

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

<b>Date of Meeting</b>	10 <sup>th</sup> March 2021
<b>Application Number</b>	20/10339/FUL
<b>Site Address</b>	The Royal Oak, Amesbury Road, Shrewton, SP3 4HD
<b>Proposal</b>	Proposed Demolition & Conversion of Existing Buildings into New Dwelling & Erection of 5 New Dwellings with Associated Landscaping
<b>Applicant</b>	Mr Craig Jones
<b>Town/Parish Council</b>	SHREWTON
<b>Electoral Division</b>	Till & Wylve Valley – Councillor Daley
<b>Grid Ref</b>	406926 143633
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Georgina Wright

**Reason for the Application being Considered by Committee**

This application is brought to committee at the request of Councillor Daley, for the following reasons:

- Relationship to adjoining properties
- Environmental or highway impact
- Car parking
- Impact on the environment, traffic and safety on the highway and pedestrians during development

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved

**2. Report Summary**

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

- Principle
- Character & Design
- Neighbouring Amenities
- Trees
- Highway Safety
- Ecology
- CIL/S106

The application has generated an Objection from Shrewton Parish Council; and 35 letters of objection from third parties.

### 3. Site Description

The 0.25 hectare site is situated within the defined settlement boundary of Shrewton, which is designated as a Large Village by Wiltshire Core Strategy (WCS) policy CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is surrounded to the east, south and west by other residential properties and their associated parking and amenity. To the north, the site abuts an area of land that is protected by Saved Salisbury District Local Plan (SDLP) policy H17 as important open space. The main A360, which runs through the village, bisects the site in a north/south direction. The site is situated in a special landscape area, as defined by Saved SDLP policy C6. It is also opposite the River Till and its associated designation as a Site of Special Scientific Interest (SSSI) and flood zones; and is also within the River Avon Special Area for Conservation (SAC) catchment area. The site is not however identified as being within either Flood Zones 2 or 3. Whilst the site is outside of the Stonehenge World Heritage Site, Shrewton is still within the setting of this heritage asset and is also within the buffer for the Salisbury Plain Special Protection Area (SPA).

The site currently consists of a linear building that is situated on the hard edge of the pavement fronting on to the busy main road. It was once used as a public house but in 2013 was granted permission to be converted into a residential dwelling (under ref: 13/04318/FUL). This permission has been implemented and the current lawful use of the building is therefore as a dwelling (Use Class C3). It is an attractive, brick and render building with a clay tile roof and is of traditional vernacular. The building is however unlisted and the site is not in the vicinity of any listed buildings or within a conservation area.

Behind the existing building the site is laid to garden land with an outbuilding and raised decking area. Whilst the plot and thus garden, is relatively large, there is a significant level change across this rear part of the site and the land rises dramatically as it extends north eastwards and southwards. On the opposite side of the main road (to the west of the existing building), the site also includes a roadside layby. This currently provides parking for the existing dwelling (and also historically provided customer parking for the public house).

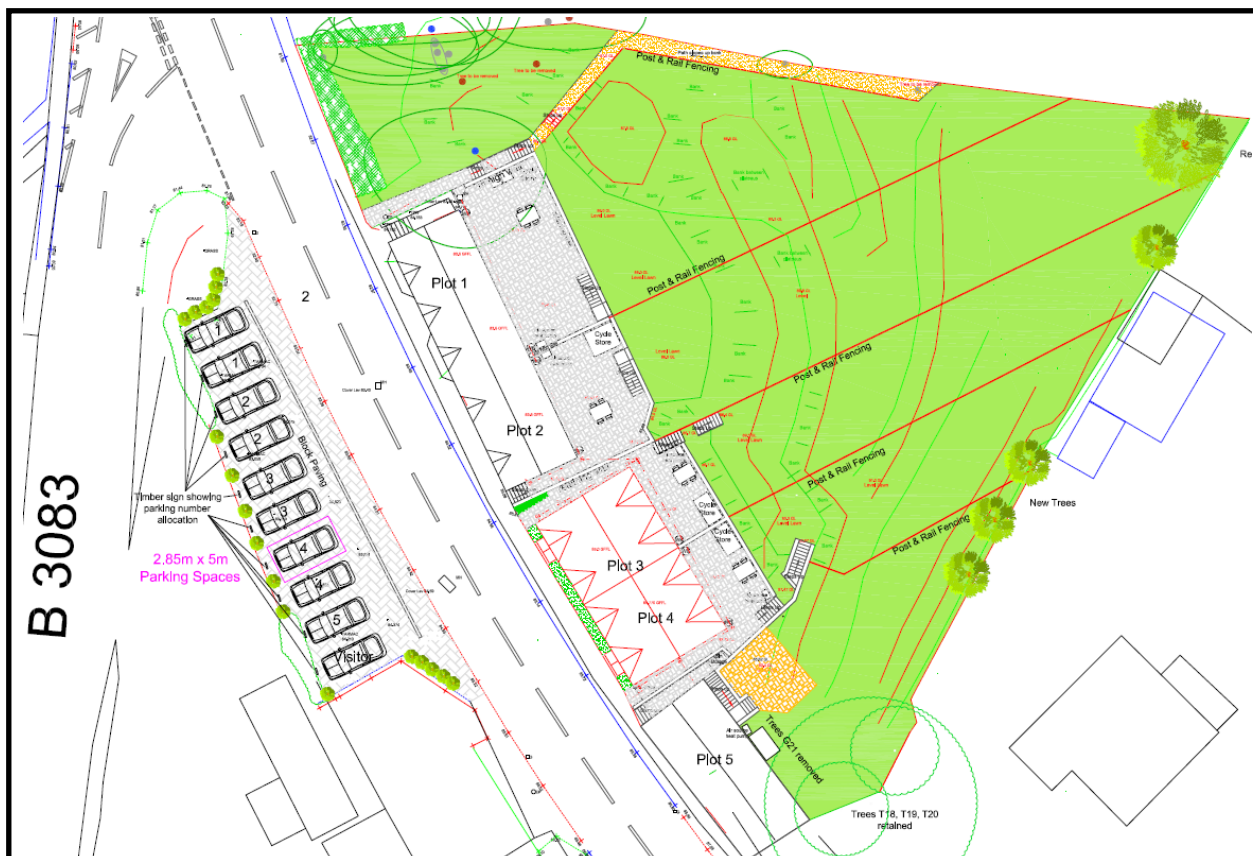
### 4. Planning History

13/04318/FUL	Change of Use from drinking establishment A4 to residential dwelling C3. Permission – 22.11.2013
20/05959/FUL	Proposed conversion of existing dwelling into 2x3 bed dwellings; conversion of outbuilding into 1x1 bed dwelling; & erection of 2x3 bed semi detached dwellings. With associated landscaping and parking. Refused – 06.11.2020

This latter application was refused for the following reasons:

- 1) *The proposed parking provision identified to serve the additional residential development will result in an intensification of the need for residents to cross a busy main road at a point where visibility is poor. The proposed parking arrangement will also require all vehicles to either reverse into or off the public highway and there is inadequate provision for delivery vehicles. The introduction of parked vehicles; together with the presence of reversing vehicles; and pedestrians crossing the road at this point, is likely to interfere with the free flow of traffic and create conflict and danger on the A360 to the detriment of the safety of all users of the road. The proposals are therefore considered to be contrary to the provisions of the National Planning Policy Framework; and Wiltshire Core Strategy policies CP57 (Ensuring High Quality Design & Place Shaping), CP61 (Transport & Development), CP62 (Development Impacts on the Transport Network) and CP64 (Demand Management)*

- 2) *Insufficient information has been submitted to demonstrate that the proposed development will not have a detrimental impact for protected species or that such an impact can be properly mitigated and thus fails the derogation tests. The site is also situated within the River Avon Special Area for Conservation (SAC) catchment area that is a European site. Advice from Natural England indicates that every permission that results in a net increase in foul water entering the catchment could result in increased nutrients entering this European site causing further deterioration to it. The application does not include detailed proposals to mitigate the impact of these increased nutrients and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European Site as a result of the development. The proposal would therefore conflict with the Conservation of Habitats & Species Regulations 2017; the National Planning Policy Framework; and Wiltshire Core Strategy policies CP50 (Biodiversity and Geodiversity) and CP69 (Protection of the River Avon SAC)*
  
- 3) *Insufficient information has been submitted to demonstrate that the site can be adequately drained. The proposals are therefore considered to be contrary to the provisions of the National Planning Policy Framework; and Wiltshire Core Strategy policy CP67 (Flood Risk).*



**PLAN 1 – Proposed Site Plan for 20/05959/FUL (Refused)**

## 5. The Proposal

This is a full application proposing the redevelopment of the plot to provide additional residential units on the site, 6 units in total. It is effectively a revised scheme to the previous proposal that was refused in 2020 (under ref: 20/05959/FUL) and has been submitted to address the three reasons for refusal outlined above. In summary the main changes include:

- The demolition rather than conversion of the existing building;
- The erection of 6 rather than 5 units on the site;
- The introduction of a new parking area on the same side of the road as and serving 5 of the units; and
- The erection of a 6<sup>th</sup> dwelling on the site that is currently used as a layby parking area, with parking for this dwelling on the same side of the road.

