

Date of Meeting	23 rd June 2022
Application Number	PL/2022/01048
Site Address	Land adjacent to 2 Old Sarum Cottages Portway Old Sarum Salisbury SP4 6BY
Proposal	Erection of 4 terraced dwellings with parking, amenity areas and new access road
Applicant	KHT Developments Ltd
Town/Parish Council	LAVERSTOCK AND FORD
Electoral Division	Old Sarum and Lower Bourne Valley – Cllr Andrew Oliver
Type of application	Full Planning
Case Officer	Lynda King

Reason for the application being considered by Committee

The application has been called to Committee by the Local Member for the following reasons:- Design – bulk, height and general appearance, environmental or highway impact, and unacceptable noise from retained bus operations.

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
- Highway safety
- Drainage
- Layout
- Impact on residential amenities of adjacent commercial operation

The application generated an Objection from Laverstock and Ford Parish Council.

3. Site Description

The site lies immediately adjacent to the Old Sarum settlement boundary, but, as can be seen from the photo below, is surrounded by development. It has the extensive Beehive Park and Ride facility to the west and a mix of development types to the east. Both the Longhedge and Old Sarum developments now have facilities and services associated with them.

The site is a brownfield/previously developed land site with permanent buildings and substantial areas of hardstanding where large coaches are parked when not in use. The site is also partially residential as there are two existing dwellings on the site, as well as the office of the Coach and travel company.



Application site marked as 'Assisi travel'

In light of the above situation it is considered that this brownfield site is suitable for re-development in principle and can contribute towards the Council's current shortfall in a 5 year housing land supply.

4. Relevant Planning History

S/2005/0211 - Land at Old Sarum, Salisbury.

Mixed use development comprising new residential, employment uses and community facilities and associated infrastructure.

(Note the location plan for this application includes 1&2 Old Sarum cottages but the Masterplan redline excludes them.)

Various application on the application site relating to the existing commercial use.

20/09977/FUL – Construction of 6 Dwellings with parking and private amenity areas following demolition of Old Sarum Cottage – A/C 20/04/2021

5. The Proposal

This application proposes the construction of 4 dwellings, parking, access and amenity space on land adjacent to the existing dwellings and office at Old Sarum Cottages. The proposal will retain the existing residential properties and the office associated with the Assisi Travel operator. Some coaches associated with this operation will continue to be parked on land adjacent to the office and existing dwellings.

6. Local and National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

NPPF - Paragraph 11 sets out the presumption in favour of sustainable development.

Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

Section 8 – promoting healthy and safe communities

Section 11- making effective use of land

Section 12- achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Wiltshire Core Strategy

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP3 (Infrastructure Requirements)

CP20 (Salisbury Community Area)

CP23 (Southern Wiltshire Community Area)

CP25 (Old Sarum Airfield)

CP35 (Existing Employment Land)

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)

CP69 (River Avon SAC)

7. Summary of consultation responses

Laverstock and Ford Parish Council – To amended plans - The response of Laverstock and Ford Parish Council remains 'OBJECT' for the following reasons:-

1. Design - the amendments do not sufficiently address the poor design and layout of the site, including poor access for vehicles.

2. Safety and noise - from the adjacent depot, the access immediately adjacent to The Portway with limited areas for vehicles to pass, and insufficient space for pedestrians to cross safely to the pavement on the opposite side of The Portway.

3. Flooding - local knowledge suggests that this section of The Portway regularly floods with run off from adjacent fields.

Original comments – At its meeting on 21st March 2022, Laverstock and Ford Parish Council resolved to OBJECT to this application for the following reasons:-

Noise - this application proposes to retain the existing commercial use on part of the site. The proposed new properties would be immediately adjacent to this operation, placing any residents at risk of unacceptable noise levels from the commercial operations. Concerns were also raised about the safety of children living in the new properties, with numerous bus movements daily in close proximity.

Design - the proposal to construct four properties on a small site has resulted in a poor layout and design. There is insufficient space to allow access for vehicles such as refuse lorries, and no space for vehicles to pass on the site, except in the entrance way immediately adjacent to The Portway.

