

REPORT OUTLINE FOR AREA PLANNING COMMITTEES Report No.

Date of Meeting	8 th December 2022
Application Number	PL/2022/00855
Site Address	Tisbury Sports Centre, Weaveland Road, Tisbury, Salisbury, SP3 6HJ
Proposal	Demolition of former sports centre (class E(d)) involving redevelopment to form 13 no. dwellings (class C3) & associated works.
Applicant	Stone Circle Development Company Ltd
Town/Parish Council	Tisbury Parish Council
Electoral Division	Cllr. N Errington
Grid Ref	
Type of application	Full
Case Officer	Mrs. Becky Jones

Reason for the application being considered by Committee

The Scheme of Delegation requires this application to be decided by Planning Committee because whilst the applicant (and landowner) is a recognised and separate legal entity, the Company is affiliated with Wiltshire Council. As the Council is the shareholder of the Company and there are some outstanding comments on the proposal from local residents with concerns about highways, parking, tree retention, renewable energy and residential amenity and the application is being referred to committee for determination.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that the application should be **APPROVED** for the reasons detailed below.

2. Report Summary

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

1. Principle of development and absence of 5 year housing land supply
2. Scale, design, impact on the character of the AONB and neighbouring amenity
3. Trees and Landscaping
4. Other S106 matters and contributions - waste, public open space, education and affordable housing
5. Highway safety
6. Biodiversity – Ecology, Chilmark bat SAC and River Avon catchment
7. Flood Risk and Drainage
8. The Planning Balance

The application generated a letter of support from Tisbury Parish Council, one letter of comment from West Tisbury Parish Council, 20 letters of support and 9 letters of comments from third parties.

3. Site description, site constraints and the proposals

The site is within and on the edge of the Local Service Centre of Tisbury, adjoining open fields to the west (Grade 3 agricultural land) and residential development to the north. St John's Primary School is positioned to the south and The Nadder Centre and its car park lie to the east.

The site is the former sports centre with its associated car park with grassed amenity areas. Morrison Avenue to the north and Weaveland Road to the east are adopted highways, but the proposed site access would be taken from within the Nadder Centre car park, which is unadopted. Bridleway TISB 1 forms the north boundary to the site and Footpath TISB 85 forms the west boundary, with mature trees and hedges forming the soft edges to the site.

The site lies within the Area of Outstanding Natural Beauty (AONB), in the Chilmark bat SAC and the River Avon SAC catchment and is a risk zone for great crested newts.

The Nadder Centre community campus facility was developed on the adjacent site under 14/04907/FUL and facilities include the library, a pre-school and police along with meeting spaces. The proposed new Sports Hall building adjoining the existing Nadder Hall and Middle School buildings were intended to replace the existing Sports Centre building, which was due to be demolished as part of the proposals. However, the applicant recently amended the ecological recommendations under 19/03260/VAR to enable retention and/or demolition of the building with enhancements for ecological benefit.

Planning permission is now sought in full to demolish the sports centre building and provide a *community led development* of 13 two storey dwellings (2x2bed and 3x3 bed with 6 affordable homes (2x1bed, 2x2bed and 2x3bed) with associated works.

The proposed materials include the use of quality facing brickwork and reconstituted stone, with slate roof tiles (dark), feature stone heads, arched brick heads and chimneys, white UPVC windows and French doors, charcoal timber porches and painted timber entrance doors, all to reflect the local vernacular. Bin and cycle storage, open spaces and a balancing pond are included.



Energy efficiency measures include:

- Air source heat recovery units to be installed with additional thermal enhancements to all dwellings.
- An electric car charging point is provided to each plot.
- The proposed dwellings will exceed the energy/carbon requirements currently set out in Part L of the Building Regulations. The dwellings seek to provide internal water recycling, this together with a 25% thermal enhancement over and above

the current building regulations document under Part L which includes high standards of glazing and insulation methods.