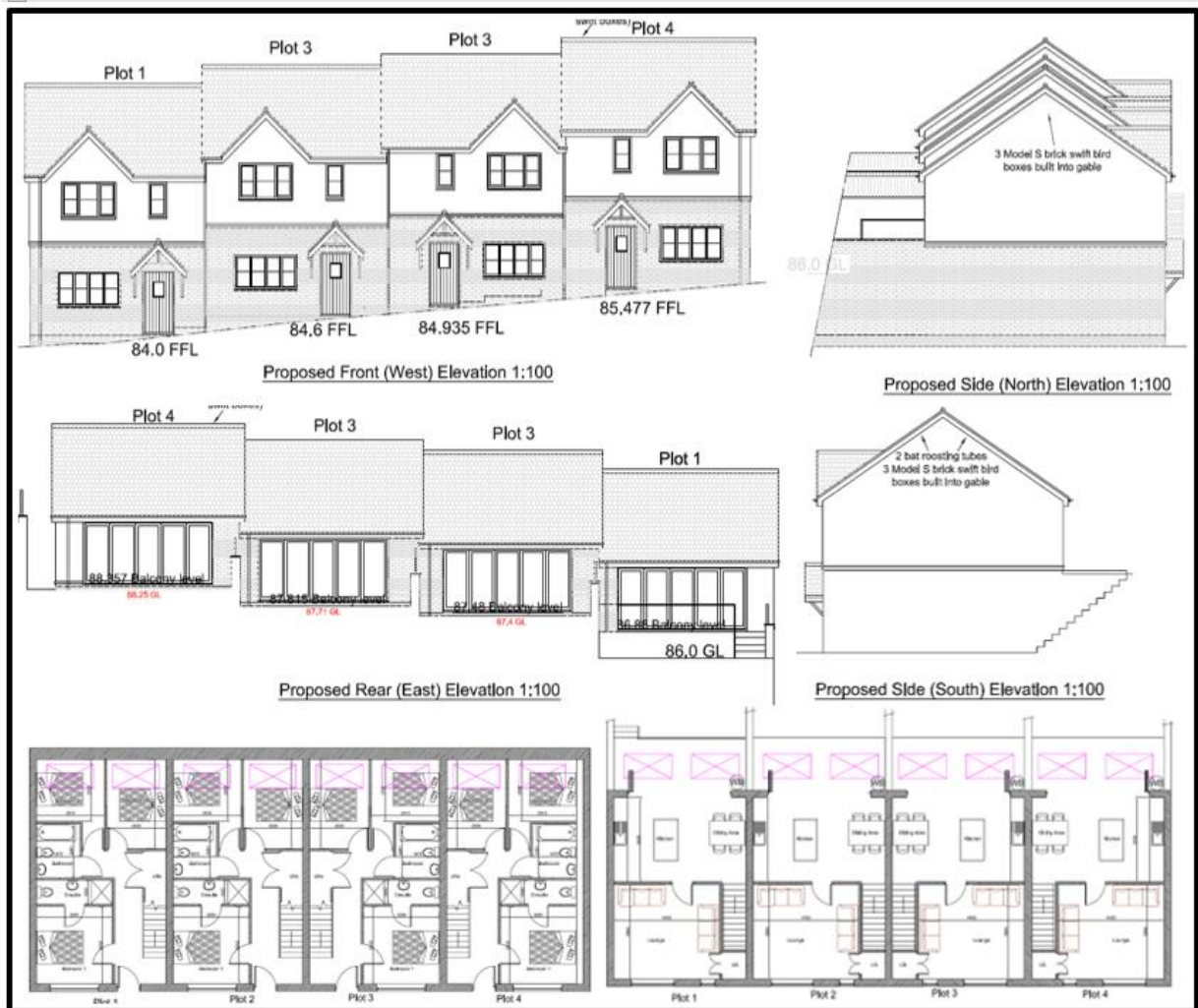


### **PLAN 2 – Proposed Site Plan**

In detail, the current scheme proposes the replacement of the former public house, (currently used as a 4 bedroom dwelling house) with a staggered terrace of 4 new, 1.5 storey dwellings, rising in height as they follow the topography of the hill (the A360) in a north to south direction. Each dwelling is to provide 3 bedrooms of accommodation in an upside down layout as the bedrooms will be at ground floor and the living accommodation will be at first floor. Each dwelling will however be cut into the bank to the rear of the site so that the first floor living rooms open out onto a rear patio area above the ground floor bedrooms and appear in single storey form on the rear elevation. Each balcony area then extends into a large patio area at the same level before the land rises away steeply providing long, thin, but rising gardens for each dwelling, accessed via external steps. The patio and balcony areas are defined on each side (to the north and south) by retaining walls with fencing above, which will provide privacy between each plot. The downstairs bedrooms at the rear of the houses will have no rear aspect but will instead be served by skylights in the roof/first floor balcony floor.

The dwellings are to be constructed of red brick with a rendered first floor finish and concrete roof tiles. Breaking eave dormer window details are identified on the front elevations, whilst the rear elevations at first floor will be served by a wall of glazed doors. The main access to each dwelling will continue to be at ground floor from street level on the front/western façade. The dwellings are to be set further back from the pavement than the existing dwelling, each being

provided with a front porch and small area of garden/defendable space between it and the pavement/main road.



**PLAN 3 – Proposed Plans, Units 1-4**

The second element of the scheme involves the conversion of an existing outbuilding in the southern corner of the site. This single storey building is currently situated on the hard edge of pavement and is used as storage. The proposals identify that this is to be converted into a 1 bedroom dwelling all on one level. It will be accessed on its northern elevation via an enclosed courtyard. It's outlook will be to the north and west with new windows identified along both elevations. The remaining elevations will continue to immediately abut the rising land levels to the east and south. New rooflights are proposed on the eastern roof slope.

A new external access staircase will be provided from the courtyard to a small patio area to the rear of this new dwelling at higher level, with the remainder of this plot providing a rising garden. A bin store and cycle parking for this unit are also identified.





#### **PLAN 4 – Proposed Plans, Unit 5**

These 5 plots will be served by a shared parking area in the northern corner of the plot and on the same side of the road as the units it is to serve. It will be accessed directly from the A360 in its western boundary via a new dropped kerb. Otherwise this area will consist of hardstanding that is defined by a boundary/retaining wall and the garden serving Plot 1 will wrap around its eastern and northern boundaries. The parking area will provide 9 allocated parking spaces for the 5 units; 2 additional visitor spaces (increased during the course of the application from 1 space); on site turning provision; and bin and cycle storage for units 1-4.

The final element of the scheme involves the redevelopment of the existing layby/parking area that exists on the opposite side of the road and which currently provides parking for the existing dwelling on the plot. As units 1-5 are to be served by a new parking area on the same side of the road, this layby will no longer be required for parking provision. The proposals therefore involve the erection of a further 1.5 storey dwelling on this part of the plot. This 6<sup>th</sup> dwelling will have a similar design to units 1-4 in that it will be of red brick and concrete tile construction with rendered first floor detail. A front porch and breaking eave dormer windows are proposed on both the front and rear elevations. This dwelling will however sit perpendicular to the road rather than facing it; and internally will have a more conventional layout with bedrooms at first floor.

The front door will be on the southern elevation opening out into a new paved parking area, which will provide sufficient provision for 2 onsite parking spaces. These proposed parking spaces will however continue to involve vehicles reversing out into the road, as per the existing parking arrangement in this existing layby, as no onsite turning provision is identified. To the rear of the dwelling (north) a private patio and garden area is also identified in the remainder of this linear plot.



### **PLAN 5 – Proposed Plans, Unit 6**

The application is accompanied by a Design & Access Statement; a Highway Report; a Tree Survey; a Construction Method Statement; an Arboricultural Impact Assessment; and an Ecological & Bat Survey. During the course of the application, the proposed site plan has been amended slightly to identify the required sight/visibility lines for the new accesses on both sides of the road; and to increase the number of visitor spaces now proposed on the site.