After the submission of amended plans on the previous application at this site, 20/09977/FUL for the demolition of the existing cottages and erection of six new properties, the Parish Council did not object. However this new application, which retains the existing cottages and attempts to fit in another four properties, does not meet the same levels of design and amenities for the new residents.

WC Archaeology – No objection. The site lies in an area of high archaeological potential and therefore a condition requiring that an archaeological investigation is undertaken prior to the commencement of development on the site is recommended.

WC Conservation – No objection. The scheme would introduce a row of houses to the right of the existing pair of cottages, set further back at a right-angle and down from the road. This would have a recessive effect and make them all but invisible from the hillfort. The impact on the streetscene and the airfield CA would be negligible - there would be an increase in built form but it reuses a site without impact on the orchard to the east and without any visual assimilation with the housing estates further to the northeast. I am satisfied that the setting and significance of the heritage assets would be preserved in accordance with the NPPF and CP58.

WC Highways – No objection subject to conditions

WC Drainage – Initial concerns but no objection to final scheme as it can be dealt with under Building Regulations approval process.

8. Publicity

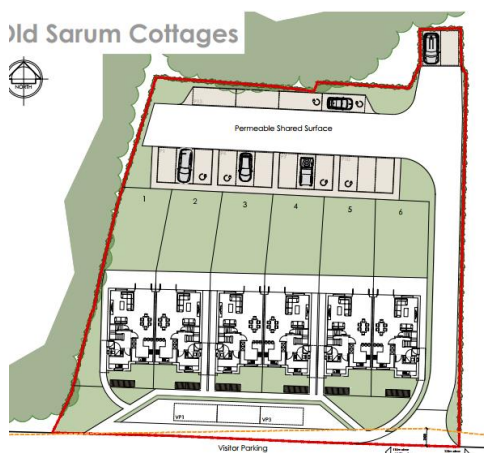
The application was publicised by way of a Site Notice and letters sent to neighbouring properties. Only one letter of representation was received, from Salisbury and Wilton Swift Group requesting that swift boxes be erected on the new dwellings.

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 of development and retention of employment

Planning permission was granted in April 2021 (ref.no. 20/09977/FUL) for the re-development of the site with the construction of 6 dwellings, of a contemporary design, that would have fronted the Portway, as shown below:



This scheme would have removed the commercial travel agency and coach parking from the site in it's entirety.

The current application seeks to retain the existing buildings on the site, and to construct 4 two-storey dwellings of a much smaller scale to those previously approved effectively at right angles to the highway, as shown on the plan below.