- A Drainage Strategy and (SuDS) Statement – prepared by Adama Consulting Limited accompanies the application

4. Planning Policy

The following national and development plan policies are considered to be relevant to the determination of this application:

National Planning Policy Framework (NPPF 2021) and the PPG

Tisbury and West Tisbury Neighbourhood Development Plan 2019-2036, made November 2019

Policy BL.8 Site Allocation: Site of the former Sports Centre adjacent to St John's Primary School

Policy BL.4 Design and Landscape

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 3: Infrastructure Requirements
Core Policy 27: Spatial Strategy for the Tisbury Community Area
Core Policy 41: Sustainable Construction and Low-Carbon Energy
Core Policy 43: Providing Affordable Homes
Core Policy 45: Meeting Wiltshire's Housing Needs
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 52: Green Infrastructure
Core Policy 57: Ensuring High Quality Design and Place-Shaping
Core Policy 60: Sustainable Development
Core Policy 61: Transport and New Development
Core Policy 62: Development Impacts on the Transport Network
Core Policy 69: Protection of the River Avon SAC

In addition, the following Salisbury District Local Plan policies are saved in the WCS Annex D:

Saved Policy R2 (Open Space Provision)
Saved Policy PS5 (Education)
Policy D8: Public Art
Policy C8: Landscape (Trees and Hedging)
Policy C18: Development Affecting Rivers and River Valleys

Other:

- AONB Management Plan <http://www.ccwwdaonb.org.uk/publications/aonb-management-plan/>
- Wiltshire Housing Site Allocations Plan adopted Feb 2020:
Chapter 6 and Appendix A - South Wiltshire HMA (amended settlement boundaries)

- Wiltshire Local Transport Plan – Car Parking Strategy: Chapter 7: Parking Standards
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
- The Community Infrastructure Levy Regulations 2010
- National Model Design Code July 2021
- Building for a Healthy Life - A Design Code for neighbourhoods, streets, homes, and public spaces (Homes England June 2020).
- Wiltshire Local Transport Plan and Parking Strategy
- Updated Housing Land Supply Statement, Base Date: April 2021, Published April 2022 identifies 4.72 years of deliverable supply in Wiltshire and 4.88 in South Wiltshire HMA. This has been recently updated to 4.7 years.

5. Relevant Planning History:

14/04907/FUL Proposed Community Campus development off Weaveland Road, to include the use of some of the existing council buildings on the site in conjunction with the addition of new build areas in order to house various council and community services
AC

19/03260/VAR Variation of Condition 8 of 14/04907/FUL in connection with the Ecological Management Strategy AC

6. Consultations

Drainage - no objection subject to conditions

Ecology- no objection subject to conditions

Education – No objection subject to S106 Agreement and contributions **£56,274** for primary places. No comments received from Dorset CC

Highways – no objection subject to S.106 Obligations and conditions
• **£10,000** towards PRow improvements on the adjacent right of way network

Housing- support - Affordable Housing Units which are required by policy should be secured through a S106 Agreement at nil subsidy.

Rights of Way - see highways. No objection subject to financial contribution via S106 of £10,000 which could be put towards clearing, width improvements and surface improvements on the adjacent right of way network.

Archaeology – no objection

Public Protection – no objection subject to conditions

Wessex Water – comments. LFRA to agree surface water, Points of connection with WW to be agreed.

Waste – no objection subject to S106. Provision of containers for waste and recycling
£1,183

Police Crime Prevention Design Advisor – suggested amendments below

AONB Partnership - suggested additions and comments/concerns – see below

Tisbury PC – Support

West Tisbury PC - Support subject to caveat

West Tisbury Parish Council broadly supports this planning application. However, this is on the condition that Stone Circle Development Company honours their commitments as set out in their letter to Tisbury Parish Council dated 8th March 2022.

7. Publicity

The application for major development was advertised by neighbour consultation, site notice and advertisement.

