking consent for change of use and not for any physical works. Whilst the existing buildings themselves are not visually pleasing, the buildings are existing and therefore works to these are not part of the consideration of this application.

#### 9.3 Residential Amenity

Criteria (vii) of Core Policy 57 (Ensuring high quality design and place shaping) states that new development shall have regard to "...the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)".

Perhaps the main issue for the current proposals relate to impact on neighbour amenity. There have been a number of core issues raised by third parties which are essentially

- Noise concerns from fork lift, crates being moved, vehicles, logs being unloaded/uploaded
- Pollution for vehicle fumes,
- Visible over neighbours boundary unsightly
- Privacy issues with people climbing on crates
- Loss of sunlight due to height of crates along boundary
- Burning of materials
- Flood lighting
- Fire hazard

The application site is located adjacent to residential properties but benefits from an existing use as a motor vehicle repair workshop. Whilst it is understood the recent use for these purposes has been limited, this use does exist and could be used for such purposes in line with the current permission. The existing use has associated noise and also possible pollution from fumes from vehicles due to the nature of vehicles repairs. There are also no restrictions on the user(s) of the business which is not tied to the applicant or adjacent dwelling (Newhaven) which is under the same ownership as the application site.

Consultation has been undertaken with the Council's Public Protection Officer who has not raised any objection to the proposed development subject to conditions.

It is acknowledged that commercial use in close proximity to residential dwellings can cause conflict for such reasons as noise disturbance. In this instance the issues relate to whether the intensification of the use of the site for the log storage and distribution will significantly affect neighbour amenity over the existing use. The applicant has confirmed there will be no burning of materials on site, a condition can be added to any approval regarding this.

Regarding fire hazard, the business would be required to meet safety regulations which are separate from planning issues, Public Protection have raised no concerns regarding this.

The scale of business as described within the application and on which the planning assessment has been made is considered to be small scale with limited deliveries of logs to be stored and resultant limited vehicular movements to distribute the logs from site to customers. Any approval could be conditioned regarding operating hours for the log business which have been suggested as 9am to 5pm Monday to Friday only. There may be some noise from the moving of crates and vehicles such as fork lift trucks within these hours however, the limited hours which are less than the existing permitted hours for the vehicle repairs will mean that there should be no noise and disturbance outside of these hours. The reduction in reduced hours on weekdays from 8am to 6pm to 9am

to 5pm is an improvement on the existing situation. The applicant does however wish to retain the use of the vehicular repairs on a Saturday between 8am and 1pm, this does not include the use for log storage and distribution.

The proposed crates may be visible above the boundary wall. The photo below taken from the rear garden at Tresses to the east of the site shows a tall block wall forming the boundary with the application site. The applicant confirmed that the creates are 1.20m tall so a double stack will be 2. 40m high; a boundary wall can be up to 2m without consent, therefore technically the crates will project 0.40m above a permitted boundary wall. Whilst the additional 0.40m will be visible, given the existing view of the existing buildings and wall, it is not considered that this will significantly alter the existing situation and that the outlook from Tresses towards the application site will not be significantly affected. Officers also note that there is no right to a view in planning terms. Any approval can be conditioned regarding the number of crates stacked and resultant height.



Officers note the concerns regarding privacy from workers climbing on crates and looking over the wall. The comment received suggesting no crates to be stacked within 10m of the above boundary are noted however, this would be unreasonable as the site has a width of approx. 27m, thus over one third of the site would not be consented to allow storage. It is however considered that the area seen above between the front of the garage on the left and south elevation of the low shed on the right should be left clear for a distance of 5m to minimise opportunity for overlooking. This area to remain clear is indicated with a blue circle on the aerial photo below. This is in essence a small area which will still allow movement of forklifts but will aim to remove direct overlooking alongside the boundary wall should a person climb on top of the crates,



In terms of the flood lighting being used on the site, lighting is existing on site and therefore is not something Officers can reasonably comment on. In terms of the proposed use. The permitted hours of use, which would be conditioned on an approval are mainly daylight only so lighting would be limited anyway.

Officers have concerns regarding the impact of the business on future occupiers of Newhaven should the dwelling be sold separately from the commercial land to the south. Officers suggested to the applicant that the proposed use could be tied to Newhaven so that it could only be used by occupiers of Newhaven. The applicants declined to agree the imposition of this condition stating that any future occupiers would be aware of the business next door and would purchase/move to Newhaven with full knowledge of this. The Council's Public Protection Officer agreed that this condition could be omitted from any approval.

On balance, the concerns raised by third parties are noted and understood however it is considered that due to the scale of proposed use and existing permitted use, that the impact on neighbour amenity is unlikely to be significant enough to warrant a refusal in this instance. It is considered that appropriate conditions can be added to any approval to minimise conflict.

#### 9.4 Highways issues

The application site is accessed via an existing established access, there are no changes proposed to the existing access. The existing access is located on the south side of Larkhill Road, grass verges are located either side of the access with front boundaries for the property set back from the roadside by approx. 8m.

The site has an existing commercial use and is a small scale site which is limited to a degree for expanded use by the size of site and lack of available adjoining land for further increase.

The accompanying statement details the expected additional vehicular movement as below: -

As proposed there would be one delivery of logs per month with a 3.5ton truck and deliveries of logs to customer (generally in the winter months) using the same size vehicle being 2 or 3 loads per week leaving the site. The only other vehicle movement would be a forklift stacking crates of logs on the site.

Consultation has been undertaken with the Council's Highways Officer who has not raised any objection to the proposed development given the limited additional vehicles expected and no alterations proposed to an existing access.

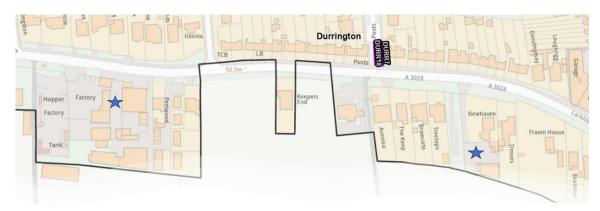
The third party concerns regarding restricted visibility, speed of traffic, conflict with other road users, obstruction due to reversing lorries are acknowledged.

However, in view of the Highways Officer raising no objection in principle on highway safety grounds and the issues raised being capable of being addressed by condition, officers conclude that a reason for refusal on highway grounds would not be sustainable.

#### 9.5 Other considerations

Comments have been received regarding the applicants running a business on another site on Larkhill Road which is considered more appropriate for the proposed log storage and distribution business.

Officers note the location of this alternative site approx. 300m to the west of Newhaven. The two sites shown with blue stars on the map extract below. Whilst this other side is acknowledged, officers can only assess the impact of the proposed development submitted as part of the application and the acceptability of this. Whether or not there may or may not be a more appropriate side nearby is not a consideration as to whether the proposed site is acceptable in planning terms.



# 10. Conclusion (The Planning Balance)

The application site relates to an existing small commercial site, within the settlement boundary of Durrington, served by an existing access. The use of an existing site to provide a more flexible use to include log storage and distribution in the yard and part of the existing garage with one delivery of longs per month via a 3.5 ton truck with resultant deliveries to customers from site at 2 or 3 loads a week is not considered to be a significant intensification of the use of the site in this context. The site benefits from an existing B2 use which is not tied/limited to vehicle repairs only, this new consent is a betterment on the existing situation and allows further restrictions to be placed on the use of the site. The site is set back from the road with limited views from Larkhill Road, the resultant visual impacts are considered negligible in this respect. The impacts on neighbour amenity is a concern however it is considered that the use of appropriate conditions given the permitted use of the site are sufficient to minimise significant harm to neighbour amenity in accordance with core policy 57. On balance Officers considered that proposed use accords with the above listed policies within the Core Strategy and the aims of the NPPF.

#### **RECOMMENDATION**

Approval is recommended subject to the following conditions

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.

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

Location plan received 23/01/2024
Design and access statement received 31/01/2024
Plan showing area of log storage received 07/05/2024

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

3. Notwithstanding the approved plans the log storage and distribution use hereby permitted shall only take place between the hours of 9am and 5pm from Mondays to Fridays and shall not take place at any time on Saturdays, Sundays and Bank or Public Holidays. The motor vehicle repair use shall only take place between the hours of 9am and 5pm from Mondays to Fridays and 8am to 1pm on a Saturday and shall not take place at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area

4. Notwithstanding the approved plans, the use as log storage and delivery shall be limited to a single delivery of new logs to the site per calendar month from a vehicle not exceeding 3.5 tons gross loaded weight. The delivery and despatch of goods to and from the site shall be limited to the hours of 9am and 5pm on Mondays to Fridays only.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5. The crates of logs to be stored within the outside yard area hereby permitted shall be stacked no more than two crates high (a maximum of 2.40metres above ground level) and shall not be stored within 5 metres of the eastern boundary of the site as shown on the submitted plan received 07/05/2024.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

**6.** There shall be no burning undertaken on site at any time other than in the wood burner installed inside of the workshop.

REASON: In the interests of the amenity of the area.

7. External lighting shall only be in operation within the application site as defined by red line shown on the submitted location plan during the agreed hours of use set out in condition 3 of this consent.

REASON: In the interests of the amenity of the area.

**8.** The mixed use hereby permitted shall for Class B2 use for Motor repairs only and Class B8 use class for log storage and distribution only, and for no other uses within Use Class B2 and Class B8, as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended 2020).

REASON: In the interests of the amenity of the area.







#### REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	16 <sup>th</sup> May 2024
Application Number	PL/2023/10726
Site Address	Salisbury East Goods Yard, (former Eastern Sidings), Adjacent to
	Royal Mail Delivery Office off Fisherton Street, Salisbury, Wilts,
	SP2 7QP
Proposal	Provision of car parking facility close to station to support
	redevelopment of forecourt to front of Salisbury Railway Station,
	providing a temporary car park facility for maximum of three years
	for use by passengers, with creation of 89 no. parking spaces for
	passenger use and 8 no. spaces marked out for Royal Mail use
Applicant	South Western Rail
Town/Parish Council	Salisbury
Electoral Division	Salisbury St. Edmunds – (Paul Sample)
Grid Ref	53.552238, -6.074243
Type of application	Full Planning
Case Officer	Joe Richardson

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

The application has been called-in before committee by Cllr Sample if officers are minded to approve.

# 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved for the reason(s) set out below.

# 2. Report Summary

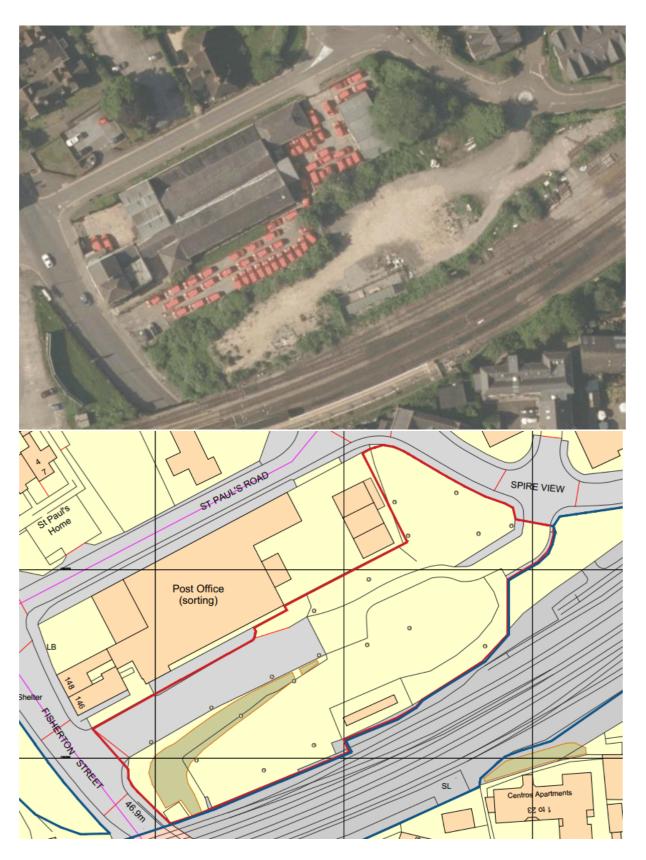
The issues in this case are:

- Principle of development including planning history;
- Design and scale;
- Impact to the amenity of the area
- Ecological Impact including the River Avon SAC and New Forest SPA;
- Parking/Highway Safety;
- Drainage/Land Contamination;
- Other matters

#### 3. Site Description

The application site relates to a parcel of land approximately 0.5 hectares in size formerly known as the Eastern Sidings, is 250 metres to the east GC Salisbury railway station entrance and is accessed via Fisherton Street. There is an existing vehicular access/exit onto St Pauls Road,

adjacent to the Spire View residential properties that is currently not in use. Fisherton Street is a busy access road into the city centre and particularly the Churchfields Industrial Estate.



The site is located to the north of the eastbound railway line which from Exeter St Davids to London Waterloo. The north eastern boundary of the site adjoins Spire View, a residential road giving access to two storey residential apartment buildings within the residential city of Salisbury. The Salisbury Conservation Area abuts the site with the Conservation Area boundary to the south/south west. The

site is within Flood Zone 1 and within an area of ground water flooding where levels are between 0.5 metres and 5 metres below the ground surface. The site is also located within the River Avon SAC catchment area and within the 13.8km New Forest Recreation Zone of Influence.

In 2009, planning consent was granted by the Secretary of State following the refusal of planning permission by the former Salisbury District Council for the removal of the existing social club and the creation of a 178 space car park for railway station users including access improvements and a new pedestrian crossing (S/2007/2156) however this permission was never implemented. However, the social club building has been demolished.

# 4. Planning History

**S/2007/2156** – Removal of the existing club building and creation of 178 space car park for railway station users including access improvements and new pedestrian crossing REF 07.02.08 Granted on APPEAL 21.04.09

S/2001/0622 - Use of land as a car park and construction of a new access WTD 14.05.04

# 5. The Proposal

The proposal seeks planning permission for the provision of a car parking facility close to the Salisbury Railway Station to support the redevelopment of the forecourt to the front of the Salisbury Railway Station providing a temporary car park facility (3 years maximum) for use by passengers with the creation of 89 parking spaces for passenger use and 8 parking spaces marked out for Royal Mail use. The majority of the site would be hard-surfaced and marked out for car parking, interspersed with lighting columns.

# 6. Local and National Planning Policy

# National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 9 Promoting Sustainable Transport

Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment

# Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 20 Spatial Strategy for the Salisbury Community Area

Core Policy 36 Economic Regeneration

Core Policy 50 Biodiversity and Geodiversity

Core Policy 51 Landscaping

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 67 Flood Risk

Core Policy 69 Protection of the River Avon SAC

# Wiltshire Local Transport Plan 2015-2026:

Salisbury Central Framework (CAF) August 2020

**Emerging Local Plan** 

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990

# 7. Summary of consultation responses

**Salisbury City Council** – Objection with comments stating:

Concerns that the car park will remain active beyond 3 years/permanent;

Concerns regarding traffic impact on cycle route;

Pedestrian crossing must be in place before car park is open and in use;

And raise Spire View resident concerns including:

Light pollution from parked cars into Spire View:

Loss of vegetation and impact on wildlife;

Impact assessment on land required;

No safe exit onto Fisherton Street (right hand turn);

Pedestrian improvements/widening of footpath required, pedestrian priority required including Spire View residents:

Need for boarded fencing;

Vehicle Increase

WC Highways – No objection subject to conditions with the following comments stating:

# Background and sustainability comments

I refer to the above planning application. I have the now received the requested transport statement (TS) by the Transportation Consultancy. The statement is through and detailed. In order for the Future High Street Fund station forecourt upgrade project to be delivered there is a need to provide temporary car parking for rail passengers — which this planning application seeks to address. Overall the project will support business growth and enhance the city providing a more sustainable environment in relation to rail use in and out of the city. There are major sustainability benefits to the overall proposal of which this application forms a necessary part if the sustainability aims are to be achieved.

## Car park access and egress proposals

A significant part of the site is already used for car parking. The proposed car park will take ENTRY only access from Fisherton Street with the EXIT route being via Spire View, St Paul's Road and back to Fisherton Street via the existing St Paul's Road / Fisherton street simple priority junction. For a description of these routes see the TS. St Paul's Road has no waiting at any time restrictions, although there are often cars parked in the restricted area either by indiscriminate parking or by disabled badge holders exempt from the restriction. The proposed development may assist in reducing this car parking on St Paul's Road which will be a significant benefit to road user safety and convenience at this location.

# Walking route

Users of the proposed car park will have an approximate 220 metre walk to reach the rail station involving crossing the busy Fisherton Street. The walk will take about 3 minutes. The walking route between the proposed car park and the same approximate 2.5 of the TS. A proposed pedestrian refuge indicated at Figure 2.5 and detailed at Appendix C of the TS. To ensure a safer

walking route it will be important that the refuge is in place before the revised car park comes into use.

## **Traffic accidents**

The local road traffic accident record has been examined in Section 2 of the TS. There is no identified road traffic accident cluster that would be exacerbated by the proposed development.

# Traffic impact

The proposed car park will replace a similar number of spaces currently at the forecourt to the East Goods Yard. There will therefore be no significant change in the amount of trips generated to the area. There will of course be some change in distribution of trips at the local junctions within the area. Traffic surveys have been carried out and the impacts of the forecast changes in distribution examined. The revised car park will generate about 107 exiting vehicles on St Paul's Road and Spire view in the PM peak hour and about 59 in the AM peak hour. For the peak hour this is about one vehicle every 34 seconds. Table 6.2 details the forecast traffic impact at the Fisherton Street / St Paul's Road junction. The longest expected delay is about 17 seconds. The length of the queueing traffic, even turning out from St Paul's Road, is negligible. There will be no significant capacity and delay issue at the entrance to the car park from Fisherton Street - which is to be expected given the entrance only layout.

# **Planning conditions**

I recommend the following planning conditions:-

Prior to the development hereby permitted being first brought into use the pedestrian refuge detailed in the Transport Statement at Appendix C shall have been provided.

REASON: In the interests of highway safety.

No part of the proposed entrance and exit height barriers shall be erected above or on the public highway.

REASON: To prevent unauthorised structures within the public highway.

At all times while the development hereby permitted is operational the entrance off Fisherton Street shall be clearly signed as ENTRANCE ONLY and the exit to Spire view shall be clearly signed as EXIT ONLY.

REASON: In the interests of safe and convenient operation of the car park.

The car parking spaces within the car park shall be demarcated and the relevant directional road marking arrows and road markings as detailed on drawing number SAL/AHR/S1/00/DR/A/20000/G shall be provided before the proposed development hereby permitted is brought into use.

REASON: In the interests of safe and convenient operation of the car park.

The access to the car park from Fisherton Street and the exit from the car park to Spire View shall both be laid out as detailed on the submitted plan SAL/AHR/S1/00/DR/A/20000/G.

REASON: In the interests of highway safety.

**WC Public Protection –** No objection subject to conditions with the following comments received stating:

There are residential properties in close promage development site in Spire View. I note concern has been raised regarding the inclusion of security lighting on the development site which

may negatively impact nearby residents by shining directly into habitable windows, I therefore recommend the following conditions are applied to any approval of this application:

- Before the first use of the lighting scheme hereby approved, the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light Guidance Note 01:20. A letter written by a suitably qualified member of the ILP confirming this shall be submitted to the Local Planning Authority. The scheme shall thereafter be permanently retained in accordance with the details submitted. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.
- No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

**WC Ecology –** No objection subject to conditions with comments received stating:

Thank you for consulting Ecology, I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.

The following submitted documentation was reviewed to inform this response:

- i. Environmental Appraisal. December 2019. Camboll;
- ii. General Arrangement. October 2023. AHR Building Consultancy
- iii. Preliminary Ecological Appraisal Rev A. March 2024. Syntegra Consulting
- iv. Proposal for External Lighting and Sall Power. December 2023. Lachmann Consultants
- v. Ecology Consultation Response. April 2024. AHR

# **Protected Species**

We welcome the additional information 'Ecology Consultation Response' which was submitted to support the current application and includes an updated lighting strategy and landscape plan.

We note that no evidence of protected or notable species were identified on site. However, it is clear that habitat clearance was undertaken prior to the completion of the ecology survey which has prevented an accurate baseline assessment. The landscape plan has outlined a number of recommendations to enhance biodiversity across the site including retention of the remaining vegetation, additional native planting and the inclusion of bird boxes and habitat piles for invertebrates.

The site is currently unlit and appeared to support functionally linked habitat to the wider area. The PEA has assessed the site to be of moderate to high quality habitat for foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity.

The information provided within the 'Ecological Consultation Response' will ensure baffles are implemented and operation will be reduced to 80% maximum and reduced to 10% output when not in use. These proposals will ensure light spill is reduced on site and the boundary features remain dark.

BNG Page 40

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and the expectation is that development will deliver a net gain. The NPPF also encourages applications to deliver measurable net gains (para 174 d). At the current time therefore, the Council expects all applications to demonstrate no net loss of biodiversity and where appropriate to deliver a net gain.

Due to the removal of habitat prior to survey it is difficult to determine the baseline habitats that were present on site. Nevertheless, the remaining habitat will be retained and additional native planting and biodiversity enhancements will be implemented as outlined within the landscape plan. A management plan will be required to ensure the habitats created are retained for the lifetime of the scheme. This could be secured through a condition.

## River Avon SAC 20m Buffer

Due to the location of the proposed development in close proximity to the River Avon 20m buffer, a Habitats Regulations Assessment (HRA) for potential significant effects on the SAC was triggered. A test of likely significance has been carried out by the Appropriate Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations (as amended) 2019. This concluded that given the nature and location of the development, any temporary construction impacts and operational impacts would be de-minimus. The HRA has concluded that the application is not likely to have significant impacts on the SAC and an Appropriate Assessment is not required.

# Hampshire River Avon Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that due to the scale and nature of the proposals there is no mechanism for adverse effect and operational impacts would be de-minimis.

## New Forest Protected Sites 13.8km Recreation Zone of Influence

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale and nature of the development, there is no mechanism for adverse effect and operational impacts would be de-minimus. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

#### **CONDITIONS:**

- 1. The development will be carried out in strict accordance with the following documents:
  - Ecology Consultation Response. April 2024. AHR
  - Landscaping General Arrangement. April 2024. AHR
  - Drawing NO. 574273LL R4. December 2023. Thorlux Lighting

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

- 2. Prior to the start of construction, a Wildlife Protection and Enhancement Scheme will be submitted to and approved in writing by the local planning authority. The detail shall include:
  - Composition, size and number of the native planting mixes for the proposed planting;
  - Schedule of works demonstrating that planting will be no later than the first planting season post completion թվանդ
  - Details of the protection measures to be implemented for the new planting;

• Management measures to be implemented to ensure retention of the planting, to include replacement where necessary.

REASON: To ensure the management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

#### **INFORMATIVES:**

## Birds in the Nesting Season

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

# Reptiles

There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter and remove all waste arising from such clearance. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

**WC Drainage –** No objection subject to conditions

**WC Conservation –** No objection with comments received stating:

The site lies just outside of the Salisbury City CA. The proposed car park would have no significant impact on the setting of the CA, arguably it makes better and tidier use of the space, albeit requiring a potentially unsightly height restriction barrier. The additional traffic on St Paul's Rd would have a very minor impact on the setting of the grade II listed St Paul's Homes to the north, but this seems very unlikely to be at a level considered to be a concern in heritage terms.

**Environment Agency** – No objection subject to conditions with the following comments received:

#### Contaminated Land

The previous industrial use of the proposed development site presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site overlies a Principal Aquifer. The submitted Environmental Appraisal by Ramboll Ltd dated December 2019, demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority. In light of the above, the proposed development will be acceptable if the following conditions are included in any planning permission, including requiring the submission of a remediation strategy.

This should be carried out by a competent person in line with paragraph 180 of the National Planning Policy Framework. Without these conditions we would object to the proposal in line with paragraph 180 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

## 8. Publicity

The application has been advertised by way of letters to near neighbours of the site and by the displaying of site notices around the site subject to this proposal.

The publicity has generated eight letters of objection in total with comments received summarised as the following:

- Loss of vegetation and trees impacting on wildlife habitat;
- Works to remove vegetation already undertaken;
- Light and noise impacts/pollution;
- Increase in vehicular movements within Spire View;
- Negatively affect traffic flow from St Paul's Road to Fisherton Street;
- No plans of the proposed pedestrian crossing;
- Proposal does not include the necessary infrastructure to ensuring those using vehicles can safely walk to the railway station from the location of this scheme;
- Highway safety in respect of Royal Mail vans blocking St Pauls Road;
- Proposed lighting and CCTV in close proximity to 146 Fisherton Street;
- Air pollution;
- Traffic and environmental impact on Spire View residents with increase in use of mini roundabout associated with Spire View and loss of habitat

# 9. Planning Considerations

## 9.1 Principle of development including planning history

The key aim of this proposal is to provide a car parking facility close to the station to support a separate project involving the redevelopment of the forecourt to the front of Salisbury Railway Station. This project will provide a temporary car park facility for use by passengers during this separate project when parking to the front of the station will be limited. Of relevance to this scheme are the following planning policies.

Core Policy 1 of the 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. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development.

Core Policy 2 of the 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.