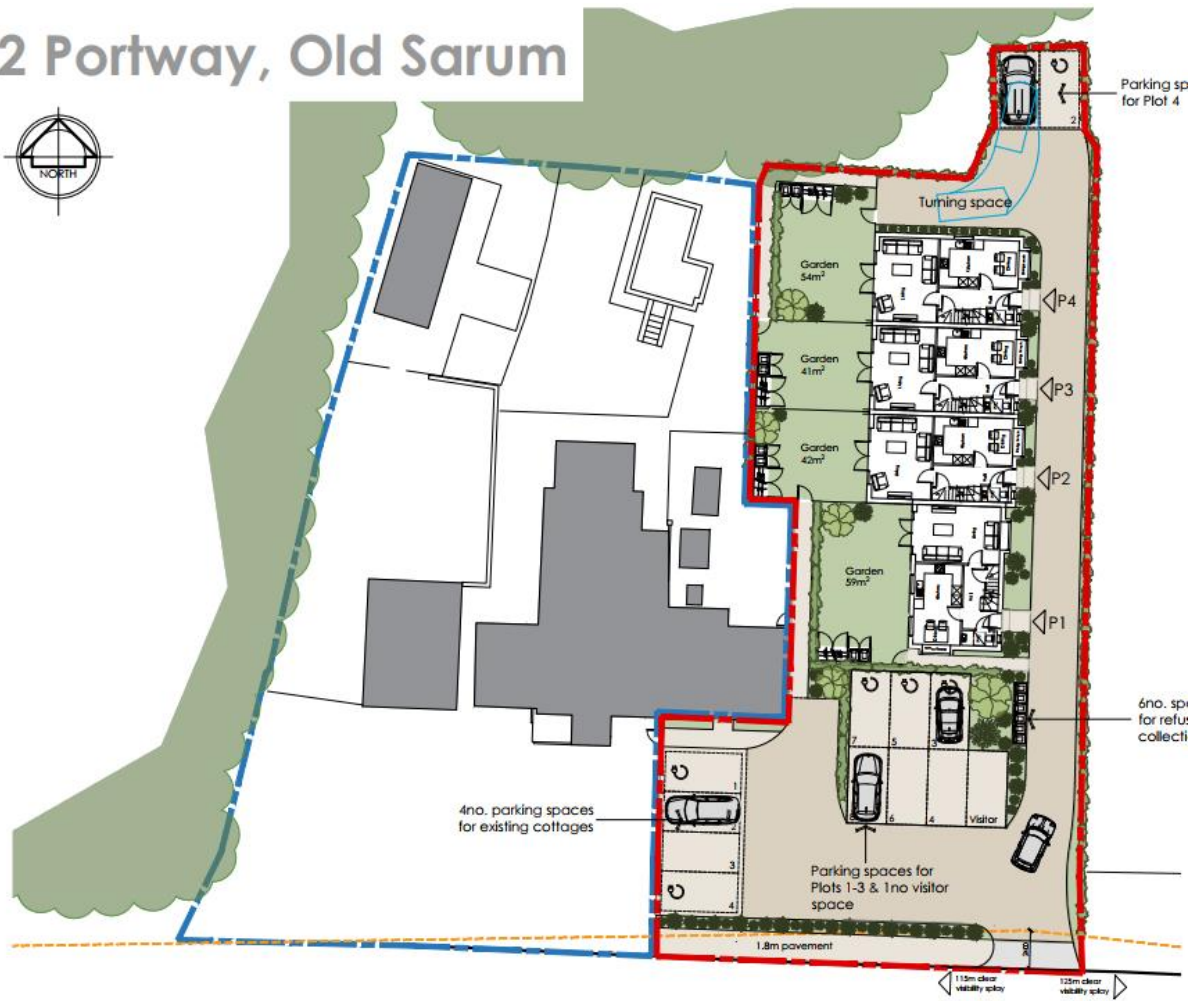
The existing dwellings are shown in grey on the plan below immediately adjacent to the proposed dwellings, with a small office at ground floor within the main building which is operated by Assisi Travel. This is a coach company involved in providing school transport as well as coach travel. Currently 12 of the company's coaches are parked on the application site when not in use, and the applicant's agents have

stated that the current proposal is to reduce the number of coaches operated by the business to 6 due to the impacts of covid on the company.

The existing dwellings will create a buffer between the area of coach parking/commercial element and the new residential development (the agent comments that the coaches are just stored/parked there and are on the road the majority of the time).

As has been set out in Section 1 above, this site is just outside the settlement boundary of Old Sarum, but is a brownfield/previously developed land site and is surrounded by development on three sides and does not constitute inappropriate development in the open countryside. It also benefits from consent for 6 dwellings. The construction of additional dwellings on the site will help address (in a small way) the shortfall in the Council's Five Year Housing Land Supply, and will help to ensure the continuing employment opportunities of the company that exists on site, which has been affected by the covid pandemic. The development therefore meets the objectives of the Core Strategy to provide suitable housing and supporting the local economy.

2 Portway, Old Sarum



Revised site plan following amendments required by Highway Authority

9.2 Highway Safety

The application proposes the construction of a separate access to the east of the mixed commercial and residential use to serve the proposed dwellings and the existing cottages. It is proposed that the new access will allow 2 cars to pass at the junction with the Portway before narrowing to allow additional landscaping features to be included in the site and to reduce the amount of hard surfacing proposed.

The Highways Officers were initially concerned that the parking and manoeuvring space within the site was not sufficient to meet the Council's standards, but did not object to the principle of the development and the creation of a separate access onto the Portway. Amended plans were submitted to re-orientate the car parking spaces and to ensure that there is sufficient manoeuvring space within the application site to ensure that vehicles can enter and leave the site in forward gear, and the Highways Officer has recommended that consent can be granted subject to conditions. This amended plan has overcome the concerns of the Parish Council about limited space for vehicles to pass.