Salisbury and Wilton Swifts – swift bricks required

St Johns Primary School – comments as follows

- *Traffic management needs clear safe pedestrian priority. One way traffic and clearer crossings.*
- *Children's safety needs to be considered during the building phase – talk to the school during phase.*

20 letters of support and 9 letters with comments and suggestions from third parties:

- *Long term management and maintenance of the site in ecological terms required. Desire to maintain an ecologically sensitive development with measures retained in perpetuity. Hedgerows and soft edges to gardens. Allow good drainage. A key consideration is who or what body retains or takes on long-term ownership and responsibility for the common areas, hedgerows, tree groups and the pond.*
- *13 dwellings on this site, will create a suburban character and a hard edge to the village that is inappropriate and unduly harsh. 13 too many. Materials fall short. The development is on the rural boundary of a small rural settlement. It is essential to maintain a soft edge to the development.*
- *To allow migration of wildlife into and through the new development consideration should be given to ensuring garden boundaries are sympathetic to and porous to wildlife. Close boarded fences which prevent such passage should be avoided.*
- *Overall layout. This may be hard to fix given the location, the stage in the process and the proximity to the school but the overall layout is a suburban cul-de-sac, with parking too prominent and without use being made in design terms of the attenuation basis. It would be better to angle most of the homes round a small central green space.*
- *Design. Particularly, given the inappropriate suburban cul-de-sac design, the overall public realm design is far too suburban for an edge of village site. (NB. Whereas Wyndham Place is a good model to follow for house design it is not a good model to follow for street and public realm design.)*
 - *Some homes don't have lintels.*
 - *All homes appear to have slate tiles with no use of clay tiles.*
 - *Some first storey windows are too close against the roof.*
 - *Brick walls should have coping stones to add visual interest and protect the bricks.*

- Brick walls appear to be stretcher bond. They should be Flemish or English bond.
- There is incongruous detailing: for example, brick corbels on an otherwise stone house.
- Some street facing side elevations should have larger windows or some additional detailing to break up the over-large expanse.
- Though obviously cheaper, the use of reconstituted stone on façades will look cheap and not help homes fit in to their setting.

In short, the designs are not remotely as good as the house designs developed by Ben Pentreath for CG Fry in Wyndham Place.

- *Footpaths should not be tarmac. A contrasting material such as resin-bound gravel or brick paving would both enhance the quality of the public realm and visually narrow the width of the street.*
- *For such a small site, resin-bound gravel or block paving should be considered for the street as well, especially at the turn at the centre of the site where the expanse of tarmac is several metres wide*
- *Must existing trees at south of the site (trees #8-11) be removed?*
- *Height of plots 12 and 13 overlooking the front of our house and blocking of the sun. This building with 2 X 1 BR flats seems higher than the others. However, it's not easy to ascertain as the height is not shown on the plans.*

Officer note – many of the consultee and third party responses were received during the first round of consultations. The main design, drainage, waste and ecological issues have been addressed over the course of the application and this is described in the relevant sections below. Solar panels are not included but the other energy efficiency measures incorporated in the scheme are listed above.

8. Main Planning Considerations

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. The tilted balance and presumption in favour of sustainable development envisaged under paragraph 11 of the NPPF would not apply where development would cause harm to protected sites defined under para 11 footnote 7, including the AONB, Chilmark bat SAC and the River Avon SAC.

8.1 Principle of development and absence of 5 year housing land supply

The site is located within the amended settlement boundary for Tisbury, identified as a Local Service Centre under Core Policy 1. New residential development within settlement boundaries is acceptable in principle under Core Policy 2:



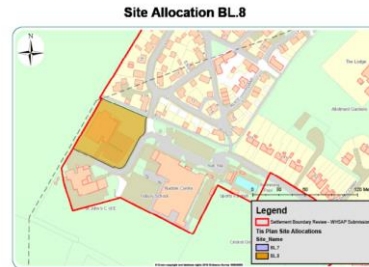
The site is allocated in the made Tisbury Neighbourhood Plan. The plan identifies the former Sports Centre as 0.35 hectares or 0.86 acres and its objective is to “To safeguard the

brownfield site of the former sports centre adjacent to St John's Primary School to allow for its future expansion or other community uses." Policy BL.8 states:

Policy BL.8 Site Allocation: Site of the former Sports Centre adjacent to St John's Primary School

The site of the former Sports Centre as identified on the adjacent map is allocated for redevelopment and, in principle, uses which meet community needs, such as community-led housing provision, will be supported subject to:

- i) appropriate alternative measures that address the condition relating to this site attached to Planning Consent 14/04907/FUL (Tisbury Nadder Campus), and
- ii) addressing of the reasonable requirements of St John's School relating to improved traffic circulation/parking arrangements, and
- iii) a design that is sensitive to the adjacent countryside and other uses, including the safeguarding of the children at the school