Core Policy 36 of the Wiltshire Core Strategy (WCS) refers to economic regeneration and states the following:

The Core Strategy supports regeneration opportunities and aims to maximise the re- use of previously developed land. The provision of economic development on previously developed land will therefore be supported.

The Salisbury, Chippenham and Trowbridge regeneration programmes provide a framework for coordinating and achieving the sustainable regeneration of the Principal Settlements. These identify a number of regeneration projects, focussed on the central areas, which are considered important to the future economic and social prosperity of the settlements.

It is considered that the wider scope of works associated with this project will support this policy.

Also of relevance to this application are Core Policies CP60 (Sustainable Transport), CP61 (Transport and New Development) and CP62 (Development Impacts on the Transport Network).

CP60 of the WCS regards sustainable transport states:

The council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

This will be achieved by:

- i. Planning developments in accessible locations
- ii. Promoting sustainable transport alternatives to the use of the private car
- iii. Maintaining and selectively improving the local transport network in accordance with its functional importance and in partnership with other transport planning bodies, service providers and the business community
- iv. Promoting appropriate demand management measures
- v. Influencing the routing of freight within and through the county
- vi. Assessing and where necessary mitigating the impact of developments on transport users, local communities and the environment.

Core Policy CP61 of the WCS regards transport and new development states:

New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

As part of a required transport assessment, the following must be demonstrated:

- That consideration has been given to the needs of all transport users (where relevant) according to the following hierarchy.
- Visually impaired and other disabled people
- Pedestrians
- Cyclists.
- Public transport
- Goods vehicles.
- Powered two-wheelers.
- Private cars.
- That the proposal is capable of being served by safe access to the highway network.
- That fit for purpose and safe loading/unloading facilities can be provided where these are required as part of the normal functioning of the development.

Where appropriate, contributions will be sought towards sustainable transport improvements and travel plans will be required to encourage the use of sustainable transport alternatives and more sustainable freight movements. Page 44

Core Policy CP62 of the WCS regards development impacts on the transport network states:

Developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. Proposals for new development should not be accessed directly from the national primary route network outside built-up areas, unless an over-riding need can be demonstrated

The former application in 2007 was considered against the then adopted planning policy TR4 of the Salisbury District Local Plan (SDLP) which stated:

The former Eastern Goods Yards is proposed as a freight/passenger interchange. The Steam Engine Shed site is proposed as a freight interchange/terminal. Other development will not be permitted on the above land if it would prejudice the implementation of these proposals.

The fore-mentioned policy is referred to within the Inspector's report (Ref No: APP/T3915/A/08/2080984) stating 'LP Policy TR4 allocates a large proportion of the site for a 'passenger interchange' and there can be no doubt that the proposal would make it easier for journeys to be made by rail to and from Salisbury station, thus encouraging greater use of sustainable means of transport'.

Subsequently, policy TR4 was deleted from the 2015 WCS. Thus there is no longer a specific planning policy which relates to the development of this particular site.

However, the Railway Station site is also referred to within the adopted Salisbury Central Framework (CAF) and recommends the following:

The CAF recommends the following Key Objective for the Station Character Area: To enhance the city's station forecourt area, and create a new hub around the northern section area focused on business and residential uses and an improved transport hub sought by

- Delivering public realm improvements to the station forecourt area, including a much improved Stonehenge bus stop facility, delivering people friendly streets, and reconfiguration of parking and station-related infrastructure;
- Delivering a longer term master planned proposal for the redevelopment of the wider station area, to potentially include a business hub (north of the station), managed workspace, hotel/conferencing facilities, retail, and residential uses (potentially including student housing/homes for young people).

This proposal for the creation of a car parking facility is in line with the adopted CAF by way of the improvements to parking and station-related infrastructure.

Officers also note paragraph 109 of the National Planning Policy Framework (NPPF) that states:

The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Consequently, it would appear that there is a general acceptance at national and local level that whilst the accessing by private car of city and town centre sites should be discouraged, there may be a case that the enhancement of existing car parking within sustainable central areas may be acceptable if it helps in the wider goals of encouraging more sustainable modes of transport.

Notwithstanding the above in respect of polic **Page**, **46**mbers are advised to have regard for the planning history of this site and the precedent set by planning application S/2007/2156 that granted

planning permission for a larger car park of 178 spaces in 2009 following an appeal decision by the Secretary of State. This scheme is for a smaller car park within the land and for a temporary three year period to support the Future High Street Fund station forecourt upgrade project. In order for this to be delivered, there is a need to provide temporary car parking for rail passengers which this planning application seeks to address. Overall the project will support business growth and enhance the city providing a more sustainable environment in relation to rail use in and out of the city. There are major sustainability benefits to the overall proposal of which this application forms a necessary part if the sustainability aims are to be achieved.

Officers also note the recent planning permission PL/2023/08490 that granted consent for the demolition of an existing vehicle testing centre, and erection of new delivery office, with associated car parking, landscaping and other ancillary development on land located with Churchfields Industrial Estate, approximately 0.8 miles to the west of the existing sorting office to which this site abuts. The applicant was the Royal Mail Group and a temporary change of use of this site for parking of vehicles (a five year permission) had already been granted with this permission expiring in early 2027.

The granting of this permission PL/2023/08490 supports the existing Royal Mail delivery office at Fisherton Street adjacent to this application site for the temporary car park. This existing delivery office has extremely limited parking, with only 12 spaces available on the site itself for fleet vehicles, and no capacity for staff parking. 8 spaces are proposed to be retained by the Royal Mail Group associated with this temporary three year period application when all fleet vehicles will then be expected to utilise the land at Churchfields once the recently granted planning permission for the delivery office has been implemented.

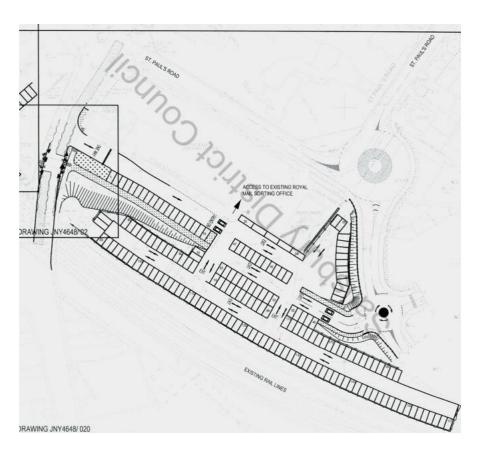
For the reasons as outlined above that include the planning history of the site and related recent consents associated with the Royal Mail Group, the proposed development for the creation of a car park for a temporary three year period is considered acceptable in principle, provided the development is appropriate in terms of its scale, siting and design to its context, and provided other interests including residential amenity, highways and ecology are addressed. These matters are discussed in subsequent sections of this report.

## 9.2 Design and Scale

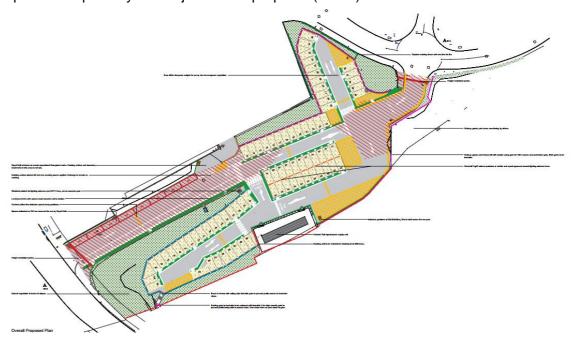
Core Policy 57 of the Wiltshire Core Strategy (WCS) requires there to be a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

The layout of the proposed car park and that of the previously approved car park on site are shown below for comparative reasons.

Car park layout approved under application S/2007/2156 below:



Proposed car park layout subject to this proposal (below):

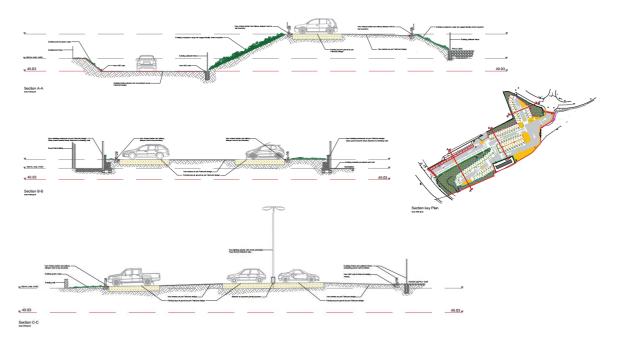


This scheme as shown in the above plan shows a layout for the car park which will be accessed from Fisherton Street. There will be ten parallel parking spaces to the right hand side, with eight spaces on the left hand side reserved for use by Royal Mail. At the top of the access road, the existing Royal Mail yard entrance and security barrier will be retained, which also marks the extent of their right of way through the site. This access road will continue through the stie and will be a predominately oneway system, with additional section of parking with two-way access to the norther section of the site and also the south western section of the site. The access road is denoted as one-way only for passengers/users with the exit at the far eastern and of the site where it is proposed to utilise the existing road access point via the mini roundabout on Spire View.

To the central southern section of the site there is a fenced off Principal Supply Point and generator which is to be retained with the current security fencing and gates. The layout will also ensure Network Rail can access this area when needed. To the eastern end of the site between the railway line and Spire View is an area of land which is to be retained by Network Rail for use as their compound. This is also to be securely fenced off with lockable gates and the layout has been designed to ensure Network Rail can manoeuvre their HGV to this location.

The site incorporates safe walking routes for passengers with designated crossing points and wayfinding signs directing them to the pedestrian exit and the station. Speed humps will also be installed to regulate vehicle speed within the car park. New lighting is to be provided throughout the car park which will be LED lighting heads mounted on lighting columns. A new electrical enclosure cabinet is also proposed and will be located within the car park, which will be fed via an underground series of electrical services ducts. Further ducts and turning chambers will be provided throughout the site to link the electrical services enclosure with the new lighting columns. A series of CCTV cameras are proposed to be provided offering surveillance and recording across the car park. Signage will also be provided to advise users of the presence of CCTV which will require separate advertising consent.

The only boundary external to the railway site which will be affected by the planned works is the timber fence which abuts Spire View. This fence is out of alignment due to the extent of vegetation behind and is need of replacing due to site clearance of the vegetation. To achieve the parking layout in this area it will also be necessary to raise the site levels meaning there will be a change in level of approximately 1m between the car park (high point) and pavement to Spire View (low point). To achieve this, a retaining wall is to be constructed to the perimeter of this area which will be clad in timber fencing to match the existing style and to a height of 2.4m above pavement level. This is shown in a plan below:



To the southern boundary of the site, a palisade fence is proposed to prevent access to the live railway which will be retained. At the south west point, there is a pedestrian track access gate which is to be replaced with a secure lockable version to match the palisade fencing. Access to this area will be restricted to Network Rail staff only with a new set of steps provided to improve access. The boundary between the new car park and the Network Rail compound to the south east of the side will be separated by a new section of palisade fence, again this will match those to the railway boundary with a double gate for vehicle access and a stage of the staff access.

To the perimeter of the parking bays there will be vehicle restraint Armco barriers to prevent vehicles from travelling beyond the site boundaries. This includes all boundaries adjacent to the railway track. Boundaries with a steep banking or drop within close proximity as shown in the section drawing above will also have Armco barriers for vehicles, along with integrated handrails to prevent pedestrian access.

By way of the works as identified and outlined above, officers consider the overall scale and layout of the proposed car park accords with the requirements of Core Policy CP57 of the WCS.

# 9.3 Impact to the amenity of the area including the adjacent Salisbury Conservation Area

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The site is located immediately within a mixed commercial/residential environment with the main harm of the proposal to the adjacent residential properties set within Spire View and residential flats within Fisherton Street located within a few meters of the eastern boundary of the site and at one of the vehicular access points proposed. Officers also note the letters of concern received to this proposal in respect to amenity impacts by way of the scheme to that of the occupiers of Spire View. These concerns largely refer to the increase in vehicular movements within the site, noise and light pollution by way of the increase in vehicular activities from users of the proposed car park and lighting within the site.

The Council's Public Protection Team have assessed this proposal and have provided the following comments to this scheme that state the following:

There are residential properties in close proximity to the development site in Spire View. I note concern has been raised regarding the inclusion of security lighting on the development site which may negatively impact nearby residents by shining directly into habitable windows, I therefore recommend the following conditions are applied to any approval of this application:

- Before the first use of the lighting scheme hereby approved, the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light Guidance Note 01:20. A letter written by a suitably qualified member of the ILP confirming this shall be submitted to the Local Planning Authority. The scheme shall thereafter be permanently retained in accordance with the details submitted. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.
- No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

Comments received around vehicular movements and additional lighting are duly noted. Given the existing setting of the site where there is a mixture of residential and commercial uses already in situ where such movements are commonplace, it would not be unusual to experience noises associated with vehicular movements. Whilst inevitably there would be an increase in vehicular movements and potential noise associated with the use of the site, officers consider given the context of the site with the surrounding road infrastructure and rail networks, any increase by way of the proposed would not

be significant to justify the refusal of planning permission. Furthermore, officers note the suggested conditions from the Council's Public Protection Officer around lighting detail that would reduce light pollution from within the site onto the surrounding area.

To clarify, a table of the advice for the environmental zones is shown below where a condition can be imposed onto consent to preserve this. In terms of the suburban nature of the site, any lighting would need to adhere to the E3 specification as shown.

Table 2: Environmental zones

Zone	Surrounding	Lighting environment	Examples
E0	Protected	Dark (SQM 20.5+)	Astronomical Observable dark skies, UNESCO starlight reserves, IDA dark sky places
E1	Natural	Dark (SQM 20 to 20.5)	Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.
E2	Rural	Low district brightness (SQM ~15 to 20)	Sparsely inhabited rural areas, village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Well inhabited rural and urban settlements, small town centres of suburban locations
E4	Urban	High district brightness	Town / City centres with high levels of night-time activity

As such, subject to the imposing of the suggested conditions or similarly worded conditions as outlined by the Council's Public Protection Team, officers are of the opinion that the proposal accords with the requirements of Core Policy CP57 of the WCS.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Policy 58 of the WCS states development should protect, conserve and where possible enhance the historic environment.

The southwestern edge of the site abuts the Salisbury Conservation Area as shown below and there are several listed buildings within the vicinity of application site.



Officers note the comments received from the Council's Conservation Officer that state:

The site lies just outside of the Salisbury City CA. The proposed car park would have no significant impact on the setting of the CA, arguably it makes better and tidier use of the space, albeit requiring a potentially unsightly height restriction barrier. The additional traffic on St Paul's Rd would have a very minor impact on the setting of the grade II listed St Paul's Homes to the north, but this seems very unlikely to be at a level considered to be a concern in heritage terms.

On the basis of the comments as outlined above, officers consider the scheme accords with the requirements of Core Policy CP58 of the WCS.

## 9.4 Ecological Impact including the River Avon SAC and New Forest SPA

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The application is accompanied by the following documentation listed below that has been assessed by the Council's Ecologist. Full details of the comments received from the Council's Ecologist are shown within the consultee response section of this report.

- Environmental Appraisal. December 2019. Camboll;
- General Arrangement. October 2023. AHR Building Consultancy
- Preliminary Ecological Appraisal Rev A. March 2024. Syntegra Consulting
- Proposal for External Lighting and Sall Power. December 2023. Lachmann Consultant
- Ecology Consultation Response. April 2024. AHR

Due to concerns raised by the Council's Ecologist in regard to the originally submitted documentation with this application, additional information has been provided by the applicant to address concerns raised around this as the originally submitted environmental appraisal was out of date and no details in regard to biodiversity net gain and proposed lighting within the site had been provided. This date has now been provided and no objection is raised by the ecologist subject to the imposing of the suggested conditions that works are carried out 5 in strict accordance with the submitted documentation and; that a wildlife protection and enhancement scheme is submitted to the Local Planning Authority to the construction of works associated with the proposal.

Officers note the comments received from members of the public, the City Council and the local member around the loss and removal of habitat with works being undertaken to facilitate this prior to any permission being granted. The agent for this scheme has provided a response to the removal of this vegetation in that this land clearance was done and is done by the land owner, Network Rail on a periodic basis and that planning permission is not required for the removal of this vegetation. An appropriately qualified person was on site during the removal of the vegetation from the land if any protected species were found and disturbed by this vegetation removal. The appearance of the vegetation was only intended to be temporary but had grown up since the construction of the Spire View development and was not intended to act as a 'green buffer' for the site.

In regard to Biodiversity Net Gain, Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and the expectation is that development will deliver a net gain. The NPPF also encourages applications to deliver measurable net gains (para 174 d). At the current time therefore, the Council expects all applications to demonstrate no net loss of biodiversity and where appropriate to deliver a net gain.

The Council's Ecologist has provided the following comments on this matter:

Due to the removal of habitat prior to survey it is difficult to determine the baseline habitats that were present on site. Nevertheless, the remaining habitat will be retained and additional native planting and biodiversity enhancements will be implemented as outlined within the landscape plan. A management plan will be required to ensure the habitats created are retained for the lifetime of the scheme. This could be secured through a condition.

Subject to the imposing of the suggested conditions of the Council's ecologist to address the ecological matters raised throughout the consultation of this planning application, officers consider that the proposal accords with the requirements of Core Policy CP50 of the WCS.

In terms of the River Avon SAC catchment and the New Forest SPA of which this site is located within, the Council's ecologist has provided comments that confirm the impact of the proposal would have no adverse impact on these protection zones.

By way of the scale and type of proposal subject to this planning application and the impacts to the protection zones as outlined above by the Council's Ecologist, officers are of the opinion that any adverse effect or impact to the River Avon SAC/buffer zone and New Forest SPA would be deminimis.

# 9.5 Parking/Highway Safety

This scheme proposes to provide an 89 space car park with 8 spaces for Royal Mail vehicles accessed from Fisherton Street. The access road through the site is denoted as one-way only for passengers/users with the exit at the far eastern end of the site where it is proposed to utilise the existing road access point via the mini roundabout on Spire View. As previously stated, the key aim of this proposal is to provide a car parking facility close to the station to support a separate project involving the redevelopment of the forecourt to the front of Salisbury Railway Station. This project will provide a temporary car park facility for use by passengers during this separate project when parking to the front of the station will be limited.

Core Policy CP60 states: The council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

Core Policy CP61 states: New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

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The National Planning Policy Framework (NPPF) sets out how sustainable development will be delivered, which includes promoting sustainable transport (Paragraphs 108 - 117). Within this section

of the NPPF it is recognised that transport policies have an important role to play in facilitating sustainable development and contribute to wider sustainability and health objectives. The NPPF identifies the need to favour sustainable transport modes to enhance travel choice, and to locate developments that generate significant movement where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The NPPF sets out that all developments that generate significant amounts of movement should be supported by a Transport Statement or a Transport Assessment and a Travel Plan (Paragraph 115), the latter being identified as a key tool to deliver sustainable transport objectives.

Officers note the volume of concerns received in regard to highway safety, the parking around the site by Royal Mail vehicles, the lack of a pedestrian crossing not being included within this application and the increase in vehicular movement associated with this proposal.

The Council's Highway Officer originally objected to this scheme on the basis that a transport statement have not been provided. The application is now accompanied by this statement undertaken by The Transportation Consultancy that has been assessed by the Highways Officer. Full comments of the Highway Officer response received are detailed within the consultee response section of this report. However, it is noted that no objection to this proposal is raised from a highway perspective subject to the imposing of several conditions as referred to within the comments of the Highways Officer in the consultee response section of this report.

In terms of the first suggested condition, this being the pedestrian refuge within Fisherton Street, this is proposed to be installed as part of the Fisherton Gateway enhancement project currently being undertaken. This refuge/pedestrian crossing is proposed to be installed at the entrance to the proposed car park to enable a safe walking route from the proposed car park to the railway station. However, these works do not form part of this planning application and will be undertaken by Wiltshire Council separately.

Comments received regarding unauthorised parking within St Pauls Road and the surrounding area are duly noted but are not a material consideration of this planning application. These are matters for the Council's Highways Enforcement team to investigate.

Whilst a number of objections have been received to this scheme on the basis of highway safety concerns, officers are aware of the precedent set by way of planning permission S/2007/2156 that granted planning permission for a large car park to that of what is proposed by way of this scheme. As the Council's Highways Officer has not raised an objection to this scheme, the refusal of planning permission would be difficult to justify at any appeal. As a result, subject to the suggested conditions as outlined above from the Council's Highways Officer, it is considered that the proposed works will not cause any significant detrimental impact to highway safety or highway users to justify the refusal of planning permission for this scheme.

# 9.6 Drainage/Land Contamination

The application is accompanied by a Flood Risk Assessment that has been assessed by the Council's Drainage Team and an Environmental Appraisal in respect of any land contamination matters that has been assessed by the Environment Agency. Subject to the suggested conditions or suitably worded conditions being imposed onto any consent, these matters will be suitably addressed.

## 9.7 Other matters

Officers note the concerns received regarding the damage to fencing around the perimeter of the site following the removal of overgrown vegetation from within the site. This fencing is proposed to be replaced as part of the proposal and is shown on submitted DWG No: SAL-AHR-S1-00-DR-A-09200 Rev C Fencing and Boundary Plan Details.

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# 10. Conclusion and Planning Balance

This proposal seeks planning permission for the provision of a car parking facility close to the Salisbury Railway Station to support the redevelopment of the forecourt providing a temporary car park facility (3 years maximum) for use by passengers with the creation of 89 parking spaces for passenger use and 8 parking spaces marked out for Royal Mail use.

The written concerns received from members of the public, the local member and Salisbury City Council during the consultation process for this planning application are duly noted and have been carefully considered.

Members are advised to consider the planning history of this site and precedent set by planning permission S/2007/2156 that granted on appeal, a 178 space car park on the land that was never implemented. This proposal seeks consent for a considerably smaller car park than to that of the previously approved scheme. This scheme is for a smaller car park upon the land for a temporary three year period to support the Future High Street Fund station forecourt upgrade project. In order for this to be delivered, there is a need to provide temporary car parking for rail passengers which this planning application seeks to address.

Overall it is considered that by granting this planning application planning permission, the overall enhancement project to the Salisbury Railway Station of which this application forms part of, will support business growth and enhance the city providing a more sustainable environment in relation to rail use in and out of the city. There are major sustainability benefits to the overall proposal of which this application forms a necessary part if the sustainability aims are to be achieved. For the reasoning as outlined within this report, the proposal is considered to accord with the requirements of Core Policies CP36, CP60, CP61 and CP62 in terms economic regeneration noting the Fisherton Gateway Enhancement Project works and the requirements of sustainable travel and reduction of private car use.

Therefore, the sustainable location of the site in the absence of any ecological or infrastructure consultee objection affords significant weight in the determination of this application. Suggested conditions around highways safety measures, ecological enhancement and amenity issues as per the responses from the statutory consultees that have no objection to this proposal can be imposed onto any consent.

As such, for the reasons as outlined within this report, officers consider the proposal for the creation of a 89 space car park with 8 spaces for Royal Mail conforms to the objectives of Core Policies 1, 2, 36, 50, 57, 58, 60, 61, 62 and 69 of the Wiltshire Core Strategy, the adopted Central Area Framework (CAF) and the requirements of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, planning permission should be granted for the development proposal.

## 11. RECOMMENDATION:

Approve with conditions:

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.

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

DWG No: SAL-AHR-S1-00-DR-A-08100 Rev C Site Location Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-90600 Rev B Proposed Line Marking and Signage Plan Date Received 07.12.23

DWG No: 157905/2010 Rev A Retaining Wall Details Date Received 07.12.23

DWG No: 157905/2011 Rev A Section A-A Drainage Trench Plan Date Received 07.12.23

DWG No: 4923/SAL/ELEC1 Proposed Lighting Plan Date Received 07.12.23

DWG No: SAL-AHR-S1-00-DR-A-90900 Rev B Proposed Sections, A-A, B-B and C-C Date Received 07.12.23

DWG No: SAL-AHR-S1-00-DR-A-09700- Rev C Proposed Demolition and Setting Out Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-20000 Rev G Proposed Site Layout Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-09800 Rev D Proposed HGV Swept Path Analysis Plan Date Received 03.01.24

DWG No: 157905/2001 Rev C Proposed Pavement Layout Plan Date Received 03.01.24

DWG No: 157905/2006 Rev B Proposed Site Levels Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-09200 Rev C Proposed Fencing Layout and Boundary Plan Date Received 03.01.24

DWG No: 157905/2004 Rev D Proposed Drainage Layout Plan Date Received 03.01.24

Ecology Consultation Response undertaken by AHR dated April 2024 Date Received 29.04.24

DWG No: SAL-AHR-S1-00-DR-A-20040 Proposed Landscaping Plan Date Received 29.04.24

DWG No: 574273 LL R4 Proposed Lighting Layout Plan Date Received 29.04.24

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

The use of the land for the car park hereby permitted and all associated infrastructure and paraphernalia associated with this use shall cease/be removed from the land in its entirety on or before the 17<sup>th</sup> May 2027. A restoration scheme to include a scheme of works for the re-landscaping of the land shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to the extinguishment of the use of the land or by no later than the 17<sup>th</sup> February 2027. All restoration works shall be carried out in accordance with the approved details.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of the use for which permission can only be justified on the basis of a special temporary need.