## **6. Local Planning Policy**

*National Planning Policy Framework (NPPF)*  
*National Planning Practice Guidance (NPPG)*

*Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):*

H17 – Protection of Important Open Space

C6 – Special Landscape Area

R2 – Public Open Space Provision

*Wiltshire Core Strategy:*

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP3 (Infrastructure Requirements)

CP4 (Amesbury Community Area)

CP43 (Providing Affordable Housing)

CP45 (Meeting Wiltshire's Housing Needs)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring High Quality Design & Space Shaping)

CP58 (Ensuring the Conservation of the Historic Environment)

CP60 (Sustainable Transport)

CP61 (Transport & Development)

CP62 (Development Impacts on the Transport Network)

CP64 (Demand Management)  
CP69 (Protection of the River Avon SAC)

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

*Supplementary Planning Documents:*

Creating Places Design Guide SPG (April 2006)

Achieving Sustainable Development SPG (April 2005)

Affordable Housing SPG (Adopted September 2004)

Wiltshire Local Transport Plan – Car Parking Strategy

Stonehenge and Avebury World Heritage Site Management Plan (2015)

## **7. Summary of Consultation Responses**

### **Shrewton Parish Council – Objection**

- Concerns over highway safety
- The A360 main road has high traffic volume, including military vehicles, motorists avoiding A303 and tourists visiting Stonehenge.
- The proposed properties are on a blind bend and brow of a hill. The addition of the proposed householders, visitors and delivery vehicles will add to the already identified poor visibility area of the A360.
- Concerns over the traffic management during the demolition and clearance of the existing building and the construction of the new properties.
- Reduction to single carriage way of the A360 would be required for a considerable length of time and therefore are likely to interfere with the free flow of traffic and create conflict and danger on the A360 to the detriment of the safety of all users of the road.
- There will be vast implications on the village, with passing traffic 'rat running' on the B3086, High Street and London Road. Also, the pedestrian access would be lost where plots 1-5 are proposed during demolition and construction.
- Proposals for plot 6 do not provide sufficient space on site for vehicles to turn thus avoiding reversing off the highway or alternatively reversing onto it, therefore there are significant issues with access to the A360.
- This is contrary to Core Policy 61 which states new development should be served by safe access to the highway network.

### **Highways – No Objection subject to conditions**

- A previous scheme was submitted (20/05959/FUL) for the conversion of the existing building and outbuilding and the erection of 2 further dwellings, resulting in a development of 5 dwellings all with parking in the existing parking area opposite.
- This scheme attracted a highway objection because pedestrians would be required to cross the A360 to reach the parking area in a location where visibility is poor; With no turning facility available, all vehicles would be reversed onto or off the highway; and no attempt to accommodate delivery vehicles had been made.
- In response to these highway safety concerns the scheme has been revised.
- This latest proposal involves the demolition of the former pub building, to be replaced with a terrace of 4x 3 bedroom dwellings. The outbuilding will be converted to a single 1 bedroom dwelling and a new dwelling will be built opposite in the current parking area, with parking for 2 vehicles.
- A new parking area is included with space for turning, to be served by a proposed access onto the A360. This allows vehicles to leave and enter the carriageway in a forward gear.
- This scheme has been fully assessed at a recent site visit, accompanied by a senior colleague.
- The site lies within the built-up residential area of the village. The road passing the site is subject to a 30mph speed limit, the change to 50mph is around 500m to the south.



- In accordance with the guidance contained within Manual for Streets, visibility splays of 2.4m by 43m are appropriate for a 30mph speed limit.
- The layout drawing submitted with the planning application indicates the ability to achieve 43m splays in both directions from the proposed point of access to the car parking.
- These measurements have been verified at the site visit. To the north (right), the on-coming traffic direction, a splay of approximately 55m is available, following the removal of the boundary hedge. To the south (left) the splay will be achieved by the demolition of the existing building which currently abuts the back of footway, and the setting back of the proposed terraced dwellings. In this direction visibility of 43m will be available to the nearside carriageway edge; if measured to the centreline the sight line increases to 66m.
- It is noted that the brow of the hill is beyond the extent of the visibility splay.
- The achievable visibility splays meet the guidance within Manual for Streets (1 & 2).
- Furthermore, the access will have appropriate forward visibility for and of vehicles turning right.
- To assist in securing the sight lines and in the interests of pedestrian safety and amenity, the footway across the entire site frontage of plots 1-5 should be widened to 2m (Altered by revised plan)
- The proposed parking area provides parking for plots 1-5 and is in accordance with the Wiltshire Parking Strategy (as contained within the LTP3).
- A single visitor space is proposed which is as per the 0.2 spaces required. However, I am of the view that this scheme would benefit from a second visitor space and request that the applicant considers providing an additional space (altered by revised plan).
- The position of the proposed entrance allows for good vision of any vehicles approaching the A360 junction from the B3083; however, the entrance should be splayed for ease of access and egress.
- In order to address the potential for delivery vehicles to stop on the highway, the access should be designed so it can be used as an informal pull-in parallel to the carriageway. This can be achieved by a wider opening with the addition of necessary splays and associated dropped kerbs (altered by revised plan)
- This scheme provides the car parking on the same side of the road as the proposed dwellings and thus overcomes the previous highway safety concern relating to pedestrians crossing the road.
- It also provides greater visibility splays by setting the dwellings away from the back of footway.
- Plot 6 will be constructed in what was formerly used as the pub car park, together with a provision of 2 parking spaces.
- It is noted that when the pub was converted to a dwelling in 2013 the approved parking was in the same location, albeit with the dwelling opposite.
- Therefore, the proposed parking for plot 6 will maintain the status quo in terms of the existing permission.
- Whilst it is acknowledged that vehicles will either be reversed into or out of the parking spaces, as existing, there is good visibility at this location.
- Again, I suggest that the dropped kerb fronting plot 6 could be used as an informal pull-in for delivery vehicles (altered by revised plan).
- I do have an issue with the low shrub planting and fence along the frontage of plot 6. This planting and fence has the potential to interfere with sight lines both from the parking spaces and from the B3083 junction for and of vehicles emerging onto the A360.
- A 2.5m strip must be provided across the frontage of plot 6 which can be conditioned to be kept clear of obstruction. This is critical and I would not be in a position to support the proposal with the shrub planting and fence as proposed (altered by revised plan).
- The construction of the proposed development would undoubtedly cause an inconvenience for passing traffic; however, this is temporary and will be managed by our

Streetworks Team following the Chapter 8 guidance. This is not a valid reason to resist the proposal.

- In view of my assessment of the proposal as given above, I am generally in favour of the latest scheme as it addresses the previous concerns raised.
- I am also mindful of a former use as a public house and the associated visitors and delivery vehicles, as well as the current use as a single dwelling.
- Following the revised plan, I note that the footway across the site frontage is shown as widened to 2 metres except along the section of grass to the north of the proposed access; this should also be widened (by condition).
- I am now generally satisfied that the highways related issues have been overcome.
- I raise no objection subject to conditions

#### **Trees – No Objection**

- I have no objections to this application provided the development is carried out in accordance with the
- Arb Report.
- Could I also suggest a landscaping scheme is requested by condition and that the trees to be lost are replaced?

#### **Ecology – No Objection subject to conditions**

- The application is supported by the following ecology reports: PEA, PRA and Bat Activity Surveys Report (ABR Ecology Ltd, 20<sup>th</sup> November 2020); and Construction Environment Method Statement Report (ABR Ecology Ltd, 20<sup>th</sup> November 2020)
- The application site is located within 20m of the River Avon SAC and is within the River Avon SAC catchment.
- The site is also within the Salisbury Plain SPA consultation zone.
- The application site is bisected by the A360 within the village of Shrewton. The site consists of a former two-storey pub and single-storey outbuilding with a large sloping rear plot comprising semi-improved grassland, an area of scrub and scattered trees along the boundaries. Two ornamental hedges are present to the front of the site adjacent to the buildings and a separate car parking area is present on the opposite side of the road comprising hardstanding, a line of scattered trees and scrub.
- The proposals include demolition of the existing buildings and a number of trees.
- The buildings have been subject to sufficient surveys for bats and support low numbers of common pipistrelle bats.
- A Bat Low-Impact Class Licence (BLICL) will be obtained to undertake the works.
- Trees due to be removed have a negligible potential to support roosting bats.
- At least ten species of bat were recorded using the site for foraging/commuting, including light-sensitive brown long-eared, *Myotis* sp. and barbastelle. A sensitive lighting strategy should therefore be conditioned.
- The site has potential for widespread reptiles and amphibians and one record for GCN has been retrieved during the desk study, although the site is separated from the pond/record by the A360/B3083 and this is considered to act as a potential dispersal barrier for any GCN.
- Mitigation including a precautionary method of working is provided to minimise impacts on these species.
- Enhancements are also provided for all species in line with CP50 and the NPPF (2019).
- With respect to the proximity of the River Avon SAC from the site, a CEMP has been submitted to protect river habitats from potential pollution and disturbance during the construction phase in line with CP69.

### Habitat Regulations Assessment (HRA) for the 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 (MoU) 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.
- 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.