The Highway Authority also require a dropped kerb to be provided on the footway opposite to the site, which was also a requirement of the previous consent, which addresses one of the points raised by the Parish Council.

It is accepted that the refuse vehicles will collect bins from the highway, as is the situation on the majority of residential development.

9.3 Drainage

Concerns were initially expressed by the Council's drainage Engineers in respect of the surface water run off from the site, which was echoed by the Parish Council. This matter has been addressed via additional reports submitted by the agent and now agreed, subject to conditions, by the Engineers. The pre-commencement conditions have been agreed with the agent, and are the same that were imposed on the earlier planning permission for the 6 dwellings.

9.4 Design and Layout and impact on heritage assets

The proposal is for the retention of the existing dwellings on the site, along with some outbuildings and hardstanding, and to allow for the creation of a new residential development. The proposed development will comprise 4no. dwellings with associated parking, and a new access road into the site. Due to the sloping nature of the site, the dwellings are set lower than Portway, and slightly step down to the east.

The proposed dwellings are located along the East of the site and are made up of 4no. terraced dwellings Each dwelling comprises of a living space, kitchen/dining and toilet on the ground floor, 3no. bedrooms and a bathroom on the first floor, with garden areas to the rear.

A new access road along the East boundary of the site enables vehicular access to the new dwellings along with the dedicated parking area for the existing cottages. 2no. existing parking spaces are retained at the rear of the site and space provided for 7no. new parking spaces with turning space. Each dwelling is allocated 2no. parking spaces. There is a bin store to the front of the site which has been softened with new landscaping. Electric Vehicle charging points are also proposed for each dwelling.

The design of the proposed dwellings is quite simple, with pitched slate roofs, vertical timber cladding to the first floor and brick elevations to the ground floor, as is seen below:



East elevation

Care has been taken to minimise the degree of overlooking of the existing dwellings, for example Plot 1 only has a small bedroom window at first floor to the rear, along with one serving a bathroom. There will be limited overlooking from the existing properties as the new dwellings are set to the rear of the two storey elements of these dwellings, with the first floor windows on the site elevation overlooking the car parking area of the new scheme.

Each dwelling has also been provided with a bin store and bike store, which are then accessible to the bin store at the front of the site on collection days. The garden areas are comparable to those of the dwellings of the nearby Ramsbury Drive further to the east and are considered adequate.

It is accepted that the design of the dwellings is different to that of the existing buildings on the site, but these are not of any architectural merit, as can be seen in the photograph below. Indeed, the area now contains a broad mixture of dwelling types and various materials and styles.



The dwellings will not be readily visible when viewed from the site frontage as it is set back behind the frontage of the building at a slightly lower level, with parking and landscaping to the frontage. There are a substantial number of trees in the land adjacent to the site on the eastern boundary which will screen the properties when viewed from the site to the east, and with the change in levels the properties will not be prominent in the street scene. At present there are coaches parked on the site in the evenings, which with their pale colour are more prominent than the proposed dwellings are likely to be. The site will be seen against the backdrop of trees on the Park and Ride site, as well as the open area of land to the east and north.

The site lies on a regular bus route into the city, and it is well related to facilities at Old Sarum such as the supermarket and local primary school, all of which are within walking distance of the site.

The site lies in an Archaeologically Sensitive area and close to the Old Sarum Airfield Conservation Area and therefore both the Council's Archaeologist and Conservation Officer were notified of the proposal. The Council's Archaeologist requires a condition to be imposed on any consent to enable an assessment of the site's archaeological potential to be carried out prior to development. This pre-commencement condition has been agreed with the applicant's agent. The site also lies to the north of the Old Sarum Airfield Conservation Area, but it is considered that the development will not have an adverse impact on the Conservation Area, nor will it be visible from the Ancient Monument at Old Sarum.