- REASON: To prevent unauthorised structures within the public highway.
- Prior to the development hereby permitted being first brought into use the pedestrian refuge detailed in the Transport Statement at Appendix C shall have been provided.
  - REASON: In the interests of highway safety.
- At all times while the development hereby permitted is operational the entrance off Fisherton Street shall be clearly signed as ENTRANCE ONLY and the exit to Spire view shall be clearly signed as EXIT ONLY.
  - REASON: In the interests of safe and convenient operation of the car park.
- The car parking spaces within the car park shall be demarcated and the relevant directional road marking arrows and road markings as detailed on DWG No: SAL/AHR/S1/00/DR/A/20000/G shall be provided before the proposed development hereby permitted is first brought into use.
  - REASON: In the interests of safe and convenient operation of the car park.
- The access to the car park from Fisherton Street and the exit from the car park to Spire View shall both be laid out as detailed on DWG No: SAL/AHR/S1/00/DR/A/20000/G before the proposed development hereby permitted is first brought into use.
  - REASON: In the interests of highway safety.
- Before the first use of the lighting scheme hereby approved, the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light Guidance Note 01:20. A report by a suitably qualified member of the ILP confirming this shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be permanently retained in accordance with the details submitted.
  - REASON: In the interests of residential amenity and to minimise light pollution.
- No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.
  - REASON: In the interests of residential amenity.
- Prior to the start of construction, a Wildlife Protection and Enhancement Scheme will be submitted to and approved in writing by the local planning authority. The detail shall include:

Composition, size and number of the native planting mixes for the proposed planting; Schedule of works demonstrating that planting will be no later than the first planting season post completion of works;

Details of the protection measures to be implemented for the new planting and; Management measures to be implemented to ensure retention of the planting, to include replacement where necessary.

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REASON: To ensure the management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

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Prior to development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- 1. A site investigation scheme, based on the Environmental Appraisal to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

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Prior to the development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

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If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

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Notwithstanding the submitted Drainage Strategy and SuDs Audit (dated November 2023), no development shall commence on site until a drainage and surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been submitted to and approved in Authority the Local Planning Authority. It shall include:

A construction management plan, which shall include details of, and measures to retain, the existing vegetation across the site together with drainage arrangement during construction phase;

Confirmation of groundwater levels providing floatation calculations or liner details, if required, to demonstrate that the interface buried attenuation and groundwater can be safely managed;

A plan of the site showing overland exceedance routes for flows in excess of the 1 in 100 year (40%) rainfall event that manage the risks to people and property.

The surface water scheme shall be implemented before first use of the development hereby permitted and be constructed in accordance with the approved details.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained in perpetuity.

No development shall take place until ground investigations, including soakaway testing in accordance with BRE 365 have been carried out on site incorporating the drainage design and a report of these investigations has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

REASON: To prevent the increased risk of flooding.

All soft landscaping comprised in the approved details of the landscaping scheme shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and any other 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

REASON: To ensure a satisfactory landscaped setting for the development.

programme to be agreed in writing with the Local Planning Authority.

prior to the occupation of any part of the development or in accordance with a

INFORMATIVE TO APPLICANT(S):

# 1. BREEDING BIRDS IN THE NESTING SEASON

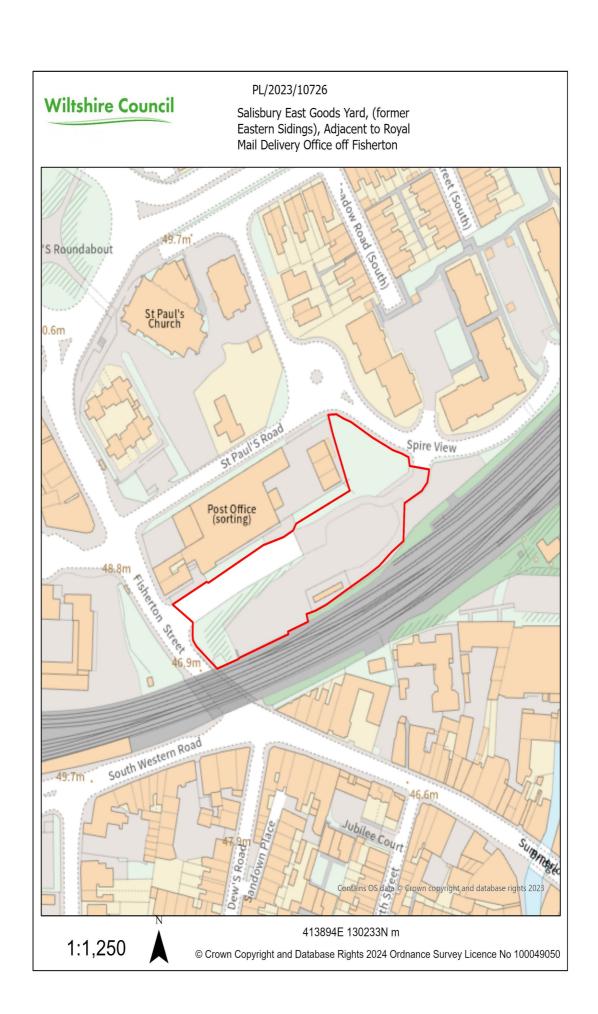
The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period

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between 1st March and 31st August but some species are known to breed outside these limits.

# 2.REPTILES

There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter and remove all waste arising from such clearance. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk).





#### REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	16 <sup>th</sup> May 2024	
Application Number	20/00337/FUL	
Site Address	Land to the east of Odstock Road and to the south of Rowbarrow, Salisbury, Wiltshire.	
Proposal	(Revised) Erect 86 dwellings together with garages, car barns, and refuse/cycle stores. Lay out gardens and erect means of enclosure. Creation of new vehicular access to Odstock Road. Lay out internal roads, including drives and pavements. Provision of associated public open space, play areas and landscape planting.	
Applicant	Bellway Homes Ltd	
Town/Parish Council	Salisbury City Council	
<b>Electoral Division</b>	Harnham East	
Type of application	Full	
Case Officer	Richard Hughes	

## 1. Purpose of Report

The purpose of the report is to update the committee on changes that have occurred following the resolution to grant approval of this scheme in April 2022. This includes the publication of the revised NPPF in December 2023, and changes to the Council's nutrient neutrality scheme. Members will note that the recommendation of officers remains that of approval of the scheme, subject to a suitable S106 and conditions.

## 2. Background

In April 2022 the Southern Area Planning Committee resolved to grant planning permission for this application subject to the applicant first entering into a S106 legal agreement (previous committee reports attached as appendix). The legal agreement is nearly finalised, although it has not yet been completed and so the planning permission has not yet been issued. Members should note that the proposed housing scheme remains as previously assessed and considered acceptable, including the provision of 86 dwellings on an allocated housing site, including affordable housing provision, and open space, and including the mitigation and benefits delivered via the S106 and conditions.

However, there have been some changes to some external factors which have led to the requirement for officers to advise Members.

Firstly, in December 2023 the government issued its revised National Planning Policy Framework (NPPF). This is a changed material consideration that must now be taken into

account. Furthermore, in recent months, the Council's mitigation scheme for nutrient neutrality has also been adjusted, and this too has implications for this scheme, as outlined in this report.

The effects of the changes in relation to this planning application are set out in the below report.

In making its decision to approve subject to the legal agreement the Committee took account of all matters relevant at the time. These included the development plan policies and national legislation/guidance. In the broadest terms, planning law requires the local planning authority in dealing with a planning application to have regard to the development plan and all material considerations. Where the issuing of a decision is delayed between the point in time at which the authority resolves to make the decision and when the decision notice is actually issued, and if during this 'gap' the authority becomes aware of new, or changed, material considerations, then the relevant law requires the authority to have regard to these considerations before finally determining the application.

Members should however note that it is the opinion of officers that the changes to the NPPF do not materially affect the Committee original decision for this particular application. However, given the changes that have occurred since Members made the previous resolution to approve the scheme, it is considered necessary for officers to update Members on these changes and to seek their continued support to progress this proposal.

# 3. Housing supply and delivery

The December 2023 NPPF contains two important amended/new paragraphs concerning housing supply and delivery, as follows –

- 76. Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:
  - a) their adopted plan is less than five years old; and
  - b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.
- 77. In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.

Paragraph 226 referred to in paragraph 77 states the following –

226. From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of

four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.

With regards to the above changes, at the time this application proposal was previous considered acceptable in April 2022, the Council had to demonstrate a 5 year supply of housing.

However, Wiltshire Council is now regarded as a 'paragraph 77 authority' because the Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process – with both a policies map and proposed allocations towards meeting housing need. Consequently, the Council is now only required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.

## **Current housing land supply position**

The Council's most recent Housing Land Supply Statement (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. In subsequent appeals this figure has been reassessed to be 4.59 years. These figures exceed the 4-year threshold now relevant to Wiltshire, and for the planning balance this means that it is now starting from a 'level' position rather than 'tilted'.

The "tilted balance" can still apply even with a sufficient housing land supply, in situations where there are no relevant development plan policies, or those policies which are most important for determining the application are out of date. However, a recent appeal decision (at Semington, Wiltshire ref PL/2022/09397), concluded that the most important policies for determining that application (including policies CP1 & CP2) were not out of date, and as such the tilted balance was not engaged.

The same conclusions can be drawn for this site and therefore in terms of paragraph 11 of the NPPF, for decision making, para 11(c) of the NPPF is now relevant. Hence, it is a "flat or level" rather than "titled" balance.

## Consequences of the change to the NPPF in relation to this application

As the site is an allocated housing site in the adopted Development Plan (see appended officer reports), the change to the NPPF in terms of the housing land supply issue should not affect or change the Committee decision to approve the proposal, subject to a S106 and conditions), for the following reasons:

 The site remains in principle a proposal that is supported by WCS Core Policies 1 and 2, as it is an allocated housing site in the Development Plan, and thus approval of the scheme helps retain the Council's overall land supply of housing.

- There remains no technical objections to the scheme against any of the WCS policies when read as a whole and, therefore, the scheme is considered to be in compliance with the Development Plan.
- Members previously considered the scheme acceptable, and did not identify any other material considerations that were relevant to the recommendation to approve the application scheme, that would not longer be relevant in light of the change to the NPPF

For the above reasons, the issue of the housing land supply was not, in officer opinion and in terms of the officer reports attached, a determinative factor when Members considered the proposal to be acceptable previously. Thus, the changes to the Council's land supply position is therefore considered to be of limited relevance to this application scheme. The scheme is still considered to comply with the development plan when taken as a whole, and would still deliver the positive benefits that are identified in the original reports, including much needed affordable housing.

Furthermore, despite the adjustment to the NPPF in terms of the land supply matter, the NPPF still reiterates that local planning authorities should approve development proposals that accord with an up to date development plan, and at paragraph 60, the NPPF still reiterates the objective to significantly boost the supply of housing. This application proposal would meet the aims of the Framework in this regard.

Consequently, it is considered that Members should still support this proposal for the same reasons they supported the proposal in April 2022. The NPPF change to the housing land supply does not make a material difference in officers opinion.

# 4.S106 matters - nutrient neutrality

As outlined in the previous officer reports attached, this development also falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater.

Please note that since Members considered this proposal in 2022, the Council's current strategic mitigation approach regards nutrient neutrality has now changed. A report was approved by Cabinet in February 2024.

The Council-led mitigation scheme will only be available for "planned development" where there is a supply of mitigation credits for the relevant sub-catchment, and the credits will only be allocated to applications that are advanced in the planning system. Developer contributions via planning obligations are sought for planning applications that wish to use the Council-led scheme. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge.

The Council led mitigation scheme will also only be available for applications that comply with saved housing site allocation policies (Appendix D, Wiltshire Core Strategy) and / or Core Policy 2 (Delivery Strategy) of the Wiltshire Core Strategy (excluding Core Policy 37 (Military Establishments), Core Policy 44 (rural Exception sites) and Core Policy 46, 47, and 48, where no other significant planning matters are outstanding. The proposal before Members complies with this, in particular Core Policy 2.

The council-led scheme is one option that development can potentially use to help achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. Other options such as securing mitigation through private providers, as well as delivery of bespoke solutions on-site where possible can also be progressed by developers.

In this case, the applicant has discussed the above with the Council's ecologist, and a suitable mitigation strategy is being agreed. At the time of writing, this would result in a new "Head of terms" being added to the S106 terms previously listed in the attached committee reports, whereby a commuted sum payment or an alternative strategy is provided towards mitigating the impact of the scheme. At the time of writing, this mitigation is being agreed between the parties.

# 5. Planning conditions

Members should note that inconsequential adjustments have been made to the proposed archaeology condition, with the agreement of the Council's archaeologist. The list of relevant plans has also been slightly adjusted to allow for corrections to the previous published list.

#### 6.Conclusion

With due regard to the changes in the December 2023 NPPF regards the housing land supply, and the changes to the Council's nutrient neutrality scheme, it is recommended that the application continues to be supported and approved for the above reasons, and notably that:

- The proposal would help boost the Council's 4 year supply of housing
- The proposal would mitigate its impacts in terms of nutrient neutrality

Consequently, it is recommended that that the application be approved, subject to a suitable S106 and conditions.

RECOMMENDATION: That the Head of Development Management continues to be authorised to grant planning permission, subject to a S106 related to the following matters, and the planning conditions listed thereafter.

I) NATURAL ENGLAND AGREEING THE POSITIVE OUTCOME TO A HABITATS REGULATIONS ASSESSMENT (HRA) BY THE COUNCIL, and

# ii) A SUITABLE S106 LEGAL AGREEMENT BEING ENTERED INTO WITH REGARDS THE PROVISION OF THE FOLLOWING MITIGATION:

- Provision of 40 percent affordable housing on site (including mix, adaptable standards, and minimum size standard)
- Provision and maintenance of public open space, play space (including connecting paths across the open space), together with off site contribution for MUGA
- Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road
- Ensure that proposed linking pathways to the surrounding area are

provided up to the site boundary with unfettered public access and a scheme for their provision

- Financial Contribution to and Provision of waste and recycling facilities
- Financial Contribution to educational facilities
- Provision of off site traffic works and sustainable transport contributions and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.
- Provision of/financial contribution to a public art scheme
- Provision of Biodiversity enhancement contributions namely:
- A financial contribution of £240,000 towards a Council Biodiversity Net Gain project at Roundbarrow Farm in order to deliver a total of 8 habitat units at a cost of £30,000 per unit.
- Retention and management of the open space as Suitable Alternative Natural Greenspace (as shown on a plan) in perpetuity or for as long as the development site remains in residential use.
- A financial contribution of £8000 towards compliance of SANG provision in accordance with requirements of the Council's Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1, 25 March 2022) to provide a compliance visit in each of the first five years after the open space is laid out, a compliance visit once every five years thereafter until 30 years after the open space is laid out and inclusion of the SANG in a contract for visitor surveys in years 5 and 10 after the open space is laid out
- Financial contribution (TBC) or alternative scheme as agreed by the Council towards a Phosphorous Mitigation scheme to mitigate the nutrient impact of the proposal on the River Avon Special Area of Conservation.

And subject to the following conditions:

# Three Year commencement

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

## Approved plans

2. The development shall be carried out in accordance with the following amended plans and details:

P1597.01 Rev ZA Planning Layout P1597.02 Rev Q Materials Layout

P1597.03 Rev P Building Heights Layout

P1597.04 Rev S Tenure Layout

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P1597.05 Rev P
                    Parking Layout
                    Refuse Layout
P1597.06 Rev P
P1597.07 Rev P
                   Enclosures Layout
P1597.08 Rev C
                    Location Plan
P1597.SS.11 Streetscenes
P1597.SS.12 Streetscenes
P1597.SEC.01 Rev B Site Sections
                    Type 2 - (Baker), Floor & Roof Plans
P1597.2.01 Rev A
P1597.2.02 Rev A
                    Type 2 - (Baker), Elevations - Brick
                    Type 3A - (Ploughwright), Floor & Roof Plans
P1597.3A.01
P1597.3A.02
                    Type 3A - (Ploughwright), Elevations - Brick
P1597.3A.06 Type 3A - (Ploughwright) Floor and roof plans
P1597.3A.07 Rev A Type 3A - (Ploughwright) Elevations - Brick
                           Block A, Ground & First Floor Plans
P1597.BLKA.01 Rev A
P1597.BLKA.02 Rev A
                           Block A, Second Floor & Roof Plans
                           Block A, Front & Side Elevations
P1597.BLKA.03 Rev C
P1597.BLKA.04 Rev C
                           Block A, Rear & Side Elevations
P1597.BO.01 Type BO - (Bowyer), Floor & Roof Plans
P1597.BO.05 Rev B Type BO - (Bowyer), Floor & Roof Plans
P1597.CO.01 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.02 Type CO - (Cooper), Elevations - Brick
P1597.CO.07 Type CO - (Cooper), Floor and roof plan
P1597.CO.08 Rev A Type CO - (Cooper), Elevations - Brick
P1597.MA.01 Type MA - (Mason), Floor & Roof Plans
P1597.MA.02 Type MA - (Mason), Elevations - Brick
P1597.MA.03 Type MA - (Mason), Elevations - Tile Hung
P1597.MA.04 Type MA - (Mason), Elevations - Tile Hung
P1597.SC.01 Rev B Type SC - (Scrivener), Floor & Roof Plans
P1597.SC.02 Rev B Type SC - (Scrivener), Elevations - Brick
P1597.SC.02 Rev A Type SC - (Scrivener), Elevations - Brick
P1597.TA.01 Rev A Type TA - (Tailor), Floor & Roof Plans
P1597.TA.02 Rev A Type TA - (Tailor), Elevations - Brick
P1597.TH.01 Type TH - (Thespian), Floor & Roof Plans
P1597.TH.02 Type TH - (Thespian), Elevations - Brick
P1597.TH.03 Type TH - (Thespian), Elevations - Tile Hung
P1597.TH.05 Rev A Type TH - (Thespian), Elevations - Tile Hung
P1597.WO.01 Rev A Type WO (Woodcarver) Elevations - Tile Hung
P1597.GAR.01Rev A Twin Garage - Gable Side, Plans & Elevations
P1597.GAR.04
                    Single Garage - Plans & Elevations
P1597.BIN.01 - Bin Store - Plans & Elevations
P1597.CYC.01 Rev A - Cycle Store - Plans & Elevations
             Type 3 - (Tillman), Floor & Roof Plans
P1597.3.05
P1597.3.06
             Type 3 - (Tillman), Elevations - Brick
P1597.CH.01 Type CH Rev A - (Chandler), Floor & Roof Plans
P1597.CH.02 Type CH Rev A - (Chandler), Elevations - Brick
P1597.CO.05 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.06 Type CO - (Cooper), Elevations - Brick
                    Carbarn - Plans & Elevations
P1597.GAR.05
P1597.GAR.06
                    Garage - Plans & Elevations
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#### Archaeology

Updated Heritage report and Written Scheme of Archaeological Investigation March 2022

#### Drainage

Site Appraisal report Rev D March 2019 (Flooding and surface water) Amending Drainage Technical Note and the following:

- Drawings 501-505: The updated drainage strategy layout showing the proposed site levels and retaining wall locations and heights
- Drawing 554-556: Showing cross sections of the soakaways
- Drawings 508-512: Showing the catchment area layout for the drainage strategy
- The Management and Maintenance strategy report
- Appendix E the hydraulic calculations for each SuDS component on site.

# Landscaping

Updated Tree Survey Plan (BELL22723-03D) and Arboricultural Impact Assessment & Method Statement (BELL22723aia\_amsD)

Revised Detailed Landscape Drawings and Landscape Masterplan

BELL22723 10D;

BELL22723 11D;

BELL22723 11D (sheet 1)

BELL22723 11D (sheet 2)

BELL22723 11D (sheet 3)

BELL22723 11D (sheet 4)

BELL22723 11D (sheet 5)

BELL22723 11D (sheet 6)

Soft Landscaping Management & Maintenance Plan ref BELL22723 by ACD dated 4th July 2023 Rev C

Updated LVA to reflect plan amends (parts 1-6)

Revised LEMP March 2022

## Transport and Access

Drawing 043.0017.001 rev E Proposed Site Access Visibility Splay (Paul Basham Associates)

Transport Assessment Addendum and revised plans 043.0017/TAA/4 March 2022 (Paul Basham Associates)

Travel Plan 043.0017/TP/3 December 2019 (Paul Basham Associates)

Transport Assessment Part 1 & 2 043.0017/TA/3 December 2019 (Paul Basham Associates)

# **Ecology report**

Up-Dated Ecological Appraisal & Phase 2 Surveys March 2022 (LC Ecological Services) Ecological Construction Method Statement 31.03.2022 (LC Ecological Services) Landscape and Ecological Management Plan 31.03.2022 (LC Ecological Services) Appraisal and Phase 2 Survey Document October 2018 Updated May and December 2019 (Lyndsay Carrington Ecological Services)

White Helleborine Survey May 2020 (Lyndsay Carrington Ecological Services)

## Waste and sustainable design

Waste Audit and CEMP 2019 (Savills)

Sustainability Statement 13th January 2020 (Southern Energy Consultants)

REASON: For the avoidance of doubt

#### Materials

3.Before the relevant dwellings are occupied, details of the materials to be used for the external walls and roofing of the buildings, and hardsurfaces, including paths across the

open space areas, shall be submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the agreed details.

REASON: In the interests of the visual appearance and amenity of the development and area

# Water efficiency

4. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the mitigation strategy for nutrient neutrality in the River Avon SAC catchment.

## Lighting

5.All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux. Footpaths across open space will remain unlit for the lifetime of the development.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

# Biodiversity Net Gain landscaping

6. The development will be delivered in accordance with the approved Biodiversity Metric and will achieve no fewer than 8 habitat units and no fewer than 10.17 hedgerow units within the planning permission boundary.

REASON: to comply with CP50 in delivering a net gain for biodiversity.

# Protection during construction

7.Before any construction or other works commence, the following habitats will be securely fenced off/protected before works commence, and vehicles, compounds, stockpiles and any construction related activities will be excluded from those protection areas throughout the construction period:

- All retained semi-improved grassland (i.e. grassland within area shown as Wildflower Meadow on the approved Landscape Masterplan.
- Beech tree belt along the south west boundary of the application site and the existing tree belt along the north boundary of the site with Ancient Way, including canopy and root zones as per the approved Tree Protection Plan and Method Statement

 Works should avoid/protect the scheduled ancient monument and archaeological deposits

REASON: Insufficient information provided with the application to comply with policy CP50 and the sensitive archaeology on the site and adjacent.

## **Ecological Clerk of Works**

8.Before construction works commences, a qualified Ecological Clerk of Works will be appointed by the applicant/developer who will attend site regularly (at least once a month) throughout the construction phase of development, documenting each visit, the advice issued as a result of the visit and the effectiveness of all ecological mitigation measures. These documents will be made available to the Council as Local Planning Authority on written request.

The Ecological Clerk of Works will:

- Undertake checks for bats, birds, herptiles, hedgehogs and dormice no more than 48 hours before vegetation is removed / felled and ensure wildlife is appropriately protected
- Ensure habitat protection fencing remains effective throughout the construction period
- Ensure retained semi-improved grassland is managed twice annually with cuttings removed off site throughout the construction period in accordance with the approved revised Soft Landscape Management and Maintenance Plan.
- Anticipate, prevent and respond to pollution that risks entering surface or ground water.

REASON: To ensure compliance with ecological protection and mitigation measures.

## Provision of Bat roosts etc

9. Before development commences, details of the location and design of integral bat roosting features, swift bricks, bee homes and hedgehog access holes in garden fencing will be submitted for Local Planning Authority approval. At least 20% of all approved dwellings/apartments will have at least one of these features. The development will be completed in accordance with the approved details, and prior to any of dwellings/apartments affected being first occupied.

REASON: To contribute to offsetting the loss of wildlife as a result of the development.

# Parking and turning areas

10.Before the relevant apartment/dwelling is occupied, the garaging/parking/cycle parking and associated turning areas associated with that apartment/dwelling shall be constructed and provided on site, and shall be maintained in perpetuity thereafter for the purpose.

REASON: In order to ensure that suitable parking and turning areas are provided on site

# Vehicular access works

11.Prior to first occupation of any dwelling hereby permitted the vehicular access onto Odstock Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the north, and 90 metres to the south.

Reason: In the interests of highway safety.

12. Prior to first occupation of any dwelling the ghost island right turning lane outlined on approved highways/access drawing (as per the amended Transport Assessment March 2022) on Odstock Road including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of Odstock Road over the length of the right turning lane scheme, shall all have been constructed and made permanently available for use in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of providing safe and convenient access to the development.

# Construction Transport Management Plan

13. Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include details of construction vehicle routeing, construction staff vehicle parking areas within the site, local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety and road user convenience.

#### Electric Vehicle Infrastructure

14. No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the Local Planning Authority prior to implementation and thereafter be permanently retained.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

### Contaminated Land

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

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

contamination may be present on the site and the potential impact of any adjacent sites.

- Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.
- Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

Reason: Core policy 56, To reduce the risks associated with land contamination

#### Acoustic report

16. Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 *Guidance on sound insulation and noise reduction for buildings (or any subsequent version)* and WHO *Guidelines for Community Noise* (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

REASON: In the interest of amenity

# Protection of amenity during construction

17. Notwithstanding the submitted CEMP December 2019, no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interest of amenity

- 18. Notwithstanding the submitted CEMP December 2019, prior to commencement of the development a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The revised Plan shall include additional/revised details of:
  - Working hours to match that stipulated by this consent
  - No idling of engines of lorries whilst waiting outside the site

- Details of any on site generators and their locations
- An external lighting plan and positions on site
- Details of piling must be continuous flight auger piling wherever possible
- Show how the works will avoid/protect the scheduled ancient monument and the archaeological deposits
- Show how the works protected the tree belts along the south and northern boundaries of the site and the sensitive ecology

The site construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity

## **Archaeology**

19. The development shall be carried out in accordance with the Written Scheme of Investigation for archaeological strip, map, and sample excavation and monitoring, by Savills dated March 2022. Within one calendar year of the commencement of development on site, (or an alternative time table agreed in writing with the Local Planning Authority), a landscaping maintenance and management plan showing how the sensitive archaeology on and adjacent to the site would remain protected and unaffected in perpetuity, including the ancient trackway marked by an avenue of trees on the approved plans, shall be submitted to and approved by the Local Planning Authority. The management plan shall include management and maintenance responsibilities and 'no dig' areas for the open green space.

REASON: To record and advance understanding of any heritage assets to be lost and to make this evidence publicly accessible, and to protect those heritage assets that remain. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded.

#### Drainage

20. Notwithstanding the drainage details submitted as part of this application, no development shall commence which would involve or relate to drainage provision until a scheme showing the following:

- a) the results of infiltration test; and
- b) confirmation that all finished floor levels are shown to be above the maximum predicted 100 year flood level, and
- c) confirmation that each relevant household will be informed of its responsibility for the maintenance and protection of any sustainable urban drainage systems within its curtilage.

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme/details.

REASON: In the interests of achieving sustainable drainage

#### **INFORMATIVE**

Archaeology

As the applicant/developer is aware, the site contains sensitive archaeology. Consequently, appropriate care needs to be taken when developing this site.

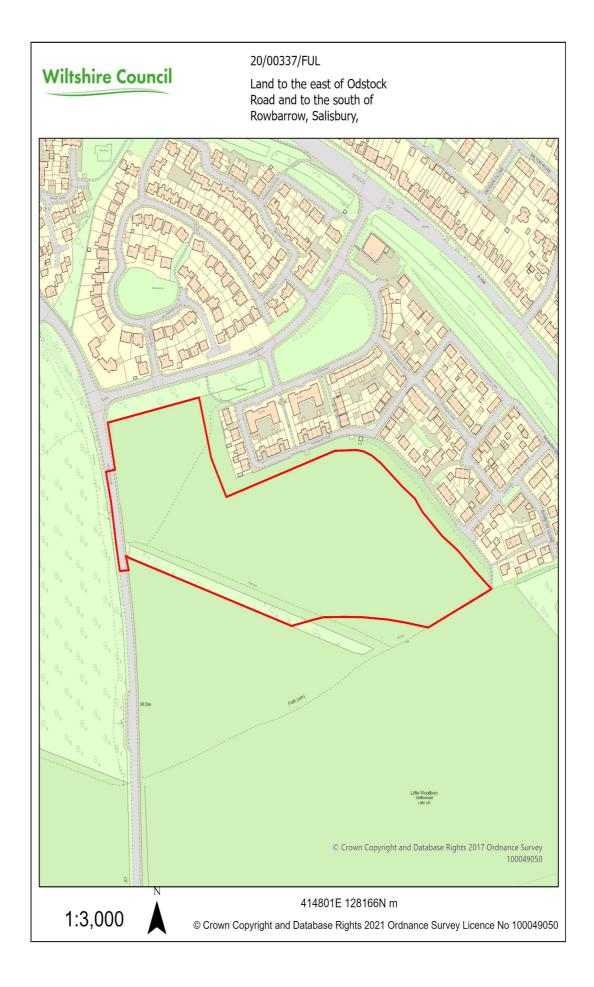
The programme of archaeological work should comprise the following elements:

- i) Prior to the commencement of development, the detailed archaeological investigation of areas of archaeological interest identified by the exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded. The programme of archaeological fieldwork may also include archaeological monitoring during development and landscaping works.
- ii) A programme of assessment, analysis, reporting, and publication that is commensurate with the significance of the archaeological results. The condition will not normally be fully discharged until this element of the programme of archaeological work has been satisfactorily completed.

Appropriate measures should also be put in place to ensure that the 'area of archaeological interest' that is to be preserved in situ and that part of the Scheduled Monument that lies within the red line boundary are not subject to any construction activities, such as temporary soil bunds, temporary compounds or access routes, or similar, during the course of the development. The measures should comprise part of the Construction Environment Management Plan.

# Acoustic report

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.





## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	3 <sup>rd</sup> February 2022
Application Number	20/00337/FUL
Site Address	Land to the east of Odstock Road and to the south of Rowbarrow,
	Salisbury, Wiltshire.
Proposal	Erect 95 dwellings together with garages, car barns, and
	refuse/cycle stores. Lay out gardens and erect means of
	enclosure. Creation of new vehicular access to Odstock Road.
	Lay out internal roads, including drives and pavements. Provision
	of associated public open space, play areas and landscape
	planting.
Applicant	Savills
Town/Parish Council	Salisbury City Council
Electoral Division	Harnham East
Grid Ref	
Type of application	Full Planning
Case Officer	Richard Hughes

# Reason for the application being considered by Committee

The application has been called-in by Cllr Hocking if officers are minded to approve due to the lack of community facilities, highway and visual impacts, relationship with adjacent area.

#### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved for the reason(s) set out below.

# 2. Report Summary

The issues in this case are:

- Principle of development, policy and planning history;
- Design, scale and impact to the amenity of the area/Landscape Impacts
- Heritage impacts/archaeology
- Parking/Highways Impact;
- Ecological Impact/River Avon Catchment Area
- Drainage
- S106 matters

# 3. Site Description

The site is an agricultural field located on the southern outskirts of the city of Salisbury. The site is elevated, and the site itself slopes up from north to south. Along the southern boundary is a belt of mature trees, and a Scheduled Ancient Monument (Woodbury). To the immediate north of the site is the community of Rowbarrow, and beyond that, Harnham. To the west runs the Odstock Road, and off to the south adjacent fields is Salisbury District Hospital. To the north of the Rowbarrow developments is the Downton Road. To the east is a field system and the Park and Ride site and a storage business (an old dairy site), with the small settlement and Britford and its primary school beyond. The Salisbury City is some distance to the north. The Rowbarrow housing to the north of the site contains a convenience store and car park, and therefore is a petrol station and store close by. The surrounding roads are on main bus routes.

# 4. Planning History

The site itself has no planning history, being an agricultural field. However, the land to the north has been developed over many years into the Rowbarrow community, and subject of the following recent applications:

Adopted Rowbarrow/Downton Road Development Brief 2005

S/2005/0980 - Outline consent at Rowbarrow Phase 2

S/2008/2077 - Reserved matters

S/2009/0970 - Phase 2a

S/2011/205 - Phase 3

### 5. The Proposal

The proposal as originally submitted indicated 108 dwellings. Following archaeological related issues, and consideration of the various consultee responses and third party concerns, the scheme as amended related to the creation of 101 dwellings, and a further revision has reduced the scheme to 95 dwellings. A new vehicular access would be created off the Odstock Road. The remainder of the site would be provided as public open space, and landscaping.

# 6. Local Planning Policy

National Planning Policy Framework 2021 National Design Guide

Policy H3.4 - Adopted Wiltshire Housing Site Allocation Plan 2020

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 3 Infrastructure requirements

Core Policy 20 Salisbury spatial strategy

Core policy 41 & 42 Sustainable design and renewable energy

Core Policy 43 Affordable Housing

Core Policy 50 & 52 Biodiversity and Green Infrastructure

Core Policy 51 Landscaping

Core Policy 55 Air Quality

Core Policy 57 Ensuring high quality design and place shaping

Core Policy 58 Heritage assets

Core Policy 61 Transport and New Development

Core Policy 67 - 69 Water resources/flooding/Protection of the River Avon SAC

Wiltshire Local Transport Plan 2015-2026: Car Parking Strategy

Creating Places SPD

**AONB Management Plan** 

## Saved Salisbury District Local Plan

Policy C6 Special Landscape Area

Policy R2 Open spaces

Policy D8 Public Art

# 7. Summary of consultation responses

WC Highways – No objection subject to S106 contributions and conditions

WC Rights of Way – No objection to adjusted plans subject to improvement works to BRIT8 right of way

WC Public protection – WC Public protection have indicated that it has no objections to the proposals subject to a number of conditions.

WC Archaeology - No objections to amended plans

WC Housing – Affordable housing welcomed, S106 required to secure.

WC Open Space and Public Art – No objections subject a S106 to secure play space and play area and public art contribution towards a scheme required via S106

WC Drainage – No objections other than concern over soakaways in the highway

WC Tree Officer – No Objection to the amended plan subject to tree protection measures during construction due to proximity of housing to belt of trees

WC Ecology – No objections subject to various conditions and S106 contribution

WC Landscape – No objections in general but a number of issues need to be clarified. Amended plan awaited.

WC Urban Design – Maintains concerns regards the layout being too road and parking dominated, resulting in poor street scene and amenity for some dwellings in part of the layout, and suggested that additional dwellings perhaps need to be removed near the tree belt.

Historic England – No objections, subject to the scheduled monument and archaeological features being protected and enhanced during works.

Wessex Water – No objections. General comments regards foul water and drainage. Natural England – no objections. Scheme will need HRA screening

# 8. Publicity

The original application scheme for 108 dwellings resulted in 56 third party responses, and the revised publicity for the revised scheme of 101 dwellings resulted in a further 11 third party comments. The further adjustment to 95 dwellings resulted in a further 7 comments.

The various comments relating to the following matters:

- Development would remove an area of much used open land
- Keep footpaths and protect the trees
- Development would have too many highway impacts
- Too many homes together with the Netherhampton Development
- Harnham Gyratory and other junction will be overwhelmed
- Traffic will affect hospital route
- Where will all these people work/affect existing infrastructure
- Amenity of adjacent dwellings would be adversely affected
- Noise and dust from construction will affect existing residents
- Landscape character will be affected as will the ecology balance
- Archaeology will be affected
- Need a more spacious layout
- · Provide much needed affordable and private housing
- Bring investment into the city
- Provide housing for nurses

Salisbury City Council - objects to this application for the following reasons:

Not being compliant with SCC's climate change objectives and asks for the following planning conditions to be considered:

- 1. Full Fibre Broadband to be installed in all houses.
- 2. All houses with driveways to have Electric Vehicle charging points installed.
- 3. All houses to have solar panels installed
- 4. All houses to be air/heat pumps retro fitable.
- 5. S106 monies to include amount for schooling.
- 6. Space for Community facilities.

SCC also objects to this application for the following reasons:

- 7. Bland design, lack of character.
- 8. Drainage concerns.
- 9. Ecological impact.
- 10. Lack of and the need to create more space for community facilities.
- 11. A gap along the treeline is required to protect the orchids.
- 12. Failing to adequately protect the connecting the green spaces
- 13. Protect the views on higher ground
- 14. Objects to the planting scheme and asks for the expert comments on appropriate

planting to be taken into consideration.

- 15. Lack of housing for Swifts, Bats and Hedgehogs
- 16. Adverse additional traffic impact on Harnham with no strategy to address this issue. This includes having the entrance into the development from Rowbarrow Road as opposed to Odstock Road which will better benefit pedestrians, cyclists and emergency response vehicles travelling along Odstock Road.
- 17. Furthermore, SCC fully supports Salisbury Area Greenspace Partnership's comments which are noted on WC's website and asks that Wiltshire Council Ecologists comments are fully adhered too in full.
- 18. Site entrance onto Rowbarrow would be preferable.

# Salisbury Area Greenspace Partnership -

Apart from a strong objection to development south of the spine road, the location of a NEAP close to the Beech tree belt and the urbanisation of Odstock Road due to the proposed revised layout, SAGP is (largely) reinforcing points that have already been made in earlier comments but have not been addressed in either the revised landscape plans or the revised transport plan. Please note that SAGP's previous comments remain relevant and are included in this document.

Whilst it is acknowledged that the developer has unexpectedly had to take into account the archaeology on this site, SAGP consider that this is not sufficient reason to justify the loss of valuable landscape setting and character, and local amenity green infrastructure, or the adverse impact on local ecology, on local cultural and heritage features and in particular on the TPO Beech tree belt. Furthermore, introducing a teenage play facility (or NEAP) close to protected trees which are already under pressure is not considered appropriate. SAGP would like to see a much more generous greenspace buffer to help protect the Beech trees and their associated orchid population, and to provide a setting for this important asset, and that public access to and enjoyment of the views from the high ground is maintained. SAGP is also concerned that the harsh urban edge proposed along the western boundary of the site will cause the loss of the rural character of this area and approach to the city.

SAGP maintains its strong objection to the proposal to site 15 dwellings on the south side of the spine road as shown on the revised plans. The design and layout of the scheme is not considered to be sufficiently sensitive for this particular site as required by the inspector but is overdevelopment which will lead to unacceptable harm.

#### To expand further:

i) Loss of landscape setting, local GI and increasingly rare chalk downland habitat and ecology
The current NPPF, July 2021 and the Government's Model Design Guide lay

great emphasis on the need for the design & layout of new development to respect the qualities which make each place special. In addition, Wiltshire Council's draft Green and Blue Infrastructure (GBI) and Climate Change Strategies highlight the importance of GBI including trees and species rich grassland for mitigating the impact of climate change, the significant loss of biodiversity and for benefits to public health and wellbeing.

At Rowbarrow the existing species rich downland which supports skylark and a wide range of typical chalk downland plants, the TPO protected belt of Beech trees at the top of the hill and the rare White Helleborine which associates with

Beech, as well as the views to and from the site are all important parts of Salisbury's unique landscape setting, ecology and green infrastructure network and need to be safeguarded with a generous buffer zone.

- ii) Impact on cultural and heritage features
  The trees are a cultural feature, planted to mark the Queen's coronation in1953.
  Part of the tree belt at its south-eastern end is located within the extensive
  designated area of Little Woodbury Scheduled Monument. The setting of the
  Little Woodbury Scheduled Monument is also a material consideration.
  For information, part of Salisbury Conservation Area as well as Britford
  Conservation Area is missing from the Landscape and Visual Impact Appraisal
  prepared by Savills Landscape.
- iii) Impact on protected trees
  The Beech trees are already under pressure and there are signs of misuse. The
  revised plans now indicate the location of a NEAP rather than a LEAP close to
  the protected tree belt. A NEAP is a Neighbourhood Equipped Area for Play with
  equipment shelter for meeting and socialising to serve young teenagers from a
  wider area. A LEAP is play provision for young children. The presence of a NEAP
  is likely to exacerbate the problems with regard to the trees and should be
  relocated away from them towards the northeast corner of the site in line with the
  comments of the County Ecologist.

Furthermore, a hedgerow shown on the revised landscape plan alongside the mown grass path at the edge of the tree canopy at the western end of the tree belt close to the proposed housing could exacerbate the problem by reducing general surveillance and increasing the possibility of antisocial behaviour in this part of the tree belt itself.

iv) Loss of rural character

The revised plans not only indicate development to the south of the spine road but development which presents a much more urban frontage to Odstock Road on the north side of the spine road. The proposed revised layout shows dwellings sited much closer to the road which significantly reduces the opportunity for native screen planting along this boundary. Only 4 street trees are shown on the revised landscape masterplan with no underplanting along this part of the site frontage. This is at odds with the comments by Wiltshire Council's landscape architect in relation to the previous plan. The landscape architect does not appear to have commented on the current revised plan.

Odstock Road is currently largely rural in character and should remain so particularly as the location of Little Woodbury Scheduled Monument means that the Rowbarrow site will form the limit of urban development in this area.

v) SAGP agree with the inspector and Wiltshire Council landscape architect that 'a strong landscape framework' is needed. The inspector states that such a framework should enhance the existing woodland belts and provide a 'a green corridor extending along the southern boundary of the site' where trees can be planted as 'copses, groups of trees and individual specimen trees'. However, the revised landscape plan indicates more of a scatter of trees in the central area & towards the eastern end of the site and the proposed development up the hill towards the Beech tree belt on the south side of the spine road leaves very little space for tree planting. Furthermore, there is now limited space for tree planting along Odstock Road north of the spine road.

As mentioned in iv) above, the native landscape buffer along Odstock Road frontage required by Wiltshire Council landscape architect (in comments are dated 2 March 2020) to provide connectivity for wildlife and 'break up the harsh urban edge as illustrated in the planning layout (Bellway P1597.01 and the

proposed site access drawing (043.0017.001A)', has disappeared. Furthermore, the revised landscape plan does not show any enhancement tree planting within the buffer strip of land between the existing housing and the proposed development as required by the inspector. This land is currently managed by Wiltshire Council.

vi) Inappropriate approach to planting plans and species selection

The landscape master plan needs to reflect the fact that the existing site is species rich chalk grassland habitat which needs careful protection during construction rather than being disturbed and reseeded. It is helpful that the County Ecologist and County Landscape Architect take the same view and the need for a landscape clerk of works has been specified.

As mentioned in previous comments, SAGP question the use of non-native hedging such as Griselinia and consider a mix of chalk tolerant native species would be far more beneficial for wildlife on this rural fringe of the city; also tree species such as Oak on this dry chalk hilltop site is considered inappropriate site as well as the use of a seed mix for damp conditions in the ditches where for most of the year conditions are dry.

There appears to be no evidence of confirmation that the developers will be undertaking ecological enhancements suggested by their Ecology Consultant in relation to bats, birds, bees and other insects or small mammals such as hedgehogs. These enhancements should be made conditional requirements of any planning consent. Swifts have very recently been added to the Red Data list of endangered species and it is important to specify the use of integral swift bricks to support the declining local population of these birds.

#### vii) SuDS

SAGP question the location of the large SuDS infiltration crate area close to the Beech belt and which area this is draining as it is located at almost the highest point on the site.

viii) Cycling and walking infrastructure improvements
These were required by the inspector but do not appear to have been addressed in the revised Transport Plan. All footpath links are only shown to the boundary of the site but should be required to link with existing walking and cycling infrastructure in the adjacent housing development. Improvements should also be required to the existing PRoW BRIT8 route to the A338 Bournemouth Road as it is an important link to Longford Primary School, to the bus routes on the A338 and the nearby Park and Ride facility.

Finally, it is concerning that there appears to be no comments from either Wiltshire Council's Landscape Architect or Urban Designer about the revised layout and landscape plans.

Salisbury Civic Society – In February 2020, and again in July 2021, the Civic Society put in comments on planning application No 20/00337, which now seeks permission for 95 dwellings east of the Odstock Road in Salisbury, south of Rowbarrow. The aim of the comments was to express the Society's support for the very thorough and well-considered points put in by the Salisbury Area Greenspace Partnership on the proposals.

The Society would now like to support, to an equal extent, the further comments sent on

December 8th 2021 by the SAGP, resulting from its thorough analysis of the amendments to the scheme recently submitted by the applicants, and reiterating earlier points which remain valid.

In particular, as it stated in its last letter, the Society strongly supports the SAGP's objection to the proposal to now build houses right up to part of the very fine belt of trees, on the SW boundary of the site. If further archaeological investigation has shown that it would not be appropriate to build on the SE end of the site, the answer is quite clearly not to shift development to alongside the trees, which are a very important landscape feature. It now seems clear that the site cannot in fact take the number of houses proposed for it, and the scheme needs to be amended accordingly.

The cogent and painstaking analysis of the proposals carried out by the SAGP's landscape architects is a valuable resource, which the Council should be making full use of, particularly given that there appears to be no evidence of any input by the Council's own architect or landscape architect, since their comments when the proposals were first submitted early in 2020. The Society hopes that full regard will be paid to the SAGP analysis, before the application is determined.

Salisbury and Wilton Swifts - (Summary) - we would like to see swift bricks numbers quoted (ratio of 1 per dwelling as per RIBA guidelines) and also marked on the Master Site Plans in order to avoid confusion and omission during the building process. Bellway has installed bricks into other sites eg Harnham Park and has kindly indicated they are willing to do so in this development.

Cycling Opportunities Group for Salisbury COG - Object unless the Travel Plan issues are resolved and secured as part of the application.

Wiltshire Archaeological and Natural History Society - objection to this proposal as it stands due to the loss and destruction of part of a scheduled monument.

#### 9.Planning Considerations

#### 9.1 Principle of development, policy and planning history

Core Policy 2 of the WCS states there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. This application site is now allocated for housing development as part of the recently adopted Wiltshire Sites Allocation DPD. Policy H3.4 indicates that:

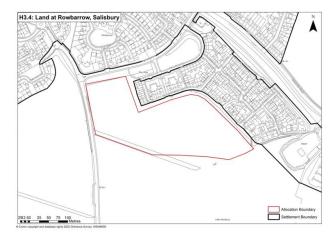
Land at Rowbarrow, as identified on the Policies Map, is allocated for development comprising the following elements:

- approximately 100 dwellings;
- vehicular access from the Odstock Road to the west; and
- improvements to cycling and walking routes through the site to link into the existing network.

Development will be subject to the following requirements:

- sensitive design and layout, which ensures the significance of heritage assets andtheir settings are not subject to unacceptable harm. This shall be informed by appropriate heritage and archaeological assessments;
- a strong landscape framework that maintains and enhances the
  existing woodlandbelts, including open space provision in the
  southern part of the site and a green corridor extending along the
  southern boundary of the site from the existing beechtree shelterbelt;
- a Flood Risk Assessment (incorporating an assessment of the predicted effects of climate change) and comprehensive drainage strategy to inform site layout and design of the site so that surface water is controlled and does not exacerbate floodingoff site; and
- provision made for transport network improvements necessary to accommodate thescale of development envisaged, as identified through a comprehensive transport assessment.

Development will take place in accordance with a masterplan approved by the Council as part of the planning application process. The design and layout will take account of all policy requirements, including the timely and coordinated provision of necessary infrastructure to achieve a comprehensive development of the site.



The supporting text of the policy indicates that:

Land at Rowbarrow is allocated for the development of approximately 100 dwellings on 5.56ha of land as shown on the Policies Map. The development of the site would provide housing in a location with a reasonable level of access to the local services and facilities in Salisbury city centre but not within walking distance. There is however, a frequent bus service within 100m of the site and the Park & Ride is in close

proximity.

Development will need to preserve the contribution made by the site to the setting and therefore to the importance of the Woodbury Ancient Villages Scheduled Monument. If necessary land will need to be set aside from development. In line with national policy, detailed design and layout will be guided by an assessment of heritage assets and their significance (including the contribution made by their setting). Scheduled monument consent will be required. The site also has high archaeological potential.

This is a sloping and quite prominent site. In combination with a Heritage Impact Assessment, development will need to take place within a strong landscape framework that maintains and enhances the existing woodland belts affecting the site. Containment provided by the beech shelterbelt on the southern boundary should extend as a green corridor from the endof the shelterbelt eastwards towards the existing Rowbarrow housing development and woodland around the Milk & More Salisbury Depot. This green corridor should include copses, groups of trees and individual specimen trees. The arrangement of any proposed development and open space on the site should provide a setting for rights of way in the area and maintain their views of the Salisbury Cathedral spire and this could be achieved through careful streetalignment and locating open space in the southern part of the site. The sloping buffer of landon the northern edge of the site should be enhanced with tree planting and the landscape buffer along Rowbarrow (road) retained.

In order to facilitate development, appropriate contributions would be likely to be sought tohelp fund additional local school capacity. A new primary school on land south of Netherhampton Road would contribute to the new school places needed to serve the area. Funding contributions may also contribute to improving the existing primary schools at Harnham. Appropriate contributions may also be sought where needed to increase capacity at local GP surgeries in the city, in accordance with Core Polices of the Wiltshire Core Strategy.

The following sections of the report assess the application against the above policy and the various material considerations. Members should however be mindful that as the Council cannot currently demonstrate a 5 year housing land supply, the provisions of the NPPF (paragraph 11) is relevant. This states that applications for sustainable housing that accord with the development plan should be approved, unless there is significant harm to "assets of particular importance", such as heritage assets or AONB landscape.

The Council recently lost an appeal in Calne on the basis of the sole issue of the housing land supply. Unlike the Rowbarrow site, the site subject of the appeal was not an allocated housing site. The housing was allowed on the basis of their being no significant harm which outweighed the provision of housing. The key paras from the Inspectors report for the land supply state that (abridged):

- 70. The Council's housing land supply position is dated, and the most recent position is now 2.5 years old. Therefore, it is unclear what the housing land supply position is now, except, that at a minimum, there is a significant shortfall of 928 homes. The Council is in the process of preparing the eLP. However, despite the information on the Council's website.., I heard evidence.. that the timetable for adoption has slipped, with a pause on consultation of between 3-15 months. This means that it may not be adopted until 2024.
- 71. Therefore, notwithstanding existing site allocation plans, there appears to be no other practical plan led solution to remedy the shortfall, such that the housing land supply

shortage is now patently persistent.. and is expected to continue for at least 2 years. There is also a shortage of affordable housing, with a recent undisputed Decision.. detailing substantial shortfalls.