### HRA for Salisbury Plain SPA

- This application site lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan, the application is screened into appropriate assessment due to the potential impact of recreational pressure on stone curlew in-combination with other plans and projects.
- The qualifying features for Salisbury Plain SPA are non-breeding hen harrier and breeding populations Eurasian hobby, common quail and stone-curlew.
- Conservation objectives for the SPA and supplementary advice for implementing them have been published by Natural England (NE).
- Development coming forward under the Wiltshire Core Strategy is only anticipated to impact one of these species, the stone-curlew. This is a ground nesting bird species which research shows is particularly sensitive to disturbance by people and people with dogs.
- The unique character of the Plain attracts many visitors and a recent study has demonstrated 75% of these live within 6.4 km. Within this zone housing allocations from the Core Strategy, Housing Site Allocations Plan, Army Basing Programme and Neighbourhood Plans have the potential to lead to significant effects through their combined recreational pressure.
- The Council's housing plans are mitigated through a project funded by the Community Infrastructure Levy (CIL) which records where stone-curlews breed and works with farm managers to maximise breeding success.
- The project was agreed with Natural England in 2012 and reviewed in 2018 and continues to provide an effective, timely and reliable means of mitigating any additional effects arising from new residential development.
- The quintennial visitor survey next due for August 2020, has been postponed until August 2021 due to COVID 19 restrictions as, in order to repeat the surveys in a consistent way, there would be unacceptable degree of face to face contact between surveyors and a large number of visitors.
- In addition, these restrictions mean that monitoring of stone curlew nesting and liaison with land managers which usually starts in April has been delayed until survey personnel are able to resume working safely.
- In a worst-case scenario there would be the loss of a season's breeding data and plot management would be uninformed by the latest survey data.

- Visitor patterns are likely to be atypical this year as people are being advised to reduce unessential travel while on the other hand having more time than usual to walk their dogs while on furlough leave.
- Birds will also be experiencing atypical plot management with implications for the chances of failed breeding and second broods.
- The consequences of the project not running for 2020 on the conservation objectives relating to stone curlew are expected to be insignificant if it is a temporary dip in delivery that can be compensated for in remaining years.
- Survey results from the exceptional year of 2019, show there is considerable headroom in terms of numbers of breeding pairs and productivity to withstand any foreseeable downturn in 2020 due to the COVID 19 situation even if this was to be combined with a period of poor weather.
- A further review of the project will be undertaken in the lead up to the next season in order to take account of the post COVID 19 situation; make every effort to ensure the project resumes in 2021, and; assess opportunities to recover lost ground on delivery.
- It is recognised that the pressures at Salisbury Plain are changing and in the future further mitigation for this species may be necessary.
- Experience has demonstrated landowners are willing to take up conservation measures and that interventions can be effective at sustaining the population.
- Where such measures may be insufficient, future housing plans may need to refocus housing delivery.
- For the time being the current strategy, in combination with mitigation implemented for the Army Basing Programme, appears to be adequate to support housing numbers up until 2026 even if these are above figures in the Wiltshire Core Strategy and Housing Site Allocations Plan.
- The Council is therefore able to conclude beyond reasonable scientific doubt, that development proposed under this application would not lead to adverse effects on the integrity of the Salisbury Plain SPA. - See NE Standard Letter for the Salisbury Plain SPA dated 19 May 2020.
- I therefore have no objection subject to conditions:

**Archaeology** – No Comment

**Wessex Water** – No comments received

## 8. **Publicity**

This application was advertised through an advert in the local press; and letters of consultation.

**Letters** – 35 letters of objection received from the residents of Park House & Deken House, Amesbury Road; Springfields, Rock House & Pentlands, The Hollow; 2 Hilltop Close; 22 & 24 Highfield Rise; 14A Priory Close; Zion House, The Missen, Wheatsheaf House, Hillview, The Yard & Glenbrook House, Salisbury Road; 2 Chalk Hill; 1 Old Bakery, Chants Lane; 3 & 5 Copper Beech Close; Arnewood, Maddington Street; Clerihew, London Road; Beeches & 2 Rolleston Road; 4 Brocks Orchard; Gough's Cottage & Knebworth, Lower Backway; Homanton House; Cosynest & Rosewalk, Upper Backway; and Stibb Hill Cottage, West Lavington. The following comments made:

- How many applications have to be submitted before the developer sees sense?
- The latest iteration of the plan is worse than those that preceded it.
- The scheme has not addressed the previous reasons for refusal
- Nothing more than 1 dwelling on this site should be allowed
- A previous application to build houses on the adjacent property – a barn used only for storage – was rejected on highways grounds 20 years ago.

- The site is completely unsuitable for a development of this magnitude so close to an extremely busy Road the A360.
- It will not enhance the Village in any way
- There is an increase in the number of houses from the last application from 5 to 6
- Six houses on this site is far too many and is a major overdevelopment of the plot
- It squeezes in as many houses as possible, with parking also squeezed in
- This has been put together without any consideration for the plot's location or the health and safety of residents
- It contains no affordable housing for young people in the village
- Shrewton does not require this type of property it needs small low cost first time buyer properties.
- The survey undertaken by the working group for the Shrewton Neighbourhood Plan identified a need for 2 bedroom properties within the village for local people. The provision of further 3 bedroom properties in the village is unnecessary
- Plot 6, offers a narrow property with almost no off-road frontage and the building is practically on the kerb
- Plot 6 will have no garden of any kind and an unusable patio area looking directly onto a road junction.
- Plot 6 looks like an after thought
- At just 6/7 meters Plot 6 will be nowhere near wide enough to function as a family home
- Demolition of this iconic building and its replacement with five standard houses would be detrimental to the look and aesthetics of the village
- The siting of a house on what is at present a car park makes no sense at all
- Although not "listed", the existing house is a building of significant historic value to the village. It was built in 1867 and has not changed significantly in structure since then.
- There is nothing structurally wrong with the current building.
- Developers of buildings like the Old School and the Old Catherine Wheel Public House had to include the main buildings structure and appearance in their design.
- The Royal Oak should not be demolished to provide a car park for an over developed site.
- A more than substantial amount of soil will need to be excavated, and something akin to piling would be needed to reinforce the bank thus produced.
- Only "bedroom 1" in units 1-4 will benefit from any natural light or access to fresh air
- The lack of windows in these bedrooms means they will have to be artificially lit (even during the day)
- There is no means of escape or immediate rescue should a fire occur in the hallway for the ground floor bedrooms.
- Plot 5 is the only property with an air source heat pump shown
- Planning permission has already been granted for two residential dwellings, which plot 6 would look directly on to causing issues for privacy and light.
- Plot 6 will be looking directly into our property
- The previous application was refused because of highway safety
- This application does not address the issues raised and in fact increases the dangers the site will present as it increases the number of houses/vehicles and puts more people at risk.
- The Highways Consultant report by Nick Culhane is full of errors and lacks credibility
- The A360 and B3038 have become rat runs from the A303, which will only get worse when the work on the A303 starts
- The site is directly on the A360, an extremely busy road with over 7000 vehicles a day using it.
- The site is below a blind summit of a steep hill and close to a change of speed limit from 30 to 50mph



- Given the amount and speed of traffic on the hill, having more vehicles accessing the road at this point will inevitably result in collisions
- Shrewton has a major problem with large volumes of through traffic and adding both construction and delivery vehicles to this will not help
- There is poor visibility south east from the proposed location of the car park, especially past plots 1-4.
- This is a bus route and the road is also used by goods vehicles up to 7.5 tonnes , even larger tourist coaches and rat- running cars and vans when the A303 is busy .
- The bus is frequently prevented from getting through due to inappropriate on street parking
- There are 4 Speedwatch locations along the length of the A360 and in December 2020 the Speed Watch team recorded someone doing 52 mph and many were in excess of 40 mph
- The former usage of the car park when it was a pub was minimal as it was a village local to which few people drove
- The suggestion that there were 69 daily two-way traffic movements in the car park is utterly absurd and is based on an “Edge of Town” scenario completely inappropriate for a rural village
- There is no pedestrian footway on the layby side of the road
- A serious RTC occurred at the junction of the A360 and the B3083 on 4 July 2018. Three vehicles were involved. All three vehicles suffered major damage, at least one of which was a total loss. One driver had to be rescued from her vehicle by an ambulance crew
- The absence of any physical traffic calming measures such as narrowing points (build-outs) or pedestrian refuges (both proposed in Shrewton Parish Council’s Traffic Plan of 2016) means drivers have a low perception of hazard on this road
- Any further housing development on the busier roads in Shrewton, particularly the A360, should only be approved if accompanied by developer funded traffic calming measures
- The road is not safe to cross
- Plot 6 and its low shrub planting will restrict the ability of pedestrians walking along that side of the road to find a safe spot to cross
- The increase from 5 to 6 dwellings just increases the danger on the road
- To allow this site to go from 1 house to 6 feeding off this road is just plain madness
- All but the very smallest vehicles turning left would be unable to join the A360 from the parking area going southbound without crossing the white line in the centre of the road, which will present a hazard to downhill northbound traffic.
- The argument that the road user is responsible for the use of the roads and the road position to be taken up, is specious. As an A&E nurse I spent my life looking after road users that failed to observe, or more relevantly, anticipate hazards
- This poses a danger to road and pavement users, including local children walking to and from the village school
- The access to the parking area will be in constant rather than infrequent use during the whole day as a result of the number of dwellings proposed
- The development of plot 6 is going to create sight line issues for the junction of the A360 and the B3083 and the garden fence will obscure the view of drivers approaching the junction northbound or from Salisbury Road and the use of the junction with the B3038
- The development will lead to increased footfall on the pavement from these residents accessing their cars, bins and bikes all day and this will lead to more traffic accidents
- Traffic flows have significantly increased year on year, particularly since 2013 when the A344 was closed leading to an increase in "rat running" traffic diverting off the A303.
- The carriageway at this point is approximately 7.3 metres wide, which is the width of a standard distributor road and not in keeping with a village environment.
- To suggest that the proposal to build six properties in place of one would create only 3 additional traffic movements in the morning peak, and 2 in the evening peak, is entirely unsubstantiated and frankly laughable.