9.5 Impact on residential amenity of adjacent commercial operation.

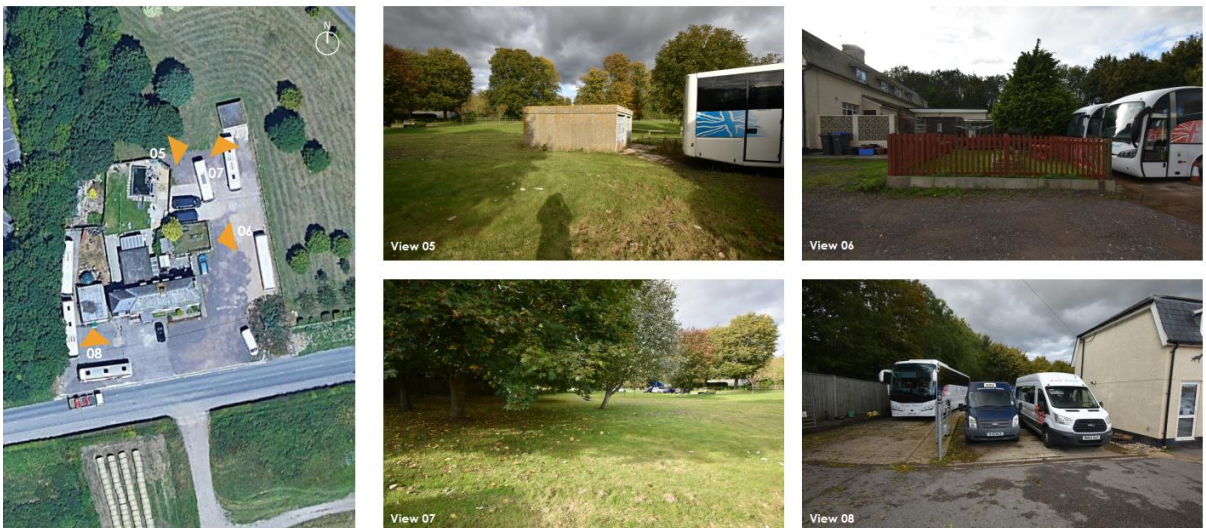
Concerns have been expressed by the Parish Council about the impact of the existing coach operation on the amenities of the residents of the proposed dwellings, and the safety of any children on the site. The agent commented as follows:

The proposed dwellings will be located on the right-hand side of the existing dwellings, with these existing dwellings creating a buffer between the Commercial

element and the new residential development, the reduction in coaches from 12 to 6 will mean the vehicular movements will be far less than currently exists, in reality the coaches are just stored/parked here and are on the road for a majority of the time. There is no reason for children of the occupants either existing or new to have contact in any form with the commercial element, both will now be served by a separate vehicular/pedestrian access. This new access is 5m wide for the first 5m to allow for passing traffic, it then narrows but only serves plot 4.

It should be noted that there are two existing residential properties on the site at the moment which sit within the coach parking area as it currently exists, and the proposal to construct dwellings on about half of the site will improve the situation for these residents as well as they will now not have coaches parked on the eastern side of the site, and they will now have dedicated car parking spaces located free of the coach parking area with a landscaped access to the front doors.

There is no servicing or other work to the coaches carried out on the site at the present, and that situation will remain. The coaches will only be parked on the western side of the site on existing hardstandings when not in use. The main use of the site during working hours is as an office which is contained within the existing buildings on the site. The photographs below show the situation as it is at present:



It is therefore considered that the impact on the residential amenities of the occupants of the proposed dwellings will be very limited and not sufficient to refuse planning permission for the development. The access to the new dwellings will be separate to that of the retained coach business and therefore will present no greater hazard to residents of the site than any other residential development adjacent to a commercial use.

9.6 Ecology

The scheme is accompanied by an ecological appraisal and the Council's ecologists raise no objections to the earlier proposed re-development subject to conditions, which the applicant's agent has agreed to.

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

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

In this instance, as the site is considered to be “brownfield” development, located in a sustainable location close to services and facilities, it is considered that the proposal can be considered as “planned” development, that falls within the strategy.

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, it is concluded it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

10.Conclusion (The Planning Balance)

The site is in a mixed use at the present, which includes two dwellings, and office and a significant area of hardstanding used for the parking of coaches. The application site is located adjacent to the Old Sarum settlement boundary, and will result in the re-development of a brownfield site which is considered to be located in a sustainable location surrounded by existing development and services, and does not represent an incursion in the open countryside or a greenfield site. It is considered that the scheme will improve the appearance of the area and will provide additional housing units to assist the Council to meet its 5 Year Housing Land Supply targets, as well as supporting the retention of a local business that has been affected by the impacts of the covid pandemic.