As a result of such decisions, unless the Council can demonstrate that there are significant harms resulting from the proposal which outweigh the requirement for housing, a refusal of permission for significant housing development may be difficult to defend at appeal.

# 9.2 Heritage Impacts/Archaeology

Policy CP58 of the WCS deals with heritage impacts, and the NPPF indicates that proposals which cause significant harm to heritage assets should be refused (para 201, 202), and introduces the concept of "substantial" or "less than substantial" harm. Those developments which may cause "substantial" or "less than substantial" harm must be weighed against the public benefits of the proposal.

Policy H3.4 indicates that

• sensitive design and layout, which ensures the significance of heritage assets and their settings are not subject to unacceptable harm. This shall be informed by appropriate heritage and archaeological assessments

As referred to by policy H3.4 above, the site is located adjacent to archaeology of significant interest, and particularly the Woodbury Scheduled Ancient Monument. As originally proposed as part of the site allocation process and then as part of this application, the layout of the site was purposely designed so that housing was located in the northern half of the site, with open space to the south. This was intended to avoid the sensitive archaeology and the Scheduled Monument, and also achieve the full landscaping aims of Policy H3.4 (see original plan for 108 dwellings elsewhere in this report).

Unfortunately, following input from Historic England and WC Archaeology, it was discovered that the extent of the archaeological features in the area was greater than had been thought, including impact upon the sub-surface remains of the Iron Age holloway that runs directly into Woodbury Hillfort (A Scheduled Monument), but would also impact upon a large number of the graves of a Saxon Cemetery. As a result, a number of the proposed dwellings on the site in the south eastern corner were found to be infringing on the archaeological features.

The applicant has therefore repositioned some of the housing on the south western part of the site, adjacent the tree belt. The plan below shows an earlier amended scheme and the area of important archaeology:



Area of archaeology on site

Further to concerns regards this matter and the positioning of the housing adjacent the tree belt, a further adjustment to the scheme has reduced the scheme to 95 dwellings.

With regards the 95 house scheme, Historic England as commented thus (summary):

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 190 and 199.

However we consider that the proposed enhancement and interpretation proposed and outlined in our advice needs to be addressed in order for the application to meet the requirements of paragraph 202 (PPG Paragraph 020) of the NPPF. This can be addressed by Historic England being consulted on a suitable landscaping condition, on any permission granted. We can then agree a suitable landscaping design to ensure the trackway is interpreted in a way that enhances the designated heritage asset through the interpretation of thetrackway.

We will also need to be consulted on any management plan for the open space to ensure that there are appropriate management policies and procedures in place for the scheduled area. This is so the Management Company is fully aware of the restrictions in this area and do not undertake works which could lead to prosecution.

The Council Archaeologist has now confirmed that the reduced scheme of 95 dwellings is acceptable, subject to a suitable conditions as extract below:

"The principal archaeological features identified within the red line boundary of the site are as follows:

- 1. A pair of parallel ditches extending north-west from the nationally important Scheduled Monument of Woodbury Ancient Villages (Monument No. 1005652). The ditches appear to form a trackway leading from and to the Woodbury Ancient Villages. Part of the Scheduled Monument lies within the red line boundary but where no development or landscaping is proposed.
- 2. A Bronze Age round barrow, possibly one of a number forming a barrow cemetery.

- 3. An Early Saxon (6th-century AD?) inhumation cemetery, probably of at least 60 graves, focussed on the earlier Bronze Age round barrow. The northern, southern, and western extent of the cemetery appears to have been defined by geophysical survey and trial trenching, although the wide spacing of burials means that further burials beyond the investigated area cannot be discounted. The eastern extent of the cemetery remains unclear. This cemetery is of high importance and may well be of national significance (Heritage Statement, Para. 4.4.8).
- 4. A prehistoric field system and possible enclosures."

"Following previous consultation with the Archaeology Service, it is welcomed that the proposed layout of the residential development has been amended to avoid impact on the Saxon inhumation cemetery (or at least on its presumed extent), the Bronze Age barrows, and that part of the ancient trackway that lies closest to the Scheduled Monument of Woodbury Ancient Villages. It is welcomed that the line of the trackway in the west of the site will be marked by a 'mown path' within the open green space and will otherwise be 'preserved' by the alignment of the proposed access road in the east of the site. The further revised layout of 14th January 2022, especially Plots 81 and 82, has reduced the size of the open space north of the 'mown path', which will reduce the visual impact and landscape setting of the 'mown path' in relation to Woodbury Ancient Villages, which rather defeats the object, although the revised layout here will not unduly impact on below ground archaeology.

I agree with Historic England's advice of 8 December 2021 that the route of the ancient trackway would be better marked by an avenue of trees or other planting to provide a more permanent landscape feature to a 'mown path'. Historic England has advised that this is secured via a suitable landscaping condition on any permission granted so that Historic England can agree a landscaping design that ensures the line of the ancient trackway is interpreted in a way that enhances the designated heritage asset.

The revised proposed layout of the residential development is therefore broadly acceptable, subject to a programme of archaeological work to mitigate the impacts of proposed development on other buried archaeological remains. However, it is noted that the 'Landscape Masterplan' (ACD Environmental, Dwg No. 22723 10B) and associated 'Soft Landscape Proposals' plans provide for tree planting within the 'Area of Archaeological Interest', specifically proposed trees south of the access road and within the area of the Saxon cemetery. It is inconsistent that the development layout has been amended to avoid impact on the Saxon cemetery but that the landscape proposals now provide for tree planting within the area of the cemetery.

I am not currently aware that the landscape proposals have been revised.

The tree planting should therefore be amended in this area of the site to remove any likelihood of impact on graves of the Saxon cemetery or the Bronze Age barrows. The most suitable revised location for tree planting would be in the south-east corner of the site, away from the Saxon cemetery and including a reasonable buffer zone.

**Subject to revisions to the tree planting proposals**, I am satisfied that the impacts of the development can be mitigated by an appropriate programme of archaeological work secured by condition".

Consequently, Members will note that due to the ongoing biodiversity matters, at the time of writing, the applicant will be asked to provide various revised planting plans. It is considered that the issues raised by WC archaeology AND Historic England as above can equally be dealt within those adjusted landscape plans. As a result, it is considered that the revised layout and any planting and other works can now avoid a "substantial" or "less than substantial" impact on sensitive archaeology and the setting of the Scheduled Ancient Monument, and therefore, the scheme meets the aims of Policy H3.4 in terms of its protection of the sensitive archaeological features.

This is considered to be of significant weight given the stance of the NPPF. A refusal on this point would therefore be difficult to defend.

## 9.3 Design, scale and impact on the wider landscape (including the AONB)

The site is located on an agricultural field, within the Special Landscape Area. Some distance to the south is the Area of Outstanding Natural Beauty (AONB). Core Policy 51 of the WCS states Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. Further relevance is given to Para 176 of the NPPF which indicates great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

### Policy H3.4 states that:

 a strong landscape framework that maintains and enhances the existing woodland belts, including open space provision in the southern part of the site and a green corridor extending along the southern boundary of the site from the existing beech tree shelterbelt:

The applicant has submitted a range of assessment documents related to the landscape impact of the proposal.

As indicated elsewhere in this report, this proposal was originally submitted for 108 dwellings, with open space to the south. The original submitted layout is below:



Following initial consultation responses, and following significant concern from the Council's Archaeologist and Historic England (as outlined elsewhere in this report), part of the area of the planned housing (in the eastern portion of the site) had to be repositioned to safeguard important archaeology on the eastern part of the allocated site.

As a result of the archaeological constraints, the scheme was initially reduced to 101 dwellings and a replacement portion of housing located in the south western corner of the site. Unfortunately, this relocated area of housing is on the highest part of the site, adjacent the tree belt, along the southern edge of the site. This meant that a continuous green corridor along and adjacent the tree belt to the southern edge of the site could not be achieved as envisaged by policy H3.4.

Consequently, a further layout was submitted which reduced the scheme to 95 dwellings, and moved the dwellings further away from the tree belt, as below:



Scheme reduced to 95 dwellings (first version)

Further to reconsultation on this plan, third party concerns were received related to the impact of the scheme of the landscape character, and the mature tree belt, including representation making reference to the fact that this area and towards the hospital may be being considered as some form of green space area up to the hospital, as part of the emerging Neighbourhood Plan for Salisbury City. However, on this point, even if this area were being considered in this fashion, the Neighbourhood Plan for the city area is in its early stages and does not carry weight in the determination of this application. Furthermore, Neighbourhood Plan policies must not conflict with Core Strategy policies. Therefore, any future Neighbourhood Plan policies cannot over-ride the allocation of this site for housing.

However, regards the above adjusted layout, the Council's tree officer raised concerns about the proximity of the housing to the tree belt, as did the Council's ecologist. WC Landscape officer commented thus:

- A). <u>Mown path</u> I note that HE would like the ancient trackway was delineated by vegetation, I am happy to support this.
- B). <u>Hoggin path</u> I am happy to support this but it will have maintenance issues but would have a better appearance. The other consideration is buggy and wheel chair access on a rutted path. An alternative is a resin bound surface which is considerably more expensive.

- C). <u>Area of Archaeological interest</u> I am happy to support the relocation of trees in clumps to the south east corner which should allow some Partial views across the site from the foot path.
- D). <u>Landscape Masterplan Rev B</u> The following points have not been addressed (my comments dated 7/9/21):
  - The boundary to Odstock Road requires a <u>native landscape buffer</u> to provide connectivity and break up the harsh urban edge as illustrated in the planning layout (Bellway P1597.01 REV T) and on the proposed site access drawing (043.0017.001A) and referred to on the Landscape Masterplan REVB as SOFT LANDSCAPING rather than seeded.
  - 2. <u>Native planting along the northern edge</u> (north of Block A) to strengthen the existing off site planting.
  - 3. Continuous hedgerow with trees, with breaks for pedestrian through routes, along the boundary with Rowbarrow. The current design breaks the line of the hedge with buildings and parking spaces. This will reinforce the buffer between the developments while maintaining access for cycle/footpath connections. It will also strengthen connectivity for biodiversity. This looks OK now
  - 4. The existing beech tree belt to the south retained and enhanced with understorey planting as recommended in the Ecology report. The proposed LEAP NEAP should be relocated north of the path to provide an adequate buffer to the tree belt. The proposed hedge to the SE corner should be removed
  - 5. Following discussions with Mary Holmes (WC Ecologist) and looking at the recommendations of the submitted ecology report I agree that it would be a better approach to manage the existing grassland (POS to south) to improve the sward rather than re-seed. This is a more sustainable and cost-effective approach.
  - 6. <u>Strengthen the tree planting to the south eastern boundary</u> with copses/groups of trees, though this may need to be coordinated with archaeology. See note above
- E). <u>Tree Officers comments</u> I agree with the Tree Officers comments. The liveability concerns as well the threat of tree fall could result in mismanagement of the tree belt and threaten its integrity. Any loss or weakening of the tree belt would leave the development visually exposed. There needs to be a reconfiguring of houses south of the spine road that ensures the amenity of residents and the trees are protected..
- *F).* The reason for the buffer It's important not to lose sight of why the buffer was included in the first place:

The applicant's constraints and opportunities plan in the DAS (chapter 5.0) correctly describes the linear buffer south of the proposed spine road as an 'elevated open area, less suitable for development', and it contributes to the settlements character and setting. This is also reflected in the design objectives (DAS chapter 6.0)

- Achieve a development which is appropriate in scale and design and one which preserves the existing settlements' character and setting.
- Create a design led bespoke solution respecting the character of the area.
- Create a development which sits well in its landscape setting and retains and enhances the features of landscape value.

The original proposals are described in chapter 7.0. The layout has evolved incorporating the design objectives and mitigation recommendations in particular:

- A sinuous spine road to demarcate the lower development edge and upper visual buffer creating a transition to the countryside
- A large open space to meet **visual mitigation**, recreational and heritage asset protection objectives.

Members should also note the comments of the ecology officer regards the 95 houses scheme which also reflected the above concerns, as did the third party comments outlined elsewhere in this report. Consequently, the applicants again revised the scheme, in order to reposition the housing as far as they were able from the southern tree belt, as the plan below shows. The number of dwellings remains at 95:



An enlarged extract from the amended plan below shows the repositioned dwellings in the context of the tree belt:



With regards to the adjusted plan above, the revised layout has buffer zones of 16.5-28 m between the proposed houses and treeline tree trunks. Space between the proposed footway and the trees will be utilised for further tree planting which with under storey management will protect and enhance the orchids as per the applicants Lyndsey Carrington Associates Helleborine Survey. A revised Tree Protection Plan and Arboricultural/Method Statement has also been submitted. As a consequence, the Council's tree officer has raised no objections, subject to suitable tree protection measures being put in place during construction. With regards to the revised plan, the WC Landscape officer has also confirmed that the revised scheme is now far more acceptable. Likewise, the Council's archaeologist and ecologist have not raised objections.

It is appreciated that several third parties have concerns about constructing any dwellings to the south of the planned spine road on this development, or indeed, any dwellings at all on this site. However, it must be remembered that the site is allocated for approximately 100 dwellings, so a refusal on landscape impact grounds would be difficult to support per se regards the whole site, and notwithstanding, much of the development is located on the less elevated part of the site, and so would not be prominent in the landscape to the north, south or from the AONB. The development would also be seen in the context of the adjacent housing development, and would be reasonably well screened by the undulating landscape, landscape features and planting, and particularly the mature tree line along Downton Road, which currently perform a significant screening function.

Regards the housing repositioned on the most elevated southern part of the site, it is accepted that this small portion of the development will be more prominent in the landscape than the rest of the scheme, particularly elevated points to the north and south/east/west, including within the immediate context. However, this part of the development would also be screened by the mature beech tree planting which exists to the immediate south of this site. Whilst this top southern part of the development may be visible from across parts of the city and Old Sarum monument, it is considered that it would be seen in the context of the two mature tree belts, so when seen from vantage points from the north across the city, the development would be effectively contained between the Downton Road tree belt, and the upper tree belt to the immediate south. Officers have looked at this aspect closely, and from distance and vantage points, during most weather conditions, the top part of the site is not actually as readily visible to the surrounding area as one would first imagine. Thus, in reality, it is officers opinion, that the housing proposed south of the spine road will not have a significant landscape impact, particularly when seen against the mature tree belt.

Furthermore, in mitigation, it is arguable that the removal of part of the development from the eastern part of the application site to preserve the sensitive archaeology actually results in a visual improvement compared to the original, as from officers observations, that eastern part of the site is somewhat visible from northern vantage points (particularly the Southampton Road area and east of the city) as well as the adjacent footpath system to the immediate east of the site. Similarly, given the distance to the AONB boundary to the south, and taken together with the screening offered by the mature tree belt, it is considered that the development would be unlikely to harmful to the landscape character of the AONB to the south. Given that the Council's Landscape officer is now more content with the revised layout, and that a green buffer/corridor will still be provided adjacent the tree belt to the south of the site, the proposal is therefore considered to accord with the local plan allocation policy, and the aims of policies CP51 and C6.

As a result, as it must be accepted that the allocation of the site intrinsically affects the landscape character of the site, it is not considered that the overall visual impact on the wider landscape character would be so significant as to warrant refusal.

With regards the above, Members will however note that the WC Ecology response produced elsewhere in this report (which was drawn up in consultation with the Council's Landscape officer) suggests planning conditions to deal with the detailed landscaping for the site. This is because the development will need to prove that it meets the emerging bio-diversity standards. These bio-diversity standards have yet to be adopted by the Council at the time of writing, and the Council is therefore not yet in a position to agree such landscaping works, it is considered that landscaping conditions are the most appropriate way of dealing with this matter (together with the archaeology protection and enhancement). Once the revised landscaping scheme is submitted to the Council, these will be checked to ensure that a bio-diversity gain can be achieved, as well as protecting and enhancing the sensitive archaeology on the site.

Whilst the third party landscape impact concerns are noted and have been taken into consideration, a refusal on landscape impact grounds would therefore be difficult to justify.

# Design and layout of the housing

The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. The NPPF has been recently updated to include more reference to design and landscaping matters, including a National Design Guide, which mirror the aims of Policy CP57 and the Creating Places SPG.

The design of the adjacent existing Rowbarrow development to the north was somewhat unusual in that it took the design concept and form of a "country house" surrounded by subservient estate dwellings. It is considered that this concept has worked well in overall design and landscaping terms, with the prominent three storey apartment block being the only part of the previous scheme visible from a distance (namely Southampton Road and northern vantage points). However, as this new housing scheme would be separated from the existing Rowbarrow and its architectural concept, it is considered appropriate that the new scheme need not seek to mimic the design concept of the existing.

However, in terms of general design, the overall design of the proposed dwellings would reflect the visual appearance of the other adjacent housing area (north of Ancient Way), with mostly two storey dwellings. A two and half storey block is planned on the north western edge of the site adjacent the corner of Odstock Road and Ancient Way, although this will be partially screened by existing mature planting along this road. Provided materials used are similar to those used in the adjacent development and are muted in tone, the development would sit comfortably with the existing developments adjacent, and it seems unlikely that the development would be any more prominent in the landscape than existing housing on other elevated position around the city fringes.

The Council's Urban Design officer has raised some issue regards the layout of part of the housing, due to the relationship with the car parking and access arrangements. However, WC Highways do not object to the road layout proposed, and the design issues raised are not considered so onerous as to warrant a refusal of the whole scheme on that basis, as the areas of concern are reasonably typical of modern housing developments, and only a modest number of dwellings would be affected. The rejigging of these areas is also likely to result in other areas of the scheme being rejigged, which may then have a knock -on impact on other issues which have been resolved. The scheme will have significant landscaping surrounding it, including tree planting and hedging along its northern edge, and western edge with Odstock Road. Elsewhere, tree and other planting which enhances biodiversity and protects and

enhances archaeological features will be introduced. In the medium to long term, it is therefore considered that the scheme will become less visible in the landscape, but also lead to enhancement in general terms of the overall landscape character.

# Sustainable design

Regards sustainable design matters, some third parties have raised this as an issue, citing that the scheme does not include any solar panels, or heat pump systems etc. The applicants have submitted a Sustainability Statement which outlines why such infrastructure have been discounted, and indicates a range of measures which will be included in the scheme to improve its sustainability and reduce its waste footprint. Many of the measures will be secured by the various planning conditions imposed on this consent if granted (ie waste containers, cycle parking, green travel plan, ecological gains, footpath improvements, electric vehicle charging points). Whilst therefore the scheme does not include any solar panels or similar renewables, a refusal of the scheme on this point would be difficult to justify, given that it is the governments stated position that Planning consents should not go above and beyond or duplicate Building Regulations. Taking a wider holistic approach to sustainable design, officers therefore consider that the aims of policies CP41/42 are not considered to be breached.

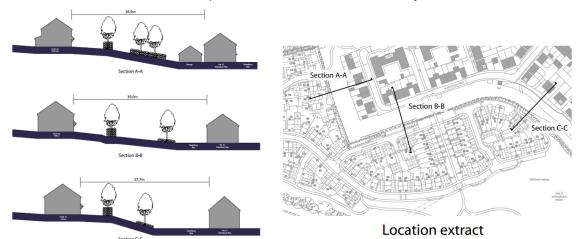
### 9.4 Impact on Amenity

A number of concerns and objections have been expressed by third parties, including residents of the adjacent Rowbarrow development. These are summarised elsewhere in this report. All have duly been taken into account as part of the deliberations associated with this application.

In terms of amenity of existing residents of Rowbarrow, the proposed dwellings would be located to the south of existing housing, within the area allocated for housing by policy H3.4. Whilst some of the third party concerns relate to the loss of this area of land as informal open space and as a visual amenity, it would be impossible to meet the planning policy aspirations for this site without changing the character of the site significantly, and thus affecting the amenities of the adjacent residents by a certain degree. A refusal on this point would therefore be difficult to justify.

Due to the contours of the land, the proposed housing would be naturally elevated several metres above the existing Rowbarrow development. However, the developments would be separated by the existing linear bank area adjacent the existing Rowbarrow development, and for the most part, by the width of roads, so in some parts the new and existing houses would

be more than 30 metres apart, as illustrated below by the sectional drawings:



Whilst many of the new housing along the northern part of the site have been designed with side elevations facing northwards, it is accepted that some of the planned dwellings would face northwards towards the existing housing. However, it is considered that as designed and laid out, the scheme offers a pleasant layout, which offers surveillance of the associated roads and open space areas, and given time, will fit well into the character of the surrounding area.

The alternative to this would be to have some kind of tall screening fence erected along the northern edge of the new scheme which may reduce some overlooking but which in officers opinion would be visually detrimental. Alternatively, significant tree planting along the northern boundary of the site could be a solution. Whilst this latter option may be feasible in principle, any such planting would need to be of a significant width, and/or if the scheme were adjusted to move dwellings away from this northern edge, it would be unlikely that sufficient dwellings would be able to be provided on the remaining part of the site to meet Local Plan aspirations, particularly as the amended scheme is already providing below the number of houses indicated in the Local Plan allocation.

As the Council cannot demonstrate a 5 year supply of housing at the time of writing, any significant under-provision of housing on this allocated site would be an issue. Given that the site has been allocated, and that intrinsically, housing on this site would by definition have some impact on existing amenities, it is therefore considered that the proposed housing would not be so harmful to amenity in terms of overshadowing or loss of privacy as to warrant refusal.

#### WC Public Protection has indicated:

"Whilst the proposed site is set back from one of the arterial roads into Salisbury with existing housing between, we would still advise the applicant to carefully consider the design of the properties ensuring they are insulated effectively to provide appropriate amenity for future occupants. We would therefore recommend a scheme of insulation is submitted; this can be covered by a condition. The applicant has submitted a Waste audit and Construction Environmental Management Plan (December 2019). There are a few points we would recommend amending and adding to protect the amenity and minimise disturbance for existing residents;

- Working hours to be conditioned to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturdays. No work on Sundays and Public Holidays.
- No idling engines of lorries whilst waiting outside the site
- Include details of any generators to be onsite and their location
- Include external lighting plan, indicating where the lights will be positioned

- Where piling is required this must be continuous flight auger piling wherever practicable to minimise impacts.
  - Contaminated land Condition recommended to reduce the risks associated with land contamination. If step 1 indicates no likely legacy impacting the proposals then steps 2 and 3 are redundant"
  - Electric Vehicle charging points provided to meet the Council sustainable design policy CP55.

As a result, it is considered that the proposal, with some mitigation via conditions, would accord with the aims of policies CP55 & 57 of the WCS. A refusal on amenity grounds would therefore be difficult to support.

# 9.5 Highway safety/parking

The proposal would be accessed off the Odstock Road with a new vehicular access. It is noted that some of the third party comments refer to an alternative location for an access, but this would not accord with Policy H3.4, which clearly envisages an access to the west off Odstock Road. The policy also states that:

 provision made for transport network improvements necessary to accommodate thescale of development envisaged, as identified through a comprehensive transport assessment

A detailed Transport Assessment and draft Travel Plan has been submitted with the application. The Council's Highways officer has commented thus:

I note that the site is allocated for residential development under WHSAP and policy H3.4. The application includes a Transport Assessment which has considered the transport implications of the proposed development. Assessed in a reasonably robust manner, the development can be expected to generate up to the following trips, where a trip is a one-way vehicular movement:-

12 hour day 461 AM peak hour 48 PM peak hour 46

The trips will distribute along the three significant possible access routes to and from the site:-

#### Odstock Road south

Odstock Road north and hence through the Harnham gyratory junction (the majority of these movements).

Rowbarrow

The proposed development is proposed to be served by a ghost island right turning lane - which is an appropriate form of junction subject to some adjustments as will be set out below, and will assist in ensuring that emergency vehicles to and from the hospital are not unduly impeded.

A number of objectors have suggested that the cycle route on the development side should be continued across the access junction. This would cause vehicles on Odstock Road to stop to give way to cyclists thus impeding emergency vehicles, and therefore I disagree that this would be an appropriate way to deal with the cycle route

The car parking provision of the development is satisfactory.

Policy H3.4 indicates that the development should make provision for network improvements necessary to accommodate the scale of the development. The Salisbury Transport Strategy (STS) at page 66 identifies that the development is expected to contribute to the schemes to improve the Harnham Gyratory. The Salisbury Transport Strategy identifies at page 73 that the development is expected to contribute to the scheme to improve the pedestrian and cycle route from Salisbury to the hospital.

- Contribution to the measures of Salisbury Transport Strategy to improve local junctions in the area
- Contribution of £10000 index linked and ten year time limited towards installing Real Time Information at the bus shelter local to the development.
- Raised kerbs and bus shelter at the northbound bus stop on Odstock Road.
- Raised kerbs and replacement bus stop sign at the southbound bus stop on Odstock Road.

In clarification of the above and in response to the change to 95 dwellings, the Highways officer has indicated the following:

The Planning Layout is generally satisfactory including parking provision and visibility splays. I am satisfied that refuse vehicles will be able to access the parts of the estate necessary. I remain concerned that the paths across the public open space areas are indicated as hoggin surfaced – which will not last in a long-term way without regular maintenance, and will not be as user friendly as a tarmacadam surfaced path.