- The new car park looks too small for the number of cars. Insufficient parking
- Spaces look too small and unusable
- The new parking area is opposite the junction with B3038 and will cause hazards
- There is insufficient visitor parking. 2 should be proposed
- Overspill/visitor/delivery vehicles will park on the road causing difficulties for passing traffic
- Cycling in the village is to be encouraged but it is not realistic. The road is too busy; and cycling to work is unfeasible when the nearest towns are 7 and 10 miles away
- There is limited public transport provision so car ownership levels will be higher than for town models on which this has been based
- Inadequate parking provision and the busy A360 will mean that any overspill will gravitate to the B3083 Salisbury Road which is already insufficient for current residents
- Turning area in the new car park is not shown on the plan. Not convinced there is sufficient space for onsite turning if all spaces are in use
- Vehicles are going to have to reverse on to the main road from the parking area due to insufficient onsite turning provision
- A more realistic estimate for residents' parking requirements would be 16 spaces based on an average of one per bedroom.
- The current car park is rarely used for more than 1 vehicle, belonging to the current owners
- Additional risk is posed to drivers attempting to turn onto the A360 from the B3083 as they will need also to watch for vehicles reversing out of the car park opposite
- Plot 6's parking will still have to reverse in/out onto the A360 which will cause an accident and does not satisfy the test set by CP61 paragraph iii
- There are issues relating to delivery vehicles and construction traffic, plus visitors to the properties as there are barely enough parking spaces for the residents.
- This still requires residents to cross the main road (the A360) to reach their cars or vehicles.
- The parking area should provide space for the recharging of parked vehicles using the property's electrical supply. An EV charger per plot should be included in the plans
- Wiltshire's website indicates that parking standards are going to change to 5m instead of 4.8m in length and that charging points should be included.
- The bin storage will cause difficulties on collection days, being opposite a junction
- The siting of the bin collection area at the entrance to the car park is going to cause significant traffic/pedestrian issues on the 3 collection days a fortnight
- Bin area isn't large enough for 12 bins and 4 boxes
- Plots 3 and 4 will have a long way to walk to dispose of their refuse
- Plot 5's bin storage area is up steps
- During the construction period construction workers will have to cross the road on a blind hill numerous times a day which the highways officer previously objected to
- Slow moving machinery will be turning into a busy main road on a blind hill.
- The construction method statement appears to be a desktop exercise and is not practicable or written by anyone with construction knowledge
- As refueling will not be allowed on site does this mean that large muddy plant will be travelling through the Village to the local garage to refuel?
- During construction, the footpath will need to be re-routed. Normally this would be to the opposite side of the road, however, in this case that is part of the construction site so in reality this will probably mean traffic lights and reducing the already busy A360 to a single carriageway for the duration of works causing considerable disruption to the local population and through traffic.
- Where will pedestrians be re-routed during demolition works?
- How will any Asbestos be dealt with?

- What will be the means of dust suppression?
- How will you prevent contaminants such as lead seeping into the water and the River Till?
- The parking area is unsuitable for construction vehicles
- Construction vehicles will have to reverse into the highway
- A recent delivery of a skip to the site, situated roughly where plot 4, resulted in the driver having to park at right angles to the highway blocking traffic in both directions.
- Plot 6 cannot be built without gaining access to our property to build it, as there doesn't look to be room to erect scaffolding etc around it.
- Would the road closures during construction be funded by the taxpayer?
- This is going to cause total chaos during construction
- How will the mitigation measures set out in the ecology report be enforced to protect the River Till?
- Can existing foul water drains cope with an additional five properties?
- Will there need to be extensive upgrade works to the drains (and further disruption to Villagers) as a result of this
- In 2018 planning permission was granted for two houses plus residents' parking (but no visitor parking?) behind plot 6 putting more pressure on on-street parking
- The Yard has a still extant planning permission that needs to be considered
- This application should not have been submitted or accepted for consideration
- How are the units going to be heated?
- The village has no mains gas supply. Heating and hot water is normally provided by either oil or LPG. Both of these require accessible secure storage tanks, which should be on the plans. Both require lorry deliveries, causing more congestion.
- The plans have errors
- Not enough people have been consulted
- The proposal has been submitted at a time when the parish council has no scheduled meeting to discuss its lack of merit. This seems deliberate and underhand

#### **Salisbury & Wilton Swift Group – Support**

- We believe all new developments should provide habitat opportunities for those species such as swifts who prefer, or can adapt to, the built environment.
- Due to population decline, swifts are expected to be reclassified as a 'red-listed' species on the UK list of Birds of Conservation Concern in 2021 when the next official list is released.
- Numerous groups like ours are linked across the country with the aim of engaging County Planning Departments, local Councils, architects, ecologists, major developers and builders to raise awareness of how easy it is to make provision for swifts, particularly in new builds and renovations.
- This is particularly important with the net gain for biodiversity expectations emerging within local governments.
- We have experienced volunteers who are willing to offer swift advice and practical help wherever they can.
- Our comments are impartial observations which are neutral, neither supporting nor objecting to the application.
- We are delighted to read that the 9 integrated swift bricks originally included in 20/05959/FUL are still included within the ecological enhancements listed in the new plans (*'Nine 'Model S Bricks' will be installed within Plots 1, 4 and 6; a total of three bricks will be installed in each gable end (on both gables in Plots 1 & 4 and the eastern facing gable of Plot 6)*).

## 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.

### 9.1 Principle:

As is identified above, the site is situated within the defined settlement of Shrewton which is designated as a Large Village by WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). Within the settlement boundaries, WCS policy CP1 (Settlement Strategy) confirms that a limited level of development will be supported in large villages in order '*...to maintain the vitality of those communities*'. WCS policy CP2 (Delivery Strategy) also confirms that there is '*...a presumption in favour of sustainable development*', whilst WCS policy CP4 (Amesbury Community Area) further states that there is a need in this particular Community Area for approximately 2,785 new dwellings over the period 2006-2026; and approximately 345 of these are to be built in the large and small villages outside of Amesbury, Bulford and Durrington. This application now involves the redevelopment of the site with 6 dwellings, a net gain of 5, within the defined boundaries of this village. The proposals are therefore acceptable in principle, in line with the above development delivery strategy.

Local representation has suggested that there is no need in the village for the type of dwellings proposed (ie, 1x1 bed and 5x3 bed units); as the local needs survey identifies a need for 2 bed units in the village. However, these units are not being brought forward as affordable housing (and nor is there any requirement for them to do so) and are therefore being offered as unfettered market housing. It is also not the role of planning to dictate the market and thus the housing market will decide what the demand is for 3 bedroom units in this village. The scheme also provides a mix of tenure for different levels of affordability and the site is situated in a sustainable location where new development is supported in principle. Furthermore, as is outlined above, there is also a need for new housing in this community area, a proportion of which will need to be provided in sustainable large villages such as Shrewton. It is therefore considered that the type of tenure proposed is appropriate for this site and this matter is not something that would justify a reason for refusal in this instance.

This principle acceptability is however subject to the detail in terms of the implications for the character of the area; highway safety; neighbouring amenities; and ecology. These matters will therefore be addressed in more detail below.

### 9.2 Character & Design:

As has been identified above, the site is in a prominent part of the village directly on and bisected by the main A360 that runs through the village from the A303 to the south east. The area is inherently residential with a mix of housing on both sides of the road; both on the hard edge of pavement, such as on this site, and set back from the road. The area has quite a mature and verdant character with the built forms of the dwellings being broken up by mature trees, grass verges and hedgerows.