Community Led Housing

The proposal for **community led housing-provision** has been take forward by the applicant in consultation with the local community. The Planning Statement sets out the consultation exercises led by the Nadder Community Land Trust (a charity to promote community-led, affordable housing across the Nadder Valley) and the responses received at the two stages of the consultation have informed the design of the scheme. According to the Statement, 'NCLT' has informed St Johns C of E Primary School on a regular basis regarding the application and the proposals being put forward. The proposals are considered by the applicant to have addressed the BL.8 Policy criteria as follows:

- (i) appropriate alternative measures that address the condition relating to this site attached to Planning Consent 14/04907/FUL (Tisbury Nadder Campus), and

Housing is agreed in principle on the site making good use of the redundant site and building. Alternative ecological enhancement measures are proposed to address the condition.

- (ii) addressing of the reasonable requirements of St John's School relating to improved traffic circulation/parking arrangements, and

Additional and safe parking provision of 8 car spaces are offered under the proposals maintaining safe and secure access.

- iii) a design that is sensitive to the adjacent countryside and other uses, including the safeguarding of the children at the school.

Dwellings carefully orientated on site and windows positioned which avoids overlooking of playgrounds.

In conclusion, the proposal is considered to have satisfactorily addressed the policy criteria of BL.8 in the Neighbourhood Development Plan and is acceptable in principle under CP1 and CP2 of the WCS.

Housing Land Supply – tilted balance and protected sites

The LPA is unable to demonstrate a 5 year land supply (currently confirmed at 4.7 years) and the provision of additional housing in sustainable locations is generally supported in principle. The current situation in the South HMA (Housing Land Supply Statement April 2021 and published April 2022) is that there is a deficit of 68 dwellings to be provided or 4.88 years' supply.

However, the presumption in favour of sustainable development or tilted balance does not automatically apply to this site under para 11 footnote 7. Footnote 7 includes habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest. This includes the Area of Outstanding Natural Beauty, Chilmark bat SAC and the River Avon SAC catchment. Therefore, the tilted balance is not applicable in this case where any harm is identified to these sites. For decision taking in the absence of a 5 year supply, para 11 requires:

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Policy principle summary

In policy terms, the proposal would be acceptable. The site lies within the settlement boundary for a Local Service Centre and represents development of an existing brownfield site for community led housing provision. The proposals are in general accordance with site specific criteria in the made Neighbourhood Plan. In the absence of a 5 year housing land supply, there is normally a presumption in favour of sustainable development, unless harm is identified to protected sites.

8.2 Scale, design, impact on the character of the AONB and neighbouring amenity

The is within the AONB. CP51 aims to ensure that:

Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

With specific reference to the AONB, the policy states:

Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas.

Adopted Wiltshire Core Strategy Core Policy 57 states:

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire....

CP57 requires development to relate *positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.* It also seeks to ensure that development responds *positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.* Core Policy 51

requires that *any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.*

Policy BL.4 (Design and Landscape) of the Neighbourhood Plan states:

In line with Wiltshire Core Strategy CP51 and the Cranborne Chase and West Wiltshire Downs AONB Management Plan (2014-2019 and any subsequent revision thereof), great weight will be given to conserving and enhancing landscape and scenic beauty in the consideration of any planning application.

All forms of development must plan positively for the achievement of high quality design, for example the use of local and traditional building materials (the use of local stone is preferred) to ensure respect for the local vernacular.

Development proposals must appropriately demonstrate regard for the defining characteristics of the Neighbourhood Area as set out in the Salisbury District Landscape Character Assessment Settlement Settings Assessment 2008 or successor document.

Design, layout and materials

The Police Crime Prevention Design Advisor commented: *The rear access to plots 9 and 10 is via an alleyway created between the two homes. Although each plot has a gate shown for the access to the garden, the top of the alleyway is not protected with a lockable gate. This is required to remove hiding places for offenders and protect the vulnerable rear of the homes.*

The elevation of plots 12/13, which fronts onto public open space, must have a physical boundary, 1 mtr from the wall of the home to give the home defensible space. The public/private boundary should never be the wall of the home itself. The boundary could be provided by the inclusion of the 1.1 mtr 3 rail post and rail fence shown elsewhere on the development.