I am unable to find that the revised plans include details of drainage. Therefore I am unable to check if the large number of soakaways have been designed out of their carriageway locations (see the concerns expressed in my previous comments). The Council as Highway Authority will not adopt the roads on the estate if the roads include soakaways as this presents a significant maintenance liability and can cause destabilisation of the roads and footways. If you establish that it is still intended to locate soakaways in the roads you should require a clause in the S106 that a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.

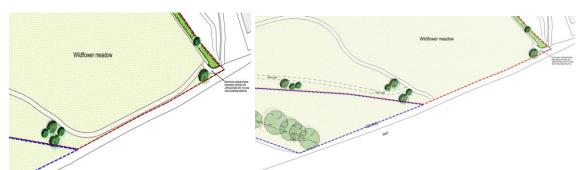
Consequently, whilst some of the third party concerns relate to the impact of this development on the surrounding highway systems, a refusal based on highway impacts or parking would therefore be difficult to justify.

#### Pedestrian Linkages

Policy H3.4 refers to linkages to the existing development being provided.

The site is located sustainably, close to bus routes and within easy cycle and walking distance of facilities. The proposed housing would be linked with the existing Rowbarrow development

to the north via a new footpath link to the east, see plan below. It is considered that this pathway linkage should be secured as part of the public open space matters in the S106.



Original layout (left) and revised connection to BRIT8 footpath (right)

The Rights of Way team have commented thus:

"Footpath BRIT8 runs immediately to the south of this development; the planning layout shows a proposed hoggin path running parallel to BRIT8 along the edge of the proposed open space. I have discussed this with the Countryside Access Officer for the area and he has suggested that either this path should be realigned to incorporate BRIT8 where it runs along the southern boundary. We'd be happy for this section of BRIT8 to be surfaced with a self-binding hoggin as proposed on the path across the open space. Having them parallel seems pointless and potentially detrimental to the PRoW so it should be either on the same line or separated out further to make the route clearly distinct. Or if their hoggin path is not realigned to incorporate BRIT8, the line of BRIT8 needs to be acknowledged and protected from any planting schemes. We note on one of the plans that area is marked for increased mixed native shrub planting and we need at least 2m clear along the line of BRIT8 as it is currently used on the ground. Mike Crook previously submitted comments on the Local Plan document which had an interest in this area. Please see the paragraph below:

"The eastern half of BRIT8, from the link into the housing to the main road is very steep. Steps and surfacing must be provided here. Where the route meets the main road, a pavement must be provided to the point where a signalised crossing is available – either at the existing P+R facility or the new access road into the site on the north of the road. The footway link near 14 Barrow Close should be upgraded to provide both pedestrians and cycle access onto Flint Way. This should be a green link across to BRIT16, into the P+R site and the new development – ie not just incorporated into pavements or the internal road network."

We believe the development here will increase the footfall on the section of BRIT8 which runs from the south eastern corner of the development to the A338 Downton road, so feel it would be appropriate for improvement work to be undertaken here as part of this development rather than waiting for some future development on adjacent land. It would require clearing the vegetation back by at least a metre and installing steps and laying a sealed path surface material i.e. tarmac or the like."

The Council's Rights of Way team have indicated that instead of building out a new path adjacent the existing right of way path, that the existing right of way down to the A338 Downton Road be improved. Amended plans have been provided which therefore remove part of the new pathway shown above, and instead, the existing right of way is improved and upgraded. It is considered that this can be secured via the S106 agreement, and enhances the linkages not only for new residents but also of existing residents.

With regards to linkages to the surrounding area, residents could also use the pavement to the west of the site. Between the proposed development and the existing Rowbarrow development there is an area of grass with some landscaping. This is managed by the developer and residents of the existing Rowbarrow development (ie not the applicant). There is already informal pathways across this land leading through the site and the scheme envisages that these informal pathways would remain, and be used by residents of the new housing. The development would also allow residents to access the adjacent field systems, which contain the network of rights of way, and it will be possible for residents of the new development to access the existing shop/facilities on the existing Rowbarrow site, and also Britford School, as the existing Rowbarrow residents do.

Given that the development would facilitate the enhancement of footpath BRIT8 for the benefit of the wider Rowbarrow residents, it is therefore considered that the proposal would be sufficiently linked to the surrounding area to encourage travel by foot and cycle, and would therefore meet the aims of the Council's Transport strategy and policies.

As a result, it is considered that the proposal, with some mitigation via conditions and S106 contributions, would accord with the aims of policies H3.4, CP57, 61-66 of the WCS.

### 9.6 Ecological Impact/River Avon Catchment Area/drainage

WCS policy CP50 & 52 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

As outline elsewhere in this report, the proposal would be adjacent a mature tree belt along the southern edge of the site, and also a smaller tree belt to the north along Ancient Way. The southern woodland belt is also of ecological value. The site it is also situated within the River Avon Special Area of Conservation (SAC) catchment area. The SAC is designated for several species of wildlife that depend on pristine water quality that is typical of chalk rivers such as the Avon. It is part of a network of sites across Europe designated in order to protect these and other species vulnerable to man-induced habitat change. This SAC is particularly vulnerable to the effects of pollutants including phosphate and nitrogen which may enter the river for example at sewage treatment works or from fertilizers applied to farmland throughout the catchment.

The application is accompanied by ecological survey and related reports which has been reviewed by the Council's Ecologist, who has commented as follows on the 95 dwelling scheme:

The site comprises semi-improved grassland - calcareous indicators were recorded. Plantation woodlandis reported to be well-structured. Scrub has a diverse range of species. Clearly therefore the site is of significant biodiversity value. However, it has not been assessed in terms of the UK Habitat Classificationand the net change in Biodiversity Units has not been calculated using the Natural England metric. It is highly unlikely this layout would deliver a net gain as required by CP50 and the NPPF, although the Councilwill wish to see that as much offsetting is provided within the site as possible. Given the advanced stage of this application I recommend this is dealt with by condition (please see amended wording below).

The application has been revised down from 101 to 95 dwellings, and more open space is provided including a wider buffer to the southern beech plantation. The whole of the development lies within about 150m of the plantation, it will therefore be readily accessible

unless fencing is erected to control access. Although people are more likely to access the plantation from the NEAP in its current location compared say, to the north east of the site, many people will access it regardless of the NEAP. All things being equal, if the NEAP can be relocated this may bring some benefit.

The Tree Officers comments of 9 December 2021 demonstrate there is a real risk of the southern plantationbecoming an issue for future residents in terms of amenity and liability due to the fact a number of plots are located within 30m of the nearest trees. The experience of all tree officers at the Council has been thatmature trees cause fear and frustration for householders and eventually there is no alternative but to remove trees regardless of the ecological implications - which in this situation are significant, as discussedbelow. Removals and windthrow could result in the removal of an 80m length of the tree line, i.e. a third ofthe current length. This would make it impossible for the development to achieve a net gain for biodiversityby a significant margin which necessarily means I must object to the current layout.

I note from the landscaping plans, masterplan etc, that extensive wildflower seeding is proposed in the open space. This is currently set out as a complex arrangement of different seed mixes – why bother, thesite already comprises semi-improved grassland which will have a better outcome for biodiversity of it is enhanced through management. I recommend, following comments from Mary Holmes and Maxine Russell, that a revised landscape scheme is secured by condition to reflect this.

- Beech plantation on south west boundary Ecological Appraisal recommends understory plantingalthough none is proposed in the Soft Landscape Management and Maintenance Plan. This however is unlikely to establish as I understand from representation responses this woodland has been unthinned in 70 years. White helleborine has been recorded in some numbers in this and the plantation on the northern boundary. The site is potentially of Wiltshire importance. Insufficient information provided to demonstrate whether the helleborine will be impacted by recreational pressure and if so, how it will be protected (see table above for information required). I note that the northern plantation is owned by Wiltshire Council andtherefore mitigation may be needed through a \$106 agreement.
- Condition required to retain, protect and manage both the southern and northern tree belts for their biodiversity value.
- Breeding skylark in the semi-improved grassland condition for ECoW.
- The report evaluates the bat assemblage using a method (Wray et al 2010) of arguable validity. From transect and static data there is a serotine roost nearby, which would raise the assemblage to being of County importance. This species is tolerant of artificial lighting to a degree and the access road avoids tree planting / scrub on the site perimeter. I recommend impact of lighting on bats is addressed through acondition for lighting with wording to ensure regard is taken for bats as part of the street lighting layout.
- Coverage of ecological issues in the submitted Waste Audit and CEMP (Savills, December 2019) is inadequate. Condition required to ensure an ECoW is available to minimise biodiversity loss during the construction phase.

Latest plans submitted 14 Jan 2022 show the development buildings have been pulled back from the line of tree planting shown on the OS Mastermap layer, by a few metres to just over 20m, which is closer to the minimum recommended by the Tree Officer. Now

however a longer length of the tree line is vulnerable, to removals approximately 120m. It seems inevitable that trees will need to be removed 'before their time'.

I consider this will be acceptable. Streetview shows the beech plantation to be in need of thinning and management and this could gradually lead to a reduction in the beech canopy to create a more diverse woodland in keeping with the new adjacent land use. I consider my recommended condition for biodiversity net gain below, will be sufficient to secure this.

## Appropriate Assessment

# River Avon SAC

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

- Development which generates wastewater as part of its commercial processes other than thoseassociated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address isoutside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategicapproach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, I conclude it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

## New Forest SPA

This site lies within the 13.8km zone of influence of this SPA and is therefore screened into appropriate assessment. This was increased from 8km at the beginning of September 2021.

The site delivers a degree of recreational space on site and is linked to other land which provides longer recreational routes. As such, and as for all sites allocated in the WHSAP, the development complies with the generic appropriate assessment for the New Forest currently being prepared by Wiltshire Council. The approach has yet to be finalised with Natural England, which is expected to be before the end of September. At that stage the Council hopes to be able to conclude this appropriate assessment favourably to enable a lawful permission to be granted.

As outlined elsewhere in this report, following the above comments (and those of the wc landscape officer and tree officer), the current scheme maintains 95 dwellings, but is pulled away from the mature tree line along the southern edge of the site.

In this regard the Council's ecologist has now indicated that the development is now acceptable, subject to suitable conditions including revised landscaping plans, and a financial contributions via the S106.

The Council's Ecologist has also advised that the application cannot be approved until a Habitats Regulations Assessment (HRA) has been carried out by the Council (in consultation with Natural England), and that HRA has been positively concluded – ie the ecological impacts of the development have been considered acceptable. This process is ongoing at the time of writing. The Council's Ecologist is content that any permission is made subject to a positive HRA outcome. Thus, should Members be minded to approve this proposal, permission will only be issued if the HRA process is completed positively.

Subject to suitable conditions, and a positive outcome to the HRA process, it is therefore considered the proposal achieves the aims of Core Policies CP 50,52 and CP69 of the WCS. A refusal on ecology grounds would therefore be difficult to justify.

### 9.7 Open Space and provision of MUGA

With regards to the above biodiversity, landscape, and archaeology issues, discussions have been undertaken with the applicant and the Council's open space officers. The revised open space areas are considered to be acceptable. However, the wc open space officers would normal expect the provision of a public play equipment and a multi use games area (MUGA) to be provided on this site, in the open space area. However, on this particular occasion, the Council's open space officer has suggested that if officers and members are so minded, a financial contribution towards providing a MUGA off site can be sought.

Given that any MUGA would be quite large and urban in its design, and require land to be levelled, it is considered that on this occasion, there would be good visual impact reasons not to place the MUGA within the open space area of this development. Furthermore, as the open space and wider area adjacent is archaeologically and ecologically sensitive, it is also considered that there would be advantages to not having such works in this area, or encouraging intensive use of this area by users.

#### 9.8 Drainage/Flooding

Policy H3.4 refers to flooding matters, stating that:

 A Flood Risk Assessment (incorporating an assessment of the predicted effects of climate change) and comprehensive drainage strategy to inform site layout and design of the site so that surface water is controlled and does not exacerbate floodingoff site

Suitable reports have been submitted as part of this application. This site is located in an elevated position, and officers are not aware that the other Rowbarrow developments have caused or been affected by any flooding issues.

The Applicant and Council's Drainage officer have had a protracted exchange regards various Drainage related issues. It appears to have been agreed between the parties that there are no significant flooding/drainage related issues related to this development, subject to suitable conditions.

In regards to the matter raised by WC Highways of soakaways being placed under the carriageways, as this may lead to future maintenance issues. However, it is understood that the road system will be privately run by a management company, and notwithstanding, it is

considered that soakaways, their maintenance, and the maintenance of the highway is not particularly a Planning matter which stop this proposal from being progressed. Such matters are usually a matter for Building Regulations, or a separate Highway or Drainage matter as part of the Council's separate roles as Highway Authority and Drainage Authority.

The proposal is therefore considered to accord with the aims of CP67 of the WCS.

# 9.9 Community facilities

Policy H3.4 makes no reference to the need for the developer to provide community facilities, other than a reference to GP surgery matters. No evidence has been submitted by any consultee or third party as part of this application which requests and justifies any such contribution over the 2 years this application has been under consideration. It is also understood that no such contribution was requested or sought on the recent Netherhampton Road application to the west of Harnham.

The existing Rowbarrow developments were subject to a community financial contribution, which was intended to provide a community centre on the area of open space land adjacent to Ancient Way. However, due to escalating build costs, and the lack of desire of the Rowbarrow residents to see a large building constructed on the open space, the community centre project folded. The monies collected via the previous S106 agreements was therefore utilised for other community projects.

As a result, officers consider that it would be difficult to include any such provision or contribution as part of any future S106. Notwithstanding, there is no room on the development site for the provision of any such on site facility, given the need to provide sufficient number of dwellings to meet the allocation whilst avoiding harm to the ecological, landscape, and heritage assets. Furthermore, the quantum of the housing in this proposed development would only result in a modest contribution towards such facilities, particularly given the significant level of other contributions that are being requested.

# 10.0 <u>\$106 mitigation matters</u>

The proposal will be required to provide the following mitigation as part of a legal agreement.

• Provision of 40 percent affordable housing, including 10 percent adaptable units, which meet correct unit mix, and minimum size standard

The Council's Housing Officer has advised the following:

# **Policy Requirements:**

There are 40 Affordable Housing units proposed on a scheme of 95 dwellings. This meets the policy requirement for 40% on-site Affordable Housing provision within the

40% Housing Zone. This will assist inaddressing the need for affordable housing in Salisbury where there is a high level of need for both affordable rented and shared ownership housing.

### <u>Tenure</u>

I note that the revised Tenure Layout and Planning Layout (attached) show that some of the units (plots 7, 51, 52 and 53) have switched tenure. This results in a tenure mix of 60% Affordable Rent and 40% Shared ownership as required.

### Floorspace

I confirm that the floorspace measurements provided meet the requirement to provide units to at least 85% of the Nationally Described Space Standard.

### M4(2) Adaptable Units

I note that all but seven of the Affordable housing units will be provided as M4(2) Adaptable units.

## Unit Size Mix

Whilst the unit size mix does not fully reflect need in accordance with Core Policy 45 of the Wiltshire Core Strategy due to a lack of larger units, I acknowledge the constraints highlighted by the applicant and on this occasion, as it only affects one or two units, the unit size mix proposed is considered to be acceptable.

Affordable Rent: 6 x 1 bed / 2 person flats; 12 x 2 bed / 4 person houses; 5 x 3 bed / 5 person houses; Shared Ownership: 11 x 2 bed / 4 person houses; 4 x 3 bed / 5 person houses.

#### Parking

Whilst not considered acceptable from an Affordable Housing perspective, I acknowledge that a rear parking court (for units 47 to 50, 54 and 55) will be provided on this occasion due to previous re-designs. However, it should be noted by the applicant for the design of future schemes that rear parking courts for Affordable Housing units are not considered acceptable as they can cause management issues for Registered Providers.

# <u>Transfer to Registered Provider:</u>

The affordable dwellings will be required to be transferred to a Registered Provider, approved by the Council, or to the Council, on a nil subsidy basis. It is strongly recommended that the applicant makes contact with Registered Providers and Wiltshire Council's Residential Development Team as soon as possible in order to discuss the best option for the affordable dwellings including an indication of transfer prices that can be expected. A list of Registered Providers who work in partnership with Wiltshire Council can be provided on request.

#### Nominations:

The Local Authority will have nomination rights to the affordable dwellings, secured through a S106Agreement.

 Provision and maintenance of public open space, play equipment, and off site contributions towards Youth and Adult provision and a MUGA, including provision of the planned pathways across the open space

The Council's Open space officer has confirmed that:

The 95 dwellings would generate a requirement for Casual Open Space, Equipped Play and Youth and Adult. The Casual and Equipped Play requirements are both met on-site.

The Youth and Adult requirement would equate to an off-site contribution of £61,380 to be used towards the cost of providing or improving youth and/or adult sports and ancillary services provision at Churchill Gardens, Salisbury.

The Council will require the provision to be secured in perpetuity and Wiltshire Council will not adopt the Public Open Space. As the provision required exceeds 1000m² the Council would expect to see a NEAP within the development. The NEAP is split into two: the equipped play as one part and the MUGA as the second part, we would accept 50% of the provision as an off-site contribution.

The full provision required is 1152m<sup>2</sup>: 576m<sup>2</sup> of this as an off-site contribution of £82,944.00. This would go towards providing a MUGA or other area of play within the vicinity of the development. The rest of the provision to be provided as per the NEAP standards on the play spec (excluding the areas related to the MUGA).

 Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road

The Council's Rights of Way officer has requested a contribution of £10,000 pounds towards an enhancement of the BRIT8 footpath, running from the site boundary (where an internal path is proposed across the site), and northwards down to the A338 road.

 Ensure that proposed linking pathways to the surrounding area are provided up to the site boundary with unfettered public access and a scheme for their provision

In association with the above, footpath linkage, and to ensure that the scheme address the policy requirement of H.3.4, it is considered that a clause is required in the S106 which ensures that users of the proposed pathways through the site can do so unfettered. (Despite there existing informal pathways through the adjacent land which the proposed paths will align to, it is recognised that the land beyond the site boundary to the north and east is not in the control of the applicant and thus public egress onto that adjacent land cannot be controlled by this S106)

Provision of waste and recycling facilities

The Council's Waste and recycling officer has indicated that recycling bins for the development will need to be provided as follows:

Property type category	Contribution per house/per category	Quantity	Total
Individual house	£91	80	£7,280
Bin store for block of 6- 10 flats	£581	2	£1,162
		Total	£8,442

#### Provision of educational facilities

Members will note that policy H3.4 refers to a contribution being required from this development towards the proposed primary school at Netherhampton Road. However, the Council's Education officer has indicated:

We have reviewed the revised application's impact upon local primary and secondary school infrastructure in the light of recently updated school numbers forecasts and latest birth data. As a result, we no longer have cases for developer S106 contributions at primary or secondary age level, as the pupils generated by the development can be accommodated without the need to expand school provision in this area.

Early years contributions requirements: Current cost multipliers per place: 0.04 per dwelling for 0-2 year olds and under (4per 100 dwellings) and 0.09 per dwelling for 3-4 year olds (9 per 100 dwellings). £17,522 per place.

Total required as per calculations above =10 nursery places - £175,220 towards the development of Early Years provision

• Provision of off site highway works and contributions towards sustainable transport measures and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.

Policy H3.4 indicates that the development should make provision for network improvements necessary to accommodate the scale of the development. The Salisbury Transport Strategy (STS) at page 66 identifies that the development is expected to contribute to the schemes to improve the Harnham Gyratory. The Salisbury Transport Strategy identifies at page 73 that the development is expected to contribute to the scheme to improve the pedestrian and cycle route from Salisbury to the hospital.

The Council's Highways officer has requested the following contributions and works:

i)Contribution to the measures of Salisbury Transport Strategy. The development feeds into the same over capacity junctions and parts of the network as the 640 dwelling development at Netherhampton. The Salisbury Transport Strategy (STS) exists to quantify and achieve improvements to capacity and to sustainable transport (public transport, cycling and walking across the city). Measures to be provided through the STS benefit all new Salisbury developments by reducing car trips on the network and encouraging active and sustainable travel. It is equitable that in line with other Salisbury residential developments a pro rata contribution to the STS measures be provided. This can be based on the contribution to the STS secured from the Netherhampton application reference 19/05824. A contribution of £230,280 index linked and 10 year time limited is therefore required

ii)Contribution of £10000 index linked and ten year time limited towards installing Real Time Information at the bus shelter local to the development.

iii)Prior to occupation of the 50<sup>th</sup> dwelling, raised kerbs and bus shelter at the northbound bus stop on Odstock Road, raised kerbs and replacement bus stop sign at the southbound bus stop on Odstock Road.

iv)No dwelling hereby approved shall be occupied until a full travel plan based on the submitted framework travel plan, including the appointment of a travel plan co-ordinator, and **contribution of £1000** to the Salisbury Cycling and Walking maps, and the offer of green travel vouchers to each dwelling, is provided.

v)Prior to occupation of the 90th dwelling a Traffic Order to implement waiting restrictions on the estate roads hereby approved, if that is deemed necessary by the Highway Authority in the event of the roads having been put forward for adoption, or if sought by the Highway Authority and agreed by the developers in the event of the roads not having been put forward for adoption, shall have been prepared, consulted upon, and advertised, with a final report recommending whether to proceed with the Order prepared for consideration by the Cabinet Member for Highways. In the event that the Cabinet Member for Highways approves the Order the amendments shall be implemented. The Highways officer has confirmed that in the interests of avoiding excessive indiscriminate parking within the development to the detriment of road user safety and convenience. The developers will bear the costs of the above condition, irrespective of whether the Order is proceeded with.

vi) That a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.

# Provision of public art

The Council's Public Art officer has indicated that in accordance with Core Policy 3 & 57, saved policy D8, and the Council's Planning Obligations Supplementary Planning Document (October 2016) with refers to the 2011 public art guidance note, £28,500 (based on £300 per dwelling) which could be commuted to the Council's arts service to engage an experienced professional public art specialist to devise, manage and deliver the art and design process and programme.

#### • Contribution towards Biodiversity Net Gain project

Following submission of a revised Biodiversity Metric Calculation which has been approved by the LPA (as per the planning condition below), any deficit in on-site mitigation will be paid at the following rates:

i)£25,000 per Biodiversity Unit with an additional £5,000 per unit administration charges

ii) £3300 per 100m of Hedgerow Unit, including fencing with an additional £660 per 100m for administration

#### 11. Conclusion and Planning Balance

The site is allocated for approximately 100 dwellings in the Wiltshire Site Allocation DPD 2020. Therefore the principle of housing development on the site is acceptable in principle. As the Council cannot currently demonstrate a 5 year housing land supply, the provisions of the NPPF (paragraph 11) are relevant. This states that applications for sustainable housing that accord with the development plan should be approved, unless there is significant harm to "assets of particular importance", such as heritage assets or AONB landscape. Thus, depending on the significance of the impacts of the development, this carried significant weight.

The housing will have general impacts on the character of the site and also introduce more traffic into the area, and thus more noise and general disturbance. However, the allocation process considered general impacts of the development, such as the impact of housing on surrounding landscape features and the highway system, and hence, a refusal of this scheme on the basis that it would be prominent in the landscape or affect the highway system would be difficult to justify. This impact should not carry significant weight.

Furthermore, the amended proposal now includes some housing on the most elevated southern part of the site, it is considered that overall, the landscape harm would not be significant enough to warrant refusal. Indeed, the amended proposal also safeguards important archaeology, and would allow the prominent eastern part of the site to left free of development, thus having a beneficial visual and landscape impact in general terms, and would position some of the new housing away from existing Rowbarrow dwellings to the north. There would also be beneficial biodiversity gains. These benefits are of significant weight.

Additionally, the site would provide good sustainable linkages to the surrounding area and facilities, and subject to a suitable S106 agreement, would provide significant mitigation, including the provision of much needed affordable housing, and improvements to the general highway system, and an adjacent footpath, which is of significant weight.

Consequently, subject to a suitably positive outcome in terms of a Habitats Regulations Assessment by the Council and suitable conditions and a S106 to achieve the required mitigation, it is considered that the proposal would therefore accord with the aims of the allocation policy H3.4, and particularly the aims of saved policies D8, C6, R2, and policies CP 20, 41,42, 43, 50, 51, 52, 57, 58, 61 and 67,69 of the Wiltshire Core Strategy and the aims of the NPPF.