The existing property, whilst currently in domestic/residential use, is obviously a former public house. Its position and presence in the street scene; its hard edge of the pavement form; its traditional features; its double entrance; and the fact that its parking is situated on the opposite side of the road, all allude to this past use. The building is of attractive traditional vernacular with bay windows; breaking eaves dormers; chimneys; and traditional brick, render and clay tile finishes. It also appears to be in good order and well maintained. It is therefore unfortunate that it is to be demolished as part of this scheme. However, the building is not a listed building and is not situated in a conservation area. It is also in use as private dwelling rather than a community

asset or facility. There is therefore no planning reason that prevents the existing building from being demolished and the proposals are acceptable in this regard.

The proposed terrace of 4 units, serves to replace the existing dwelling with a similarly designed row of houses. They will have a similar relationship with the road, but will be set slightly further back from the pavement edge in order to improve visibility from the proposed parking area. This set back will also serve to improve the amenities and safety of the future occupants by ensuring more separation between the dwellings/front doors and the busy road. The proposed terraces are of fairly uniform design but their staggered roof lines and rendered top half will serve to break up the massing of this row; and the proposed eave breaking dormers provide a nod to the former traditional design and character of the existing building. Overall it is considered that the proposed terrace will contribute positively to the character of the area/street scene and are an appropriate replacement for the existing building.

The conversion of the existing store on the southern part of the site would create an unusual but interesting additional dwelling on this plot. It would also provide a 1 bedroom unit and thus a different form of stock to meet local demand. This element is also therefore welcomed and likely to contribute positively to the character of the street scene.

Much local concern has been raised about the proposed dwelling on plot 6, as it is considered that the existing layby is too narrow/small to allow any meaningful development. However as is demonstrated on the plans, the proposed dwelling will actually be wider (at 7 metres) than the terraced houses proposed on the other side of the road. The plans also show that a three bedroom dwelling of similar design to the other units; with a private garden; and onsite parking can all be accommodated in this layby area. As is identified above, this site is situated within an existing, built up, urban area; there is a mix of development in the area with dwellings sitting both forward and set back from the road. It is not considered that the development of this redundant layby as proposed, would be out of keeping or have a detrimental impact for the character of the area.

In addition, it must be remembered that proposals have already been refused for any use of this part of the site in association with the dwellings on the opposite side of the road because of the highway safety implications of forcing residents to cross the busy road. This layby could not therefore be feasibly used as parking or garden provision for the other 5 plots and would therefore be leftover to deteriorate and become overgrown. It is considered that the proposed use of this remaining part of the site for an additional dwelling would ensure its long term appearance and maintenance; and constitutes an appropriate and effective use of land. This element is therefore also supported.

The redevelopment of this site is also unlikely to encroach on or result in any implications for the protected important open space to the rear/north of the site, as in the main, the new development is to extend away from this protected area. In addition, the land that immediately abuts this protected area will continue to be provided as garden land. It is not therefore considered that the proposals will result in any implications in terms of Saved SDLP policy H17.

Overall it is considered that the proposed development would create an attractive and effective use of this site. Each dwelling will be provided with sufficient private amenity to meet the needs of their intended future occupants; and parking provision that can be accessed without having to cross the busy road. The form, design and style of development is also considered to be appropriate for this part of Shrewton. The proposals are therefore considered to be acceptable in this regard, accordingly.



### 9.3 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens.

Given the linearity of the proposed units on plots 1-5; the size of the plots and adjacent plots; and the level change that occurs to the rear and south of the site, it is not considered that the proposals on this side of the road will result in any implications in terms of loss of light; overlooking; or dominance for surrounding neighbours. The proposals are also carefully considered to limit any potential for mutual interoverlooking between plots.

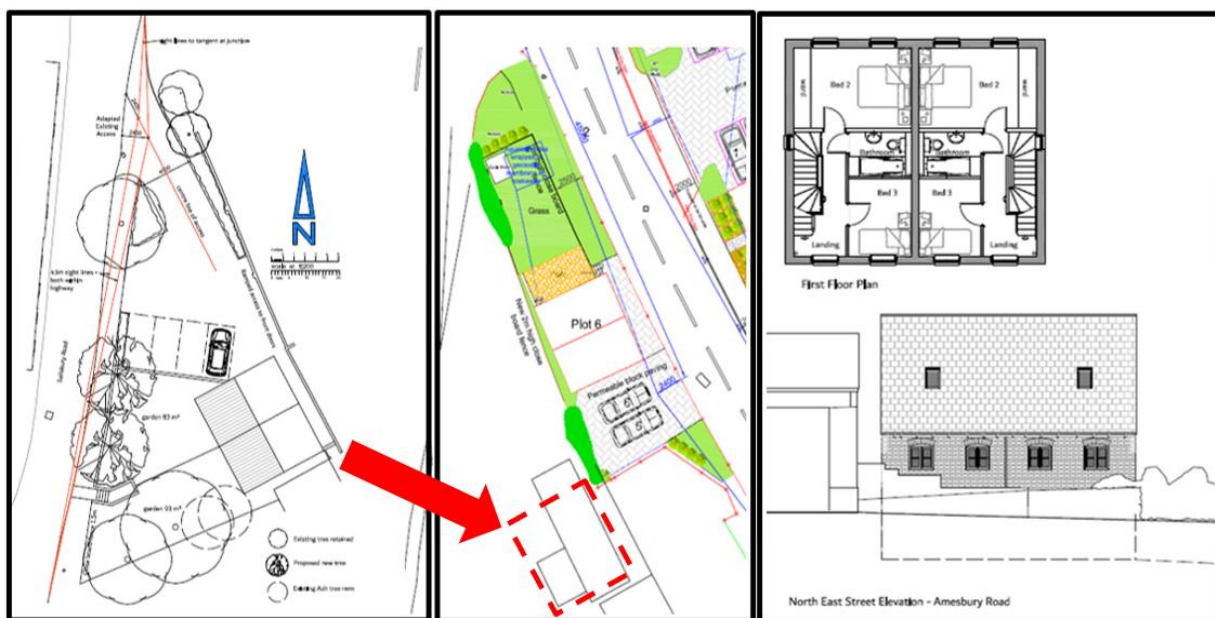
Local concern has been raised about the detailed design of the internal layout of plots 1-4, given the upside down arrangement and the fact that 2 of the bedrooms will not have any outlook or access into the garden. However the rear bedrooms are to be served by roof lights in the floors of the associated balcony areas. They will therefore benefit from natural light. Concerns re air flow and emergency access are not planning matters and will instead be considered at the building regulation stage. It is considered that the proposed design and internal layout maximises the use of the site and access to the rear gardens and will create an interesting dwelling. Ultimately however it will be up to the future buyers as to whether the unusual internal layout is a selling point or not.

The proposed dwelling on Plot 6 is more traditional in style and provides a standardised layout and sufficient private amenity for meeting the needs of any potential future occupants. Its proximity to a main road and noise/disturbance caused from adjacent traffic will also be for future occupants to consider. This dwelling is also to be situated on a layby that is not currently, immediately adjacent to any residential properties, being on the junction of 2 roads which enclose this part of the site to the north and east. To the south, the site abuts a coachworks with some old industrial style buildings on it and to the west the site is adjacent to a commercial site that is currently used by a marquee business. This western site is also on a lower land level. It is not therefore considered that the proposed development on plot 6 will create any particular or significant issues for neighbouring residential amenities in terms of loss of light or overlooking.

However planning permission was granted in 2018 for the redevelopment of the adjacent marquee site, to the west, with a pair of semi detached dwellings (under ref: 18/05671/FUL) and local concern has been raised that the proposals would create issues in terms of overlooking and loss of light for this future development. Whilst, this permission has not been implemented to date and the site is still in use as a B1/2 use, the permission does nevertheless remain extant and the development could still therefore be constructed as it does not expire until September 2021. Obviously as the approved adjacent development has not yet been built, the level of weight that should be applied to any potential impact to it from this proposal is reduced. There are no current occupiers that are affected and the adjacent permission simply might never be implemented so it cannot be considered to have full weight.

However as is shown in PLAN 6 below, the approved adjacent development consists of a pair of 2 storey semi detached dwellings that are to be positioned on the siting of the existing commercial buildings. These are tucked into the far south eastern corner of the adjacent site and are therefore immediately adjacent to the existing coachworks site rather than the layby/plot 6 that forms part of this application. In addition, given their orientation and 2 storey nature, the proposed first floor, front bedroom 3 and landing windows of the approved dwellings will lookout

eastwards in the direction of the site with all other principal rooms looking westwards into their respective gardens. The adjacent development will therefore only look out onto a small part of the proposed parking area for plot 6 and will have an entirely oblique view towards the proposed dwelling. In addition, given the natural level changes between the two sites; the existing vegetation that is shown to be retained; the proposed imposition of a 2 metre boundary fence along this common boundary; the fact that no windows are proposed on the flank wall facing this boundary; and the orientation of plot 6 to the north east of the adjacent site, it is not considered that it will result in any significant harm in terms of overlooking or loss of light and any potential impact for these future residents will not be significant or detrimental enough to warrant a reason for refusal on this basis.