The overall design of scheme is considered to be acceptable, and it would have limited amenity and landscape impacts in this location. There are no significant highways related or other issues that cannot be mitigated by conditions.

As a result, the scheme is considered to be in accordance with national and local planning policies, in particular CP1,CP2, CP35, CP50, CP51,CP52,CP57,CP58, CP61, & CP69.

RECOMMENDATION: APPROVE, subject to the following conditions:-

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

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

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

Proposed location and block plan – Drw. No. P20-033 02-02-003 Dated Jan 2022, received on 9th Feb 2022

Proposed Site Plan – Drw. No P21-090 02-02-004A dated Jan 2022, received on 24th March 2022

Proposed Elevations Plot 1 – Drw. No. P21-090 02-02-001 Dated Jan 2022, received on 9th Feb 2022

Proposed Elevations Plots 2 – 4 – Drw. No. P21-090 02-05-002 Dated Jan 2022, received on 9th Feb 2022

Proposed Bin/Bike stores – Drw. No. P21-090 02-05-003 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plot 1 – Drw. No. P21-090 02-03-001 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plots 2 and 3 – Drw. No. P21-090 02-03-002 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plot 4 – Drw. No. P21-090 02-03-003 Dated Jan 2022, received on 9th Feb 2022

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

- 3) 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) The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

Reason: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

5) 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 :-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

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

6) 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.

7) The development shall only be carried out in accordance with the approved Drainage Documents

4288-SARU-13-001-BR-01.001-Infiltration Rate
4288-SARU-ICS-01-XX-P02 Storm Simulations
4288-SARU-ICS-01-XX- M2-C-0205-P01-S2_ Exceedance Routing
4288-SARU-ICS-01-XX- M2-C-0300-P01-S2_ Surface Finishes
4288-SARU-ICS-01-XX- M2-C-0100-P01-S2_ Levels Design
4288-SARU-ICS-01-XX- M2-C-0200-P02-S2_ Drainage Design

and the Surface Water Drainage Strategy contained within it.

REASON: To ensure that the development can be adequately drained without increasing flood risk to others.

8) No development shall commence within the area indicated within the red line of the application site (2021/01048) until:

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

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

9) Prior to the commencement of any works, including ground preparation or vegetation removal, the details of the proposed biodiversity enhancement scheme, including the number, design and locations of bat roosts and opportunities for birds, hedgehogs and insects and hedgerow planting specification in accordance with the 'Ecology Report' KP Ecology, 1st June 2020, shall be submitted to the local authority for approval. The scheme shall be informed by the findings of an updated Extended Phase 1 Habitat Survey (dating no more than 24 months earlier than the scheme).

The approved details shall be implemented before occupation of the final works. This condition will be discharged once photographic evidence of installed features has been submitted to and approved by the local planning authority.

REASON: To provide mitigation /enhancement for biodiversity.

10) Prior to first occupation at section of footway shall be provided across the site frontage (as per drawing P21-090 02-02-004), together with a dropped kerb opposite, in accordance with details which shall first be submitted to and approved by the LPA.

REASON: In the interests of sustainable travel.

11) No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 115 metres to the right (west) and 125 metres to the left (east) from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

Reason: In the interests of highway safety

12) Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

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

- 13) No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces (including the parking spaces for Old Sarum Cottages) have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

- 14) The development hereby permitted shall not be first occupied until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

- 15) Prior to the occupation of the first dwelling, details of the charging points infrastructure shall be submitted to and approved in writing by the local planning authority. No individual dwelling shall be occupied until the points have been installed in accordance with the approved details.

REASON: In the interests of reducing the carbon footprint of the development.

Informative

The development involves work to provide a new footway across the site frontage on land which is existing public highway. A S278 legal agreement is necessary with the Highway Authority to facilitate this work.

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

The development hereby approved could be subject to the **Community Infrastructure Levy**. Wiltshire Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth.

More information and the charging schedule for CIL can be found using the following

link:

<http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