These two detailed points have been incorporated in the latest set of amended plans.

The design officer initially objected to the scheme on detailed design grounds:

I would have no objection to the proposed layout and design of this development subject to the following localised design matters being satisfactorily addressed for the overall design to be sensitive to the local character, landscape (countryside) and vernacular including bringing and ensuring the building detailing overall is up to the standard of the neighbouring relatively recent housing development S/2011/0322 (Morrison Avenue, Grosvenor Drive, Maryland Avenue) and therefore accord in design terms with Neighbourhood Plan Policy BL.4 and Policy BL.8 in the context and setting of the site.

I observe that it is unfortunate that the neighbouring housing development did not make a positive active set back building frontage facing the Nadder Centre and Sports Centre resulting in the public footpath from the countryside running between and alongside the rear garden high boundary fencing of plots and a high hedge which over time could result in a possible deterioration of appearance and upkeep and misuse of this route being not well overlooked from dwellings. However, given this existing situation the footpath bordering the site is a short, enclosed length between the field and road, not tightly enclosed on each side here, is straight with forward visibility along this length and on the proposed site layout appropriately only three houses are set on to this boundary and their facades set suitably back from the boundary behind a proposed hedgerow and retained trees and with a side accessway for plot 1 down this side.

In terms of the CCWWAONB Dark Night Skies Policy the windows in the development are traditionally sized and would be seen from the field PROW with the backdrop of lighting to

the first floor windows buildings in the urban area, the development appropriately leaves a significant public open space gap up to the site boundary between these two houses which would also provide an attractive visual connection of the close with the countryside.

The proposed design, materials and detailing for the dwellings has been subject to a series of amendments over the course of the application, following the initial public consultation responses and to address the detailed comments from the design officer. The design officer has confirmed that he has no objection to the design, layout and materials of the scheme as revised.

AONB

The AONB Partnership has considered the scheme and made the following points about the scheme in summary:

Light pollution - any external lighting should be explicitly approved by the Local Planning Authority and comply with the AONB's Position Statement on Light Pollution and the more recent Good Practice Notes on Good External Lighting and Paper by Bob Mizon on Light Fittings. That means all lighting complying with at least Environmental Lighting Zone E1 as defined by the Institute of Lighting Professionals 2021. Removal of permitted development rights for the installation of external lighting. Compliance with international dark sky reserve lighting criteria will ensure that concerns for the effects of lighting on wildlife will have been covered.

The current scheme proposes six affordable dwellings and seven that would be market housing. The current scheme offers 8 parking spaces to the school. That does not seem to be a particularly substantial offer by way of accommodation for the school.

There is no landscape plan or specification. Ecological Management Plan is three years out of date with generalised suggestions.

Neighbourhood Plan states the site should be used for school expansion or other community uses but the PD&AS rapidly moves to interpreting community uses as housing. Concerned that the 'community uses' in the policy of the Neighbourhood Plan is being interpreted particularly flexibly and not for the overall benefit of the whole Tisbury community.

The provision of 13 dwellings on a site stated to be 3558 square metres seems to be an urban density. Should be aiming for village character.

Current proposed scheme only allows for two visitor parking spaces, in addition to the parking for the 13 dwellings; this seems to be an under provision

Statement says landscaping need only be dealt with by a condition, paragraph 4.49. This is inappropriate in a sensitive location within an Area of Outstanding Natural Beauty. Lack of planting and species knowledge shown.

EMP is very basic and does not relate specifically to the current site or the current layout. Clearly without a definitive landscape plan it is difficult to prepare a relevant landscape and ecological management plan. Such documentation needs to be precise about what is provided and where, both in a landscape sense and in terms of providing net environmental gain. It seems not unreasonable to expect each dwelling to have at least one bird box, one bat box, and one bee block built into the physical structure in addition to the appropriate selection of plants and species

No attempts to capture and utilise renewable energy. Roofs could capture significant quantities of solar energy through the use of PV panels. Air source heat pumps are expensive initially and potentially noisy but they also rely on mains supply electricity.