**PLAN 6 – Site Plan for 18/05671/FUL**

**Site Plan for Plot 6**

**Plans for 18/05671/FUL**

#### 9.4 Highway Safety:

As is identified above, the previous scheme involving 5 dwellings on this site was refused (under ref: 20/05959/FUL) on three grounds but the principal reason involved highway safety. Previously the 5 units were to be served by a parking area positioned on the opposite side of the busy A360. This is a busy route experiencing a relatively high volume of vehicle movements. The proposed parking layout for the previous scheme identified a row of spaces perpendicular to the carriageway. No onsite turning facility was identified and all vehicles would therefore either need to reverse onto or off the public highway. The regular and constant flow of traffic passing the site makes that particular manoeuvre difficult to perform, especially given the traffic speed and fact that any approaching traffic from the south would be coming over the brow of a hill. In addition, the arrangement of the parking being located opposite the proposed dwellings it was to serve, meant that residents would need to cross the A360 to reach their parking area, which was particularly undesirable given that some future residents may be slower due to age or infirmity; be pushing pushchairs; and/or carrying items such as heavy shopping bags, and would need to cross two lanes of traffic in opposing directions. Therefore whilst it was acknowledged that this use, arrangement and relationship is historic, used both by the former public house and existing dwelling; the Highway Authority previously objected to an intensification of such a parking arrangement as it would cause an unacceptable impact for highway safety for all users.

Whilst much local concern continues to be raised about the implications of the development for highway safety, the current scheme has however sought to address this previous concern in a number of ways. Whilst the number of proposed units has actually increased from 5 to 6, all units are now shown to be served by parking that is situated on the same side of the road to the respective unit it is to serve. For units 1-5 this is to be provided in a new dedicated, shared, parking area situated to the north of the row of houses. It will be served by a single new access off the main road and will provide sufficient space for 9 allocated parking spaces (2 per each 3 bed unit; and 1 per each 1 bed unit) and 2 visitor spaces. As the existing building is to be demolished, the new dwellings (units 1-4) can be set slightly further back from the road providing sufficient levels of visibility in both directions from the new access point. The Highway Authority has confirmed that the level of parking identified in this area meets the Council's adopted parking standards. It is also satisfied that the layout and size will enable enough space for vehicles to manoeuvre and enter/exit the parking area in a forward manner and will also provide sufficient space for visitor, delivery, and cycle parking. No objection has therefore been raised to this proposed new parking arrangement.

With regard to plot 6, this dwelling is to be served by 2 parking spaces to the immediate front of the dwelling, which also meets the Council's adopted parking standard requirements for a 3 bed house. No onsite turning provision will be provided for these vehicles and as such some manoeuvring/reversing into the highway will be required in order to use these spaces. The Highway Authority acknowledges, as before, that this has potential to cause hazard for all highway users. However the existing parking arrangement for the existing dwelling on the opposite side of the road, already has this requirement for vehicles to reverse out onto and manoeuvre in the road. This revised proposal no longer results in an intensification of this arrangement but a replication or status quo of the existing parking arrangement at the site. The Highway Authority has therefore raised no objection to this element of the proposals as it will not result in any significantly different or additional implications for highway safety than the existing use of the site.

Amended plans have been received to ensure that the appropriate visibility splays are available from both parking areas; and conditions have been suggested to ensure that both the level of parking provision identified to serve all units; and the visibility splays can be secured in perpetuity. Subject to these, it is considered that the previous reason for refusal on highway safety grounds has therefore been satisfactorily addressed and the objection has been withdrawn in this respect.

#### **9.5 Trees:**

There are a number of trees on the site that are of good quality and attractive amenity. However none of these trees are protected by virtue of a Tree Preservation Order (TPO) and the site is not situated within a conservation area. The application is however accompanied by a Tree Survey which identifies that the Ash trees on the southern/eastern boundary are dying from Ash Dieback and are not of good quality. Nether the less only one tree on this boundary is to be removed and a number of replacement trees are proposed along the north eastern part of this boundary. Most of the trees on the northern edge are also to be retained. The Council's Tree Officer has confirmed that subject to conditions securing the replacement of any trees that are to be lost; and the protection of any retained trees during construction, there is no objection to the proposals in this regard either.

#### **9.6 Ecology:**

Previously, the redevelopment of this site was considered to result in harm for protected species; and would result in additional phosphate loading in the River Avon SAC, which could not be properly mitigated. A further reason for refusal was therefore added to the previous decision last year.

Given the site's proximity to the River Till and its associated SSSI, the application is accompanied by a bat survey (PEA, PRA and Bat Activity Survey Report' (ABR Ecology Ltd., November 2020)) which includes a phase 1 habitat survey of the site and phase 1 and 2 bat surveys to a suitable level and standard. The Council's Ecologist has confirmed that the level of survey work that has been undertaken is acceptable and the development will be subject to a licence from Natural England because the existing buildings contain low numbers of Common Pipistrelle bats which will be disturbed by the proposals. It is also confirmed that the trees that are to be felled have negligible potential to support roosting bats but the site has potential for low numbers of reptiles and nesting birds. The Council's Ecologist is however satisfied that the level of proposed mitigation and enhancement identified in the report and on the submitted plans is sufficient to mitigate any potential impact for protected species and has satisfied the requirements of WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF. No objection has been raised in this regard, accordingly.

*The Derogation Tests:*

Natural England has also confirmed that the presence of a European Protected Species is a material consideration for a planning application and the Local Planning Authority must therefore satisfy itself that the proposed development meets three tests as set out in the Directive. If the three tests cannot be satisfied then the Local Planning Authority should refuse planning permission.

The three tests referred to above are the three derogation tests which require the following:

- 1) The consented operation must be for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
- 2) There must be no satisfactory alternative
- 3) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The Local Planning Authority is satisfied that the three tests have been met in this instance.

With regards to the first test, the scheme involves the creation of additional dwellings which will help to meet the housing need identified in WCS CP4 (Amesbury Community Area), in an area that is considered to be appropriate in principle for new development such as this, as outlined above. It will also provide CIL contributions towards local infrastructure; and a small level of employment during construction. It is therefore considered that the proposals satisfy the first derogation test regarding overriding public interest/benefit.

With regards to the second test, it is considered that loss of the existing building is unfortunate but alternative options involving the retention of the existing building have been resisted for other reasons in the past. The current proposals incorporate sufficient mitigation and opportunities for replacement roosting which will be maintained in the long term. There is no alternative site or scheme that can be considered instead; and the sensitive redevelopment of this site for this purpose is the best way to ensure that the bat population on site is maintained and preserved in the long term whilst satisfying all other constraints/considerations at the site.

The Council's Ecologist has also confirmed that sufficient information and mitigation has been identified to be able to enable the favourable conservation status of Common Pipistrelle Brown Long-eared bats at this site. The proposals therefore also satisfy the third test and the previous reason for refusal has been addressed in this regard.

Salisbury Plain Special Protection Area (SPA):

As is identified above, the site lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the Habitat Regulations Assessment (HRA) for the WCS and the HRA for the Wiltshire Housing Site Allocations Plan (WHSAP), it needs to be screened into appropriate assessment due to the potential impact of the development and associated recreational pressure of additional households on the special features of the SPA, including ground nesting Stone Curlews. The Appropriate Assessment (AA) for this feature has been undertaken by the Council's Ecologist (and is summarised above). The AA confirms that the Local Planning Authority is able to conclude beyond reasonable scientific doubt, that the proposed development would not lead to adverse effects on the integrity of the Salisbury Plain SPA.

River Avon Special Area for Conservation (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. This was previously used as a reason for refusal as at the time of the last application there was no mechanism in place to secure mitigation from the proposed development to limit its phosphate impact on this European designation.

Since the previous scheme was refused however, the Council has now been able to agree, through a Memorandum of Understanding (MoU) 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.

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, the Council's Ecologist has confirmed that it will not lead to adverse impacts alone or in-combination with other plans and projects on the River Avon SAC. Therefore the previous reason for refusal in this regard, has also been overcome.

**9.7 Drainage:**

The site is situated in Flood Zone 1 and is under 1 hectare in size. There is therefore no requirement for the application to be accompanied by a flood risk assessment. Previously however Wessex Water raised concern about the scheme because it was not clear how the proposed development would be drained. A third reason for refusal was added to the decision accordingly.