#### **RECOMMENDATION: SUBJECT TO:**

i)A POSITIVE OUTCOME TO A HABITATS REGULATIONS ASSESSMENT (HRA) BY THE COUNCIL, and iii)A SUITABLE S106 LEGAL AGREEMENT BEING ENTERED INTO WITH

REGARDS THE PROVISION OF THE FOLLOWING MITIGATION:

- Provision of 40 percent affordable housing on site (including mix, adaptable standards, and minimum size standard)
- Provision and maintenance of public open space, play space (including connecting paths across the open space), together with off site contribution for MUGA
- Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road
- Ensure that proposed linking pathways to the surrounding area are provided up to the site boundary with unfettered public access and a scheme for their provision
- Financial Contribution to and Provision of waste and recycling facilities
- Financial Contribution to educational facilities
- Provision of off site traffic works and sustainable transport contributions and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.
- Provision of/financial contribution to a public art scheme
- Provision of Biodiversity enhancement contributions

# THEN APPROVE, subject to the following conditions:

## Three Year commencement

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

#### Approved plans

2. The development shall be carried out in accordance with the following plans and details:

P1597.01 Rev Y	Planning Layout
P1597.02 Rev N	Materials Layout
P1597.03 Rev N	Building Heights Layout
P1597.04 Rev Q	Tenure Layout
P1597.05 Rev N	Parking Layout
P1597.06 Rev N	Refuse Layout
P1597.07 Rev N	Enclosures Layout
P1597.08	Location Plan
P1597.09	Net Areas Layout
P1597.SS.01 Rev E	Preliminary Streetscenes
P1597.SS.02 Rev D	Preliminary Streetscenes
P1597.SS.03 Rev A	Preliminary Streetscenes

P1597.SEC.01	Site Sections		
P1597.1.01	Type 1 - (S05), Floor & Roof Plans		
P1597.1.02	Type 1 - (S05), Elevations		
P1597.2.01 Rev A	Type 2 - (Baker), Floor & Roof Plans		
P1597.2.02 Rev A	Type 2 - (Baker), Elevations - Brick		
P1597.3.01	Type 3 - (Tillman), Floor & Roof Plans		
P1597.3.02	Type 3 - (Tillman), Elevations - Brick		
P1597.3A.01	Type 3A - (Ploughwright), Floor & Roof Plans		
P1597.3A.02	Type 3A - (Ploughwright), Elevations - Brick		
P1597.4.01 Rev A	Type 4 - (Cartographer), Floor & Roof Plans		
P1597.4.02 Rev A Type 4 - (Cartographer), Elevations – Brick			
P1597.BLKA.01 Rev A Block A, Ground & First Floor Plans			
P1597.BLKA.02 Rev A Block A, Second Floor & Roof Plans			
P1597.BLKA.03 Rev A Block A, Front & Side Elevations			
P1597.BLKA.04 Rev	A Block A, Rear & Side Elevations		
P1597.BLKB.01	Block B, Ground Floor Plan		
P1597.BLKB.02	Block B, First Floor Plan		
P1597.BLKB.03	Block B, Second Floor Plan		
P1597.BLKB.04	Block B, Roof Plan		
P1597.BLKB.05	Block B, Front Elevation		
P1597.BLKB.06	Block B, Side Elevation		
P1597.BLKB.07	Block B, Rear Elevation		
P1597.BLKB.08	P1597.BLKB.08 Block B, Side Elevation		
P1597.SL.01 Type SL - (Slater), Floor & Roof Plans			
P1597.SL.02 Type SL - (Slater), Elevations - Brick			
P1597.BO.01 Type BO - (Bowyer), Floor & Roof Plans			
P1597.BO.02 Type BO - (Bowyer), Elevations - Tile Hung			
P1597.BO.03 Type BO - (Bowyer), Elevations - Brick			
P1597.CA.01 Type CA - (Carver), Floor & Roof Plans			
P1597.CA.02 Type CA - (Carver), Elevations - Brick			
P1597.CA.02 Type 0	CA - (Carver), Elevations - Tile Hung		

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P1597.CO.01 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.02 Type CO - (Cooper), Elevations - Brick
P1597.GO.01 Type GO - (Goldsmith), Floor & Roof Plans
P1597.GO.02 Type GO - (Goldsmith), Elevations - Brick
P1597.GO.03 Type GO - (Goldsmith), Elevations - Tile Hung
P1597.MA.01 Type MA - (Mason), Floor & Roof Plans
P1597.MA.02 Type MA - (Mason), Elevations - Brick
P1597.MA.03 Type MA - (Mason), Elevations - Tile Hung
P1597.SA.01 Type SA - (Saddler), Floor & Roof Plans
P1597.SA.02 Type SA - (Saddler), Elevations - Brick
P1597.SC.01 Type SC - (Scrivener), Floor & Roof Plans
P1597.SC.02 Rev A Type SC - (Scrivener), Elevations - Brick
P1597.TA.01 Rev A Type TA - (Tailor), Floor & Roof Plans
P1597.TA.02 Rev A Type TA - (Tailor), Elevations - Brick
P1597.TA.03 Type TA - (Tailor), Elevations - Tile Hung
P1597.TH.01 Type TH - (Thespian), Floor & Roof Plans
P1597.TH.02 Type TH - (Thespian), Elevations - Brick
P1597.TH.03 Type TH - (Thespian), Elevations - Tile Hung
P1597.GAR.01
                    Twin Garage - Gable Side, Plans & Elevations
P1597.GAR.02
                    Single Carbarn - Plans & Elevations
P1597.GAR.03
                     Double Carbarn - Plans & Elevations
P1597.GAR.04
                    Single Garage - Plans & Elevations
P1597.BIN.01 Bin Store - Plans & Elevations
P1597.BIN.02 Bin Store - Plans & Elevations
P1597.CYC.01
                    Cycle Store - Plans & Elevations
P1597.Q.01 Type Q - (Quilter), Floor & Roof Plans
P1597.Q.02 Type Q - (Quilter), Elevations - Brick
P1597.3.05
             Type 3 - (Tillman), Floor & Roof Plans
P1597.3.06
             Type 3 - (Tillman), Elevations - Brick
P1597.3A.04 Type 3A - (Ploughwright), Floor & Roof Plans
P1597.3A.05 Type 3A - (Ploughwright), Elevations - Brick
P1597.CH.01 Type CH Rev A - (Chandler), Floor & Roof Plans
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P1597.CH.02 Type CH Rev A - (Chandler), Elevations - Brick

P1597.CO.05 Type CO - (Cooper), Floor & Roof Plans

P1597.CO.06 Type CO - (Cooper), Elevations - Brick

P1597.GAR.05 Carbarn - Plans & Elevations

P1597.GAR.06 Garage - Plans & Elevations

#### Tree reports

Tree Protection Plan – BELL 22723 03C Sheet 1 & 2

Arboricultural Impact Assessment/ Method Statement BELL 22723 rev C (dated 18/01/2022)

#### **Archaeology**

Heritage Statement, Savills, November 2021 Geophysical Survey, SUMO, March 2020 Archaeological Evaluation and Ground Penetrating Radar Survey Report, Wessex Archaeology October 2020

#### Drainage

Site Appraisal report Rev D March 2019 (Flooding and surface water)

Amending Drainage Technical Note and the following:

- Drawings 501-505: The updated drainage strategy layout showing the proposed site levels and retaining wall locations and heights
- Drawing 554-556: Showing cross sections of the soakaways
- Drawings 508-512: Showing the catchment area layout for the drainage strategy
- The Management and Maintenance strategy report
- Appendix E the hydraulic calculations for each SuDS component on site.

## Landscaping

Landscaping Management and Maintenance plans BELL 22723(ACD December 2019) Landscape Masterplan - BELL22723 10B Soft Landscape Proposals - BELL22723 11B - Sheets 1-6

Landscape and Visual Impact Appraisal (November 2021) (Savills Landscape)

### Transport and Access

043.0017.001 rev D

Transport Assessment Addendum and revised plans (November 2021) (Paul Basham Associates)

Travel Plan December 2019 (Paul Basham Associates)

Transport Assessment Part 1 & 2 December 2019 (Paul Basham Associates)

#### **Ecology report**

Lyndsay Carrington Ecological Appraisal and Phase 2 Survey Document October 2018 Updated May and December 2019 White Helleborine Survey ACD December 2019

# Waste and sustainable design

Waste Audit and CEMP 2019

Sustainability Statement – Southern Energy Consultants 13<sup>th</sup> January 2020

REASON: For the avoidance of doubt

#### Materials

3.Before the relevant dwellings are occupied, details of the materials to be used for the external walls and roofing of the buildings, and hardsurfaces, including paths across the open space areas, shall be submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the agreed details.

REASON: In the interests of the visual appearance and amenity of the development and area

# Water efficiency

4. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the mitigation strategy for nutrient neutrality in the River Avon SAC catchment.

#### Lighting

5.All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux. Footpaths across open space will remain unlit for the lifetime of the development.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

#### Biodiversity Net Gain landscaping and archaeology

6.Notwithstanding the landscaping details submitted as part of this application, before development commences, a completed Biodiversity Metric Calculation, a revised Soft Landscape Specification, Soft Landscape Management and Maintenance Plan and Soft Landscape Proposals drawings will be submitted to the Local Planning Authority for approval (including details of how such areas are to be protected during construction). The Biodiversity Metric Calculation will include a drawing showing the location and extent of each

baseline habitat referred to in the metric and the Soft Landscape Specification, Soft Landscape Management and Maintenance Plan and Soft Landscape Proposals drawings will be revised to demonstrate the following:

- i) Sufficient habitat/hedgerow creation and enhancement will be achieved on site to deliver a net gain in biodiversity
- ii) Existing semi-improved grassland within the area shown as wildflower meadows on the approved Landscape Masterplan is retained and enhanced
- iii) The sensitive archaeology on and adjacent the site would remain protected and unaffected in perpetuity, including the ancient trackway shown on the approved plans, the route of which should be enhanced. The management plan shall include management and maintenance responsibilities and 'no dig' areas for the open green space.
- iv) The Soft Landscape Management and Maintenance Plan will include a management plan for the beech plantation on the south west site boundary which will map the full extent of white helleborine and identify thinning and understory planting to enhance the biodiversity value of the plantation. The development will be built out in full accordance with the approved calculation and approved revised landscape documents and communally managed wildlife habitats will be retained for biodiversity for the lifetime of the development. The management of the open green space and landscaping shall be carried out in accordance with the approved management plan.

If, despite every attempt to achieve a biodiversity net gain within the application site, a shortfall in biodiversity units is identified, this will be made up through a S106 legal agreement financial contribution to off-site Council approved biodiversity net gain project at agreed rates per biodiversity/hedgerow unit.

REASON: Additional information is required to conclude the development would comply with CP50 and the NPPF, and to protect and enhance sensitive biodiversity and archaeology on the site

#### Protection during construction

7.Before any construction or other works commence, the following habitats will be securely fenced off/protected before works commence, and vehicles, compounds, stockpiles and any construction related activities will be excluded from those protection areas throughout the construction period:

- All retained semi-improved grassland (i.e. grassland within area shown as Wildflower Meadow on the approved Landscape Masterplan.
- Beech tree belt along the south west boundary of the application site and the existing tree belt along the north boundary of the site with Ancient Way, including canopy and root zones as per the approved Tree Protection Plan and Method Statement
- Works should avoid/protect the scheduled ancient monument and archaeological deposits

REASON: Insufficient information provided with the application to comply with policy CP50 and the sensitive archaeology on the site and adjacent.

#### **Ecological Clerk of Works**

8.Before construction works commences, a qualified Ecological Clerk of Works will be appointed by the applicant/developer who will attend site regularly (at least once a month) throughout the construction phase of development, documenting each visit, the advice issued as a result of the visit and the effectiveness of all ecological mitigation measures. These documents will be made available to the Council as Local Planning Authority on written request.

The Ecological Clerk of Works will:

- Undertake checks for bats, birds, herptiles, hedgehogs and dormice no more than 48 hours before vegetation is removed / felled and ensure wildlife is appropriately protected
- Ensure habitat protection fencing remains effective throughout the construction period
- Ensure retained semi-improved grassland is managed twice annually with cuttings removed off site throughout the construction period in accordance with the approved revised Soft Landscape Management and Maintenance Plan.
- Anticipate, prevent and respond to pollution that risks entering surface or ground water.

REASON: To ensure compliance with ecological protection and mitigation measures.

# Provision of Bat roosts etc

9. Before development commences, details of the location and design of integral bat roosting features, swift bricks, bee homes and hedgehog access holes in garden fencing will be submitted for Local Planning Authority approval. At least 20% of all approved dwellings/apartments will have at least one of these features. The development will be completed in accordance with the approved details, and prior to any of dwellings/apartments affected being first occupied.

REASON: To contribute to offsetting the loss of wildlife as a result of the development.

# Parking and turning areas

10.Before the relevant apartment/dwelling is occupied, the garaging/parking/cycle parking and associated turning areas associated with that apartment/dwelling shall be constructed and provided on site, and shall be maintained in perpetuity thereafter for the purpose.

REASON: In order to ensure that suitable parking and turning areas are provided on site

#### Vehicular access works

11.Prior to first occupation of any dwelling hereby permitted the vehicular access onto Odstock Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the north, and 90 metres to the south.

Reason: In the interests of highway safety.

12. Prior to first occupation of any dwelling the ghost island right turning lane outlined on approved drawing P.1597.01 rev Y on Odstock Road including a pedestrian refuge, any

required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of Odstock Road over the length of the right turning lane scheme, shall all have been constructed and made permanently available for use in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of providing safe and convenient access to the development.

# Construction Transport Management Plan

13. Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include details of construction vehicle routeing, construction staff vehicle parking areas within the site, local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety and road user convenience.

#### Electric Vehicle Infrastructure

14.No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the Local Planning Authority prior to implementation and thereafter be permanently retained.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

## Contaminated Land

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

- Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.
- Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: Core policy 56, To reduce the risks associated with land contamination

# Acoustic report

16. Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 *Guidance on sound insulation and noise reduction for buildings (or any subsequent version)* and WHO *Guidelines for Community Noise* (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

REASON: In the interest of amenity

# Protection of amenity during construction

17. Notwithstanding the submitted CEMP December 2019, no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interest of amenity

- 18. Notwithstanding the submitted CEMP December 2019, prior to commencement of the development a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The revised Plan shall include additional/revised details of:
  - Working hours to match that stipulated by this consent
  - No idling of engines of lorries whilst waiting outside the site
  - Details of any on site generators and their locations
  - An external lighting plan and positions on site
  - Details of piling must be continuous flight auger piling wherever possible
  - Show how the works will avoid/protect the scheduled ancient monument and the archaeological deposits
  - Show how the works protected the tree belts along the south and northern boundaries of the site and the sensitive ecology

The site construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity

## Archaeology

19. No development shall commence within the area indicated by the approved plans until:

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

Regards a) above, this relates to the areas identified by the exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded.

REASON: To record and advance understanding of any heritage assets to be lost and to make this evidence publicly accessible.

#### Drainage

20. Notwithstanding the drainage details submitted as part of this application, no development shall commence which would involve or relate to drainage provision until a scheme showing the following:

- a) the results of infiltration test; and
- b) confirmation that all finished floor levels are shown to be above the maximum predicted 100 year flood level, and
- c) confirmation that each relevant household will be informed of its responsibility for the maintenance and protection of any sustainable urban drainage systems within its curtilage.

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme/details.

REASON: In the interests of achieving sustainable drainage

#### **INFORMATIVE**

#### Archaeology

As the applicant/developer is aware, the site contains sensitive archaeology. Consequently, appropriate care needs to be taken when developing this site.

The programme of archaeological work should comprise the following elements:

i) Prior to the commencement of development, the detailed archaeological investigation of areas of archaeological interest identified by the exploratory archaeological investigation and

that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded. The programme of archaeological fieldwork may also include archaeological monitoring during development and landscaping works.

ii) A programme of assessment, analysis, reporting, and publication that is commensurate with the significance of the archaeological results. The condition will not normally be fully discharged

until this element of the programme of archaeological work has been satisfactorily completed.

Appropriate measures should also be put in place to ensure that the 'area of archaeological interest' that is to be preserved in situ and that part of the Scheduled Monument that lies within the red line boundary are not subject to any construction activities, such as temporary soil bunds, temporary compounds or access routes, or similar, during the course of the development. The measures should comprise part of the Construction Environment Management Plan.

# Acoustic report

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.

#### Biodiversity Net Gain

The biodiversity Metric Calculation should be undertaken in accordance with the latest metric made available by Natural England or a metric otherwise approved by the Local planning Authority. Please mark up changes to the Soft Landscape Management and Maintenance Plan and the Soft Landscape Specification as tracked changes to reduce time handling discharge of condition application.



#### REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Data of Mosting	20TH April 2022	
Date of Meeting	28 <sup>TH</sup> April 2022	
Application Number	20/00337/FUL	
Site Address	Land to the east of Odstock Road and to the south of Rowbarrow,	
	Salisbury, Wiltshire.	
Proposal	(Revised) Erect 86 dwellings together with garages, car barns,	
	and refuse/cycle stores. Lay out gardens and erect means of	
	enclosure. Creation of new vehicular access to Odstock Road.	
	Lay out internal roads, including drives and pavements. Provision	
	of associated public open space, play areas and landscape	
	planting.	
Applicant	Savills	
Town/Parish Council	Salisbury City Council	
<b>Electoral Division</b>	Harnham East	
Grid Ref		
Type of application	Full Planning	
Case Officer	Richard Hughes	

# **Purpose of Report**

To update Members on the adjustments made to the application proposal since the previous resolution to defer, and to recommend the amended scheme for APPROVAL, subject to a S106 legal agreement, and conditions.

This supplementary report should be read in conjunction with the appended original officer report as considered at the 3<sup>rd</sup> February 2022 Southern Area Planning Committee.

# Reason for the application being considered by Committee

At the 3<sup>rd</sup> February 2022 southern area planning committee, Members resolved to DEFER consideration of the above application, subject to the following matters being reconsidered (as outlined in the minutes of that meeting):

- 1. More information related to the impact on the important archaeology on the site
- 2. The submission of additional matters related to the ecological and landscape issues/conditions
- 3. Reconsideration of the vehicular access with regards to cyclists
- 4. Adjustment of the number of dwellings and the spine road
- 5. Explore the future operation of the open space and play areas by the city council with maintenance money via a S106
- 6. That consideration be given to the MUGA being located on the development site

The scheme has now been revised. The scheme now consists of 86 dwellings, with a larger landscaping area between the access road and the southern belt of protected trees. Additional plans and details have also been submitted related to the points for details have namely:



Previous 95 dwelling layout deferred by Members



Revised 86 dwelling layout

# Third parties

At the time of writing, 2 comments have been received on the amend plans, raising the following issues:

- Disappointed at the small number of swift bricks for the scheme 12 for 86 dwellings.
- The scheme does address the issues of the climate emergency in terms of insulation and design

# Consultees revised responses and S106 contributions

At the time of writing, the formal comments of the main consultees have been sought regards the revised layout and revised details submitted, although earlier informal comments related solely to a revised sketch layout suggested that there were no objections to the revised layout. Officers will update this point at the meeting.

<u>WC Waste and recycling - The Waste and recycling officer has confirmed that the revised scheme would result in a new s106 contribution for waste and recycling bins will be £7,623.</u>

WC Education - I note that it has now be payder 128 uced, to 86 units. Deducting one bed properties and applying our standard 30% discount for affordable housing results in a lower figure of 72 qualifying properties for assessment.

There remain no cases for S106 contributions at primary or secondary age level.

However, early years colleagues have previously stated their requirement for a S106 contribution towards expansion of provision for nursery age children, from this application. The further reduction in the number of housing units proposed lowers this case by one place, to a total of 9 nursery places at £17,522 per place = £157,698 (subject to indexation and being secured by a S106 agreement to which the Council's standard terms will apply).

<u>WC Ecology</u> – No objections subject to conditions and S106 contribution (see below)

WC Archaeology – No objections subject to a condition

WC Tree officer - No objections

# Officer consideration of amended layout

#### Principle/policy

The revised scheme of 86 units has no more impact in overall policy terms than the 95 dwelling scheme, other than the number of revised units is now somewhat below that indicated by the allocation policy for the site. However, a green corridor is perhaps better achieved by this site, in line with the allocations policy H3.4. Other requirements of that policy are considered to be achieved as before.

# Ecology/Biodiversity

The Council's ecologist has now considered the revised 86 dwelling scheme and concluded the following:

The site comprises semi-improved grassland - calcareous indicators were recorded. Plantation woodland is reported to be well-structured. Scrub has a diverse range of species. Clearly therefore the site is of significant biodiversity value. However, it has not been assessed in terms of the UK Habitat Classification and the net change in Biodiversity Units has not been calculated using the Natural England metric. It is highly unlikely this layout would deliver a net gain as required by CP50 and the NPPF, although the Council will wish to see that as much offsetting is provided within the site as possible. Given the advanced stage of this application I recommend this is dealt with by condition. The developer has prepared a biodiversity metric calculation and this is being finalised to demonstrate an overall net gain will be achieved through (i) provision of new habitats on site, (ii) enhancement of existing semi-improved calcareous grassland on site and (iii) through a contribution to offset the net loss of 7.72 habitat units by restoring calcareous grassland at the Council owned farm at Roundbarrow Farm near Pitton. These measures must be secured by condition and S106 as appropriate.

The application has been revised down from 101 to 95 now 86 dwellings, and more open space is provided including a wider buffer to the southern beech plantation. The whole of the development lies within about 150m of the plantation, it will therefore be readily accessible unless fencing is erected to control access. Although people are more likely to access the plantation from the NEAP in its current location compared say, to the north east of the site, many people will access it regardless of the NEAP. All things being equal, if the NEAP can be relocated this may bring some benefit.

The Tree Officers comments of 9 December 2021 demonstrate there is a real risk of the southern plantation becoming an issue for future residents in terms of amenity and liability due to the fact a number of plots are located within 30m of the nearest trees. The experience of all tree officers at the Council has been that mature trees cause fear and frustration for householders and eventually there is no alternative but to remove trees regardless of the ecological implications - which in this situation are significant, as discussed below. Removals and windthrow could result in the removal of an 80m length of the tree line, i.e. a third of the current length. This would make it impossible for the development to achieve a net gain for biodiversity by a significant margin which necessarily me

Latest plans submitted 14 Jan 2022 show the development buildings have been pulled back from the line of tree planting shown on the OS Mastermap layer, by a few metres to just over 20m, which is closer to the minimum recommended by the Tree Officer. Now however a longer length of the tree line is vulnerable, to removals approximately 120m. It seems inevitable that trees will need to be removed 'before their time'. I consider this will be acceptable. Streetview shows the beech plantation to be in need of thinning and management and this could gradually lead to a reduction in the beech canopy to create a more diversewoodland in keeping with the new adjacent land use. I consider my recommended condition for biodiversity net gain below, will be sufficient to secure this.

The latest revised landscape plans (rev D) show that trees in the southern plantation will be at least 30m away from the nearest property. This provides as much certainty as is reasonable to require that the southern plantation and any future replacement trees can be retained in perpetuity. This is a very positive outcome for biodiversity at this site.

I note from the landscaping plans, masterplan etc, that extensive wildflower seeding is proposed in the open space. This is currently set out as a complex arrangement of different seed mixes – why bother, the site already comprises semi-improved grassland which will have a better outcome for biodiversity of it is enhanced through management. I recommend, following comments from Mary Holmes and Maxine Russell, that a revised landscape scheme is secured by condition to reflect this. The Landscape and Ecological Management Plan (LC Ecological Services March 2022) provides the relevant information. This is to be conditioned.

Beech plantation on south west boundary - Ecological Appraisal recommends understory planting although none is proposed in the Soft Landscape Management and Maintenance Plan. This however is unlikely to establish as I understand from representation responses this woodland has been unthinned in 70 years. White helleborine has been recorded in some numbers in this and the plantation on the northern boundary. The site is potentially of Wiltshire importance. Insufficient information provided to demonstrate whether the helleborine will be impacted by recreational pressure and if so, how it will be protected (see table above for information required). I note that the northern plantation is owned by Wiltshire Council and therefore mitigation may be needed through a S106 agreement. Condition required to retain, protect and manage both the southern and northern tree belts for their biodiversity value. The White Helleborine Survey undertaken by Lindsay Carrington Ecological Services (May 2020) confirms the population is of county importance and "deserves recognition and conservation". Management is covered in the Landscape and Ecological Management Plan (LC Ecological Services March 2022) and this should be conditioned. (Note this may conflict with the Soft Landscape Management and Maintenance Plan (ACD 2019).

Breeding skylark in the semi-improved grassland - condition for ECoW. This is now covered in the Ecological Construction Method Statement (LC Ecological Services March 2022). Condition required.

The report evaluates the bat assemblage using a method (Wray et al 2010) of arguable validity. From transect and static data there is a serotine roost nearby, which would raise the assemblage to being of County importance. This species is tolerant of artificial lighting to a degree and the access road avoids tree planting / scrub on the site perimeter. I recommend impact of lighting on bats is addressed through a condition for lighting with wording to ensure regard is taken for bats as part of the street lighting layout.

Coverage of ecological issues in the submitted Waste Audit and CEMP (Savills, December 2019) is inadequate. Condition required to ensure an ECoW is available to minimise biodiversity loss during the construction phase. This is partially addressed in the Ecological Construction Method Statement (LC Ecological Services March 2022). However, it does not address the issue of demarcating the semiimproved grassland from the construction footprint. As the developer is relying on being able to enhance this habitat, it is essential the council has certainty over its protection during the construction phase. See revised condition wording below.