Requires transparency in relationships between the Planning Authority, the developer, the Local Community Land Trust and the recognised housing provider.

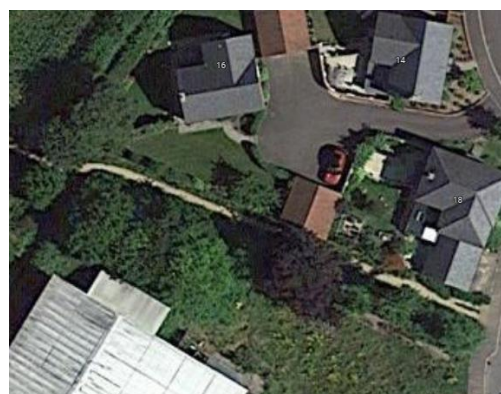
NPPF Para 176 states that great weight must be attached to the conservation and enhancement of the landscape character and scenic beauty of the AONB. The scheme has been carefully considered by the design officer, who has accepted the design and layout for the scheme, including the palette of materials and the density for the site at the edge of the settlement. The EMP and Ecological Assessment are up to date (Feb and July 2022) and the ecology team's comments and support for the scheme are noted. The public protection officer would also support a condition requiring any new lighting to meet the E0 requirement for Dark Skies. These matters can be conditioned along with a lighting condition to meet the AONB requirements for Dark Night Skies.

With regard to community led housing, the policy wording of BL8 explicitly states, "...and, in principle, uses which meet community needs, such as community led housing provision, will be supported." Officers can therefore find no conflict with this policy.

The application is being brought to committee in the interests of transparency and comments and objections from third parties have been raised in this report for Members' consideration. Overall, the scheme on this brownfield site within the settlement is not considered to have any significant adverse effect of the character or setting of the AONB and great weight has been attached to this consideration. Existing vegetation for the site would be retained and enhanced to ensure that the soft edge of settlement retains its character and appearance for the benefit of the community and users of the rights of way which adjoin it.

Neighbouring amenities

Policy CP57 (vii) also considers neighbouring amenities: *Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).*



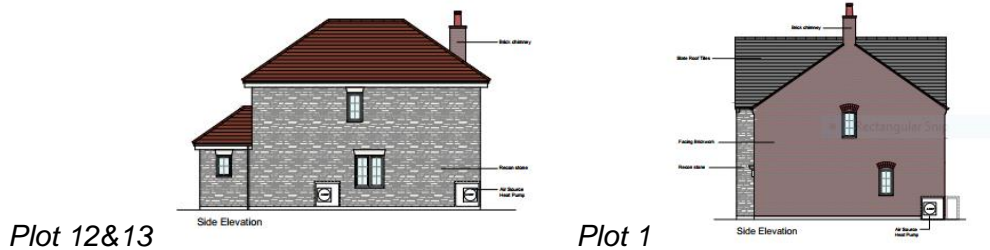
16 and 18 Morrison Drive

Nos 16 & 18 Morrison Drive are the closest dwellings to the proposed development, plots 12 & 13. No 16 is separated from the site by the bridleway and the existing boundary planting which is shown to be retained. There would be more than 22m between the corner of front elevation of No 16 and the rear elevation of the proposed Units 12 & 13. These new units would present one

first floor hallway window towards No 16, and given the separation, the development is not considered likely to harm the amenities of the occupiers of No16 Morrison Drive.



No 18 presents a side elevation with a garage towards the site. Proposed plot 1 also presents a side elevation to the dwelling with one first floor bathroom window:



This relationship, orientation and separation is considered to be acceptable and would not result in any undue overlooking or overshadowing to No 18.

The public protection officer has recommended a condition regarding noise limitation for the air source heat pumps.

Other properties including the school and community centre are sufficiently distant from the development not to be unduly affected by dominance, loss of light, noise, disturbance, overlooking or other loss of amenity. Sufficient levels of amenity are achievable within the development in accordance with CP57.

Future Amenities

The public protection officer has considered the impact of the proposals on the site and future amenities under CP57. They stated:

I understand the former sports hall building has already been demolished following damage to the structure in recent storms, and all resulting waste has been removed from the site.

A contaminated land report has not been submitted with this application, and I have therefore recommended that