The current application has however been supported by more information in this regard. The supporting application form confirms that the foul waste water from the development will be disposed of by mains drains, while the surface water drainage will be dealt with by a combination of sustainable drainage systems and soakaway. The supporting Design & Access Statement further confirms that the existing situation is that the surface water is collected from the existing dwelling and directed into the existing foul sewer system onsite. This is no longer acceptable as a means of discharge of surface water for a new development. Therefore it is proposed that each of the new dwellings proposed will be provided with water butts. These will collect rainwater for re-use on the gardens and will reduce the surface water run off generated from the site. This is a sustainable use of water.



However, the water butts alone will not deal with the rainwater from the development, and therefore the proposal also involves the creation of a soakaways for the site. Plots 1-5 will be provided with a communal soakaway under the proposed parking area. This will allow discharge of the rainwater collected from the roofs and hardstanding areas of plots 1-5 into a soakaway system. Plot 6 will have an independent soakaway system in the rear garden of the plot. Each of the parking areas will be laid with permeable paving, so that the parking hardstanding areas allow the rainwater to percolate straight away. The substrate of the site has been identified as a chalk substrate (as identified by the British Geological Survey substrate viewer), which has good permeability results historically.

Given that the site is under a hectare; not in Flood Zones 2 or 3; involves a small scale development of under 10 dwellings; and Wessex Water has not objected to the current scheme, it is considered that the level of information submitted regarding the proposed drainage strategy is now sufficient to satisfy the planning requirements. The detailed drainage strategy will be a matter that will be considered and agreed at the building regulation stage and should this require alterations to the layout/detailed scheme being considered by this application, then a revised scheme may be necessary that will be considered accordingly. A note will be attached to this recommendation to highlight this to the applicant, but otherwise the proposals are now considered to be acceptable in this regard and this final previous reason for refusal has also been addressed.

#### **9.8 CIL/S106:**

WCS policy CP43 (Providing Affordable Housing) and saved SDLP policy R2 both require contributions towards affordable housing and public open space provision from any net gain in the number of dwellings in the area. Local representation has also queried why none of the units are being provided as affordable housing. However, following subsequent ministerial advice and the updated NPPF, these policies now only apply to sites of 10 dwellings or more and therefore there are no longer any such requirements from schemes such as this proposing only a net gain of 5 new dwellings on the site.

However, as of May 2015, Wiltshire Council adopted the Community Infrastructure Levy (CIL). This proposal may represent chargeable development under the CIL Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A note has been attached to this recommendation highlighting this requirement to the applicant accordingly.

#### **9.9 Other Matters:**

Much local concern has been raised about the potential impact and chaos that will be caused, particularly to the use of the adjacent highway, during the construction phase. However, planning law accepts that there will be a level of disturbance resulting from all and any new development but that this is of a temporary nature and so construction disruption cannot be used as a reason for refusal of a scheme. In addition the Highway Authority has also acknowledged that the construction of the proposed development would undoubtedly cause an inconvenience for passing traffic; however, this will be temporary and will be managed by their Streetworks Team following the Chapter 8 guidance. This is not therefore a valid reason to resist the proposal on highway grounds either.

#### **10. Conclusion**

It is considered that the proposals have adequately addressed the previous reasons for refusal and involves a development of much needed housing; and an effective use of land. The proposals are considered to involve a well-designed and attractive scheme that will be in keeping with the character of the area; and will not have any significant or unacceptable implications for neighbouring residential amenities; highway safety; ecology; or trees. The proposals are recommended for permission accordingly.

## RECOMMENDATION

### Permission subject to Conditions

1. **WA1** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. **WM13** The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate

Ref: AH2020/44 Sheet 2 of 5 – Proposed Elevations Plots 1-4 and Plans for Plot 5. Received – 20.11.2020

Ref: AH2020/44 Sheet 3 of 5 – Proposed Floor Plans Plots 1-4. Received – 20.11.2020

Ref: AH2020/44 Sheet 4 of 5 – Proposed Plot 6 & Street Scene. Received – 20.11.2020

Ref: AH2020/44 Sheet 5 of 5 – Proposed Block Plan. Received – 20.01.2021

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

3. **WB1** No development shall commence above slab level on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. **WC1** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels, contours and site sections through entire site;
- means of enclosure and boundary treatment;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- details of replacement trees for any trees that are shown on the approved plans to be felled. The replacement shall be of a compensatory size and species and in a location to be agreed. The replacement trees shall be planted in accordance with BS:3936 (parts 1 and 4); BS:4043; and BS:4428

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

5. **WC2** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

6. The development hereby approved shall be implemented in full accordance with the submitted Arboricultural Impact Assessment (Treescene Arboricultural Consultants, November 2020).

REASON: To ensure the retention of trees on the site in the interests of visual amenity

7. No development shall commence on plot 6, hereby approved, until the junction visibility area (comprising a 2.5 metre wide strip parallel and adjacent to the A360 carriageway edge over part of the frontage of Plot 6, between the edge of the B3083 side road junction and a point 17.5 metres from the edge of the side road southwards (as identified coloured green on plan number AH2020/44)), has been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility area shall thereafter be maintained and kept free of obstruction for visibility in perpetuity.

REASON: In the interests of highway safety.

8. No development shall commence on site until full details of the entire frontage of plot 6, showing it to be edged with full height kerbs, apart from across the access position which shall be dropped kerbs, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details prior to the first occupation of Plot 6 hereby approved.

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

9. No part of the development hereby approved shall be first occupied until the visibility splays for the access serving the parking area for plots 1-5, and the driveway for plot 6 as shown on the approved plans (plan number AH2020/44), have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter in perpetuity.

REASON: In the interests of highway safety.

10. No development shall commence on site until full details of the footpath across the entire site frontage on the eastern side of the A360, identifying how this will be widened to 2 metres for its entire length, except across plot 5 where the building line prevents widening, and will be constructed, has been submitted to and agreed in writing by the Local Planning Authority. The footpath shall be implemented in accordance with the approved details prior to any of the development hereby approved being first occupied.

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

11. No part of the development hereby approved shall be first occupied until, at the point where there is an existing dropped kerb outside plot 5, the footway shall be reinstated to standard footway specification with a full height kerb to match existing.

REASON: In the interests of highway safety.

12. The gradient of the proposed access shall not at any point be steeper than 1 in 15 metres from its junction with the public highway.

REASON: In the interests of highway safety.

13. No part of the development hereby approved shall be first occupied until the access, turning area and parking spaces have been laid out, surfaced, marked out and completed in accordance with the details shown on the approved plans. These areas shall be maintained for those purposes thereafter in perpetuity.

REASON: In the interests of highway safety.

14. No part of the development hereby approved shall be first occupied until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for such use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

15. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

16. Notwithstanding the approved plans, no part of the development hereby approved shall be first occupied until works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

17. **WE 1** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

18. **WE4** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the northern or southern elevations or intervening boundary walls of Plots 1-5; or western elevation of Plot 6 of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

19. The development hereby approved shall be carried out in strict accordance with the information submitted PEA, PRA and Bat Activity Surveys Report (ABR Ecology Ltd, 20<sup>th</sup> November 2020). This shall include all mitigation and enhancements detailed under section 5 of the above report titled 'Mitigation, compensation, and enhancement strategy' and as modified by the Natural England Bat Low-Impact Class Licence (BLICL).

REASON: To ensure adequate protection and mitigation for protected species through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination and to comply with planning policy.

20. The development hereby approved shall be carried out in strict accordance with the submitted Construction Environment Method Statement Report (ABR Ecology Ltd, 20<sup>th</sup> November 2020).

REASON: In order to avoid and reduce potential pollution and disturbance effects on the River Avon SAC during construction.

21. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be implemented in accordance with the agreed details.

REASON: The introduction of artificial light is likely to mean protected species are disturbed and/or discouraged from using established flyways or foraging areas. Such disturbance will constitute an offence under relevant wildlife legislation. The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences, in the interests of ecology.

22. 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 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 that the development delivers betterment in terms of the level of discharge of phosphates from the sewage treatment plant into the River Avon SAC.

## INFORMATIVES

- 1) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website:  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).
- 2) There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on **0845 1300 228**, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the [Bat Conservation Trust](http://www.batconservationtrust.org.uk) website
- 3) Great crested newts are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if great crested newts are discovered, all works should stop immediately and a professional ecologist should be contacted for advice on any special precautions before continuing, as a derogation licence may be required from Natural England.
- 4) The application involves the creation of a new vehicle access with dropped kerbs. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.
- 5) Please note that should any changes to the layout or design of the scheme be required following building regulations and/or to secure an acceptable drainage strategy at the site, and such revisions may require the submission of a fresh planning application which will be considered on its merits accordingly.