# Appropriate Assessment

<u>River Avon SAC</u>

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others thatmeasures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

- Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, I conclude it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

# New Forest SPA

The development lies within the 13.8km zone of influence for the New Forest protected sites which includes the New Forest SPA, New Forest SAC and New Forest Ramsar site. It is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects through increased recreational pressure, which may occur alone and incombination with other plans and projects. Many of the special features afforded protection are vulnerable to increased recreation as demonstrated in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019.

The Council has prepared an "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1, 25 March 2022) which identifies the zones of influence within which residential and tourism development have the potential to generate additional recreation pressure. The strategy details mitigation required to avoid and reduce impacts. Provision of Suitable Areas of Natural Greenspace (SANGs) are being provided to reduce visitor numbers at protected sites and where visits are unavoidable, strategic access management and monitoring (SAMM) methods are being used to control people's behaviour.

The strategy explains that residential developments of 50 or more homes will be required to directly provide high quality open space while other development will contribute indirectly though allocation of funds from the Community Infrastructure Levy. Together this package of measures has been endorsed by Natural England on 24 March 2022 who consider the strategy to be sufficient to mitigate for development coming forward through the Wiltshire Core Strategy.

Land at Rowbarrow will comply with the above strategy by providing 2.7 hectares of open space, at least 2.4 ha of which will be set out to comprise Suitable Alternative Natural Greenspace. Landscape plans (ACD BELL22723 11 sheets 1-6 Rev D) and the Landscape and Ecological Management Plan (LC Ecological Services March 2022) demonstrate this area will be set out as a wildflower meadow through management of the existing calcareous grassland which is in poor condition. Localised tree planting will also be undertaken along key routes though the site. The site provides substantially more than the 8ha per 1000 people recommended by Natural England in its Guidelines for Creation of Suitable Alternative Natural Greenspace (with reference to the Thames Basin Heaths), Natural England, August 2021. In addition, it provides walking access to a number of alternative footpaths and publicly accessible sites beyond the development including:

Lime Kiln Way County Wildlife site immediately across the Odstock road

Harnham Slope County Wildlife Site lies 1.6km away by roads and footpaths 3.2km circular route towards the River Avon to the north mostly along footpaths Part circular route of 5km along the byway to the south and west

2.5km circular route round the field containing Little Woodbury Scheduled Monument Many more routes of longer lengths

These provide routes of varied topography, with stunning views across Salisbury and the Ebble valley to the south.

It is expected open space at the development site, and footpaths in the immediate vicinity will provide for everyday walking needs including with dogs. New residents can nevertheless be expected to make infrequent visits to the New Forest and these will be mitigated through the package of measure currently being agreed between the Council and The New Forest National Park Authority.

The Council therefore concludes that, provided the following matters are secured by conditions / S106, the application alone and in-combination with other plans and projects will not lead to adverse effects on the New Forest protected sites.

- 1. Secure Landscape plans, LEMP and CEMP through condition
- 2. Secure retention and management of the open space as Suitable Alternative Natural Greenspace while in perpetuity
- 3. Seek a S106 contribution of £8,000 toward compliance of SANG provision:
  - a) in each of the first five years after the open space is laid out,
  - b) once every five years thereafter until 30 years after the open space is laid out and
  - c) inclusion of the SANG in a contract for visitor surveys in years 5 and 10 after the open space is laid out

With regards the above, from the Council's perspective, the revised scheme has addressed the previous ecology concerns subject to suitable conditions and a legal agreement and contributions. At the time of writing, the Council awaits the agreement of Natural England regards the positive HRA.

#### Landscape and heritage impacts

As per condition 19 of the officers report the applicants heritage consultant has prepared a written scheme of archaeological investigation (WSI) detailing on site works to take place, as well as off site verification of findings with the county archaeology team. Further to this, they have revisited landscaping, ecology and archaeology matters in the round to ensure that a harmonious relationship will exist between the need to preserve the below ground archaeology, the need for a degree of landscape planting (only in non-sensitive areas) and the need to provide biodiversity enhancement. Landscaping and biodiversity enhancement measures have been proposed in coordination with Bellway's heritage consultant. The result is revised landscaping plans, supported by biodiversity net gain calculations and an archaeological WSI.

In officers view, it appears that the revised scheme would now have less visual impact on the wider landscape with the removal 9 dwellings and the creation of larger landscape buffer with the southern belt of trees. Views of the development from the north and west would be more limited than the previous iteration 95 dwelling scheme. It also appears likely that the revised scheme would have less impact on the protected tree belt, although Members should note that the spine road is closer to the tree belt than the previous scheme. It also appears that the revised scheme has avoided the sensitive archaeology on the site, and correspondingly, would avoid impacts on the protected species in the southern tree belt. Officers advice remains as per the appended report.

#### <u>Archaeology</u>

The council's archaeologist has confirmed the following:

My comments update my previous comments of 17th January 2022. Please note that my response relates solely to the buried archaeological heritage and not to the historic built environment, which is a matter for your Conservation Officer.

The applicant has submitted a revised layout plan, landscape masterplan, soft landscaping proposals, and an updated Heritage Statement (Savills, March 2022). It is welcome that the layout and landscaping plans have been amended to respect the most sensitive areas of buried archaeological remains that have been identified through evaluation within the redline boundary of the application area. It is also welcome that the line of the ancient trackway in the west of the site will now be marked by an avenue of trees.

I am therefore satisfied with the proposal as regards archaeology, subject to an appropriate programme of archaeological work and a landscaping management plan to ensure the long-term protection of the area of highest archaeological significance, secured by..condition.

The applicant has also submitted a 'Written Scheme of Investigation for archaeological strip, map and sample excavation and monitoring (Savills, March 2022). I have previously been in receipt of this WSI and can confirm that it sets out an appropriate programme of archaeological work.

#### Amenity impacts

It should also be noted that the scheme now includes an additional area of open space adjacent to its northern boundary with part of the northern tree belt. This should help reduce impacts on that tree belt, and any protected species within it. This secondary open space area also lessens the impacts of the housing on some of the existing housing along the north eastern edge of the scheme in terms of general loss of privacy, although it should be noted that at this edge, the amended scheme now proposes a new internal roadway with dwellings facing towards the existing Rowbarrow development. However, the green buffer is maintained between the existing and proposed scheme at this point, and therefore the impacts of the revised layout are in officers opinion likely to be very similar to the 95 dwelling layout in terms of noise and disturbance, and loss of privacy. Officers advice remains as per the appended report.

#### Future maintenance of open space

The applicant and Savills have engaged with Salisbury City Council to discuss whether they might wish to adopt the open space and play areas provided. Discussions are ongoing, and the option is there should the City Council wish to adopt and maintain the open space. If not, as previously proposed Bellway Homes will set up a private management company which would be responsible for the maintenance of the open space and play areas. It should be reiterated that this is an entirely normal approach which is employed on many housing

schemes across the country. The final details can be resolved as part of the section 106 agreement, which is the usual practice, resolved post planning approval.

# **Highways Impacts**

The road layout of the scheme remains similar to the 95 dwelling scheme, albeit the spine road have been relocated further south, and adjustments have been made to the detail design of the main access with Odstock Road to make it safer for cyclists to cross. It is considered that the revisions are likely to be acceptable from a highway safety point of view.

#### Drainage

The revised layout is substantially the same in drainage terms and impacts as the 95 dwelling scheme. Subject to the comments of the relevant consultee, it is considered that the proposal will be acceptable.

# Affordable Housing

The revised mixed of affordable and market dwellings is as below:

Unit Type	Number of Dwellings
1 Bedroom Flat (Affordable)	6
2 Bedroom House (Affordable)	20
3 Bedroom House (Affordable)	8
Total Affordable	34
2 Bedroom House (Private)	16
3 Bedroom House (Private)	27
4 Bedroom House (Private)	9
Total Private	52
TOTAL	86

Table 1: Accommodation Schedule

# Revised conclusion and planning balance

Subject to the comments of the relevant consultees, it is considered that the revised scheme would have similar or less harm on the various receptors than the 95 dwelling scheme and layout. Thus, officers advice remains as expressed previously.

A copy of the previous officer report, recommendation and conditions is appended to this report. It is considered that the appended report should be read in conjunction with this revised supplementary report in terms of the relevant policies, material considerations, planning issues, and the required S106 and conditions. Notwithstanding, Members should note that whilst the S106 requirements will remain the same, the financial contributions will be reduced in line with the reduced number of dwellings proposed. Furthermore, some of the planning conditions in the appended report will be subject of change to take on board the adjusted scheme and details.

Officers will report the outcome of further consultation on this adjusted scheme and details at the meeting.

# RECOMMENDATION: SUBJECT TO THE CONSULTEE RESPONSES NOT RAISING ANY SUBSTANTIVE OBJECTIONS TO THE AMENDED SCHEME, AND

I) NATURAL ENGLAND AGREEING THE POSITIVE OUTCOME TO A HABITATS REGULATIONS ASSESSMENT (HRA) BY THE COUNCIL, and

ii)A SUITABLE S106 LEGAL AGREEMENT BEING ENTERED INTO WITH REGARDS THE PROVISION OF THE FOLLOWING MITIGATION:

- Provision of 40 percent affordable housing on site (including mix, adaptable standards, and minimum size standard)
- Provision and maintenance of public open space, play space (including connecting paths across the open space), together with off site contribution for MUGA
- Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road
- Ensure that proposed linking pathways to the surrounding area are provided up to the site boundary with unfettered public access and a scheme for their provision
- Financial Contribution to and Provision of waste and recycling facilities
- Financial Contribution to educational facilities
- Provision of off site traffic works and sustainable transport contributions and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.
- Provision of/financial contribution to a public art scheme
- Provision of Biodiversity enhancement contributions namely:
- Contributions towards a Council Biodiversity Net Gain project at Roundbarrow Farm in order to deliver a total of 8 habitat units at a cost of £30,000 per unit.
- Retention and management of the open space as Suitable Alternative Natural Greenspace (as shown on a plan) in perpetuity or for as long as the development site remains in residential use.
- A contribution of £8000 towards compliance of SANG provision in accordance
  with requirements of the Council's Interim recreation mitigation strategy for the
  New Forest internationally protected sites" (Version 1, 25 March 2022) to provide
  a compliance visit in each of the first five years after the open space is laid out, a
  compliance visit once every five years thereafter until 30 years after the open
  space is laid out and inclusion of the SANG in a contract for visitor surveys in
  years 5 and 10 after the open space is laid out

# THEN APPROVE, subject to the following conditions (TBC):

#### Three Year commencement

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

# Approved plans

2. The development shall be carried out in accordance with the following amended plans and details:

P1597.01 Rev ZA Planning Layout P1597.02 Rev P Materials Layout P1597.03 Rev P **Building Heights Layout** P1597.04 Rev S Tenure Layout P1597.05 Rev P Parking Layout P1597.06 Rev P Refuse Layout P1597.07 Rev P **Enclosures Layout** P1597.08 Rev C Location Plan P1597.09 Net Areas Layout P1597.SS.01 Rev E Preliminary Streetscenes

P1597.SS.02 Rev D Preliminary Streetscenes

P1597.SS.03 Rev A Preliminary Streetscenes

P1597.SEC.01 Rev B Site Sections

P1597.1.01 Type 1 - (S05), Floor & Roof Plans

P1597.1.02 Type 1 - (S05), Elevations

P1597.2.01 Rev A Type 2 - (Baker), Floor & Roof Plans

P1597.2.02 Rev A Type 2 - (Baker), Elevations - Brick

P1597.3.01 Type 3 - (Tillman), Floor & Roof Plans

P1597.3.02 Type 3 - (Tillman), Elevations - Brick

P1597.3A.01 Type 3A - (Ploughwright), Floor & Roof Plans

P1597.3A.02 Type 3A - (Ploughwright), Elevations - Brick

P1597.4.01 Rev A Type 4 - (Cartographer), Floor & Roof Plans

P1597.4.02 Rev A Type 4 - (Cartographer), Elevations – Brick

P1597.BLKA.01 Rev A Block A, Ground & First Floor Plans

P1597.BLKA.02 Rev A Block A, Second Floor & Roof Plans

P1597.BLKA.03 Rev C Block A, Front & Side Elevations

P1597.BLKA.04 Rev C Block A, Rear & Side Elevations P1597.BLKB.01 Block B, Ground Floor Plan P1597.BLKB.02 Block B, First Floor Plan P1597.BLKB.03 Block B, Second Floor Plan P1597.BLKB.04 Block B, Roof Plan P1597.BLKB.05 Block B, Front Elevation P1597.BLKB.06 Block B, Side Elevation P1597.BLKB.07 Block B, Rear Elevation P1597.BLKB.08 Block B, Side Elevation P1597.SL.01 Type SL - (Slater), Floor & Roof Plans P1597.SL.02 Type SL - (Slater), Elevations - Brick P1597.BO.01 Type BO - (Bowyer), Floor & Roof Plans P1597.BO.02 Type BO - (Bowyer), Elevations - Tile Hung P1597.BO.03 Type BO - (Bowyer), Elevations - Brick P1597.CA.01 Type CA - (Carver), Floor & Roof Plans P1597.CA.02 Type CA - (Carver), Elevations - Brick P1597.CA.02 Type CA - (Carver), Elevations - Tile Hung P1597.CO.01 Type CO - (Cooper), Floor & Roof Plans P1597.CO.02 Type CO - (Cooper), Elevations - Brick P1597.GO.01 Type GO - (Goldsmith), Floor & Roof Plans P1597.GO.02 Type GO - (Goldsmith), Elevations - Brick P1597.GO.03 Type GO - (Goldsmith), Elevations - Tile Hung P1597.MA.01 Type MA - (Mason), Floor & Roof Plans P1597.MA.02 Type MA - (Mason), Elevations - Brick P1597.MA.03 Type MA - (Mason), Elevations - Tile Hung P1597.SA.01 Type SA - (Saddler), Floor & Roof Plans P1597.SA.02 Type SA - (Saddler), Elevations - Brick P1597.SC.01 Rev B Type SC - (Scrivener), Floor & Roof Plans P1597.SC.02 Rev B Type SC - (Scrivener), Elevations - Brick P1597.TA.01 Rev A Type TA - (Tailor), Floor & Roof Plans P1597.TA.02 Rev A Type TA - (Tailor), Elevations - Brick P1597.TA.03 Type TA - (Tailor), Elevations - Tile Hung

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P1597.TH.01 Type TH - (Thespian), Floor & Roof Plans
P1597.TH.02 Type TH - (Thespian), Elevations - Brick
P1597.TH.03 Type TH - (Thespian), Elevations - Tile Hung
P1597.GAR.01Rev A Twin Garage - Gable Side, Plans & Elevations
P1597.GAR.02
                    Single Carbarn - Plans & Elevations
P1597.GAR.03
                    Double Carbarn - Plans & Elevations
P1597.GAR.04
                    Single Garage - Plans & Elevations
P1597.BIN.01 - Bin Store - Plans & Elevations
P1597.BIN.02 - Bin Store - Plans & Elevations
P1597.CYC.01 Rev A - Cycle Store - Plans & Elevations
P1597.Q.01 Type Q - (Quilter), Floor & Roof Plans
P1597.Q.02 Type Q - (Quilter), Elevations - Brick
P1597.3.05 Type 3 - (Tillman), Floor & Roof Plans
P1597.3.06 Type 3 - (Tillman), Elevations - Brick
P1597.3A.04 Type 3A - (Ploughwright), Floor & Roof Plans
P1597.3A.05 Type 3A - (Ploughwright), Elevations - Brick
P1597.CH.01 Type CH Rev A - (Chandler), Floor & Roof Plans
P1597.CH.02 Type CH Rev A - (Chandler), Elevations - Brick
P1597.CO.05 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.06 Type CO - (Cooper), Elevations - Brick
P1597.GAR.05
                    Carbarn - Plans & Elevations
P1597.GAR.06
                    Garage - Plans & Elevations
P1597.3A.06 Type 3A (Ploughwrights) Floor and Roof Plans
P1597.3A.07 Type 3A (Ploughwrights) Elevations – Brick
P1597.BO.05 TYPE BO (Bowyer) Elevations Brick
P1597.CO.07 TYPE CO (Cooper) Floor and roof plan
P1597.CO.08 TYPE CO (Cooper) Elevations Brick
P1597.SC.04 TYPE SC (Scrivener) Elevations brick
P5197.TH .05 TYPE TH(Thespian) Elevations Tile Hung
P1597.WO.01 Rev A TYPE WO (Woodcarver) Plans and Elevations
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#### Archaeology

P1597.SS.11 & 22 Street scenes

Updated Heritage report and Written Scheme of Archaeological Investigation March 2022

#### Drainage

Site Appraisal report Rev D March 2019 (Flooding and surface water)

Amending Drainage Technical Note and the following:

- Drawings 501-505: The updated drainage strategy layout showing the proposed site levels and retaining wall locations and heights
- Drawing 554-556: Showing cross sections of the soakaways
- Drawings 508-512: Showing the catchment area layout for the drainage strategy
- The Management and Maintenance strategy report
- Appendix E the hydraulic calculations for each SuDS component on site.

# Landscaping

Updated Tree Survey Plan (BELL22723-03D) and Arboricultural Impact Assessment & Method Statement (BELL22723aia\_amsD)

Revised Detailed Landscape Drawings and Landscape Masterplan

BELL22723 10D;

BELL22723 11D;

BELL22723 11D (sheet 1)

BELL22723 11D (sheet 2)

BELL22723 11D (sheet 3)

BELL22723 11D (sheet 4)

BELL22723 11D (sheet 5)

BELL22723 11D (sheet 6)

Landscaping Management and Maintenance plans BELL 22723(ACD December 2019)

Updated LVA to reflect plan amends (parts 1-6)

Revised LEMP March 2022

#### Transport and Access

043.0017.001 rev E

Transport Assessment Addendum and revised plans (Paul Basham Associates)

Travel Plan December 2019 (Paul Basham Associates)

Transport Assessment Part 1 & 2 December 2019 (Paul Basham Associates)

#### **Ecology report**

Updated Ecological Reports (Ecological Appraisal & Phase 2 Surveys 31.03.2022; Ecological Construction Method Statement 31.03.2022; Landscape and Ecological Management Plan 31.03.2022)

Lyndsay Carrington Ecological Appraisal and Phase 2 Survey Document October 2018 Updated May and December 2019

White Helleborine Survey ACD December 2019

### Waste and sustainable design

Waste Audit and CEMP 2019

Sustainability Statement – Southern Energy Consultants 13<sup>th</sup> January 2020

REASON: For the avoidance of doubt

#### <u>Materials</u>

3.Before the relevant dwellings are occupied, details of the materials to be used for the external walls and roofing of the buildings, and hardsurfaces, including paths across the open space areas, shall be submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the agreed details.

REASON: In the interests of the visual appearance and amenity of the development and area

#### Water efficiency

4. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the mitigation strategy for nutrient neutrality in the River Avon SAC catchment.

## Lighting

5.All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux. Footpaths across open space will remain unlit for the lifetime of the development.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

#### Biodiversity Net Gain landscaping

The development will be delivered in accordance with the approved Biodiversity Metric submitted on (date \*\*\*) and will achieve no fewer than 8 habitat units and no fewer than 10.17 hedgerow units within the planning permission boundary.

REASON: to comply with CP50 in delivering a net gain for biodiversity.

#### Protection during construction

7.Before any construction or other works commence, the following habitats will be securely fenced off/protected before works commence, and vehicles, compounds, stockpiles and any construction related activities will be excluded from those protection areas throughout the construction period:

- All retained semi-improved grassland (i.e. grassland within area shown as Wildflower Meadow on the approved Landscape Masterplan.
- Beech tree belt along the south west boundary of the application site and the existing tree belt along the north boundary of the site with Ancient Way, including canopy and root zones as per the approved Tree Protection Plan and Method Statement
- Works should avoid/protect the scheduled ancient monument and archaeological deposits

REASON: Insufficient information provided with the application to comply with policy CP50 and the sensitive archaeology on the site and adjacent.

### **Ecological Clerk of Works**

8.Before construction works commences, a qualified Ecological Clerk of Works will be appointed by the applicant/developer who will attend site regularly (at least once a month) throughout the construction phase of development, documenting each visit, the advice issued as a result of the visit and the effectiveness of all ecological mitigation measures. These documents will be made available to the Council as Local Planning Authority on written request.

The Ecological Clerk of Works will:

- Undertake checks for bats, birds, herptiles, hedgehogs and dormice no more than 48 hours before vegetation is removed / felled and ensure wildlife is appropriately protected
- Ensure habitat protection fencing remains effective throughout the construction period
- Ensure retained semi-improved grassland is managed twice annually with cuttings removed off site throughout the construction period in accordance with the approved revised Soft Landscape Management and Maintenance Plan.
- Anticipate, prevent and respond to pollution that risks entering surface or ground water.

REASON: To ensure compliance with ecological protection and mitigation measures.

#### Provision of Bat roosts etc

9. Before development commences, details of the location and design of integral bat roosting features, swift bricks, bee homes and hedgehog access holes in garden fencing will be submitted for Local Planning Authority approval. At least 20% of all approved dwellings/apartments will have at least one of these features. The development will be completed in accordance with the approved details, and prior to any of dwellings/apartments affected being first occupied.

REASON: To contribute to offsetting the loss of wildlife as a result of the development.

#### Parking and turning areas

10.Before the relevant apartment/dwelling is occupied, the garaging/parking/cycle parking and associated turning areas associated with that apartment/dwelling shall be constructed and provided on site, and shall be maintained in perpetuity thereafter for the purpose.

REASON: In order to ensure that suitable parking and turning areas are provided on site

#### Vehicular access works

11.Prior to first occupation of any dwelling hereby permitted the vehicular access onto Odstock Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the north, and 90 metres to the south.

Reason: In the interests of highway safety.

12. Prior to first occupation of any dwelling the ghost island right turning lane outlined on approved highways/access drawing (as per the amended Transport Assessment March 2022) on Odstock Road including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of Odstock Road over the length of the right turning lane scheme, shall all have been constructed and made permanently available for use in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of providing safe and convenient access to the development.

#### Construction Transport Management Plan

13. Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include details of construction vehicle routeing, construction staff vehicle parking areas within the site, local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety and road user convenience.

# Electric Vehicle Infrastructure

14.No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the Local Planning Authority prior to implementation and thereafter be permanently retained.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

#### **Contaminated Land**

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

- Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.
- Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.
- Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

Reason: Core policy 56, To reduce the risks associated with land contamination

#### Acoustic report

16.Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 *Guidance on sound insulation and noise reduction for buildings (or any subsequent version)* and WHO *Guidelines for Community Noise* (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

REASON: In the interest of amenity

#### Protection of amenity during construction

17. Notwithstanding the submitted CEMP December 2019, no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interest of amenity

18. Notwithstanding the submitted CEMP December 2019, prior to commencement of the development a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The revised Plan shall include additional/revised details of:

- Working hours to match that stipulated by this consent
- No idling of engines of lorries whilst waiting outside the site
- Details of any on site generators and their locations
- An external lighting plan and positions on site
- Details of piling must be continuous flight auger piling wherever possible
- Show how the works will avoid/protect the scheduled ancient monument and the archaeological deposits
- Show how the works protected the tree belts along the south and northern boundaries of the site and the sensitive ecology

The site construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity

## Archaeology

19. No development shall commence within the area indicated by the approved plans until:

- A written scheme of investigation for a 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 in writing by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details
- A future landscaping maintenance and management plan showing how the sensitive archaeology on and adjacent to the site would remain protected and unaffected in perpetuity, including the ancient trackway marked by an avenue of trees on the approved plans, has been submitted to and approved by the Local Planning Authority. The management plan shall include management and maintenance responsibilities and 'no dig' areas for the open green space.

As regards a) above, this relates to the areas identified by the exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded.

REASON: To record and advance understanding of any heritage assets to be lost and to make this evidence publicly accessible.

# **Drainage**

20. Notwithstanding the drainage details submitted as part of this application, no development shall commence which would involve or relate to drainage provision until a scheme showing the following:

- a) the results of infiltration test; and
- b) confirmation that all finished floor levels are shown to be above the maximum predicted 100 year flood level, and
- c) confirmation that each relevant household will be informed of its responsibility for the maintenance and protection of any sustainable urban drainage systems within its curtilage.

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme/details.

REASON: In the interests of achieving sustainable drainage

#### **INFORMATIVE**

#### Archaeology

As the applicant/developer is aware, the site contains sensitive archaeology. Consequently, appropriate care needs to be taken when developing this site.

The programme of archaeological work should comprise the following elements:

- i) Prior to the commencement of development, the detailed archaeological investigation of areas of archaeological interest identified by the exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded. The programme of archaeological fieldwork may also include archaeological monitoring during development and landscaping works.
- ii) A programme of assessment, analysis, reporting, and publication that is commensurate with the significance of the archaeological results. The condition will not normally be fully discharged until this element of the programme of archaeological work has been satisfactorily

until this element of the programme of archaeological work has been satisfactorily completed.

Appropriate measures should also be put in place to ensure that the 'area of archaeological interest' that is to be preserved in situ and that part of the Scheduled Monument that lies within the red line boundary are not subject to any construction activities, such as temporary soil bunds, temporary compounds or access routes, or similar, during the course of the development. The measures should comprise part of the Construction Environment Management Plan.

#### Acoustic report

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to

BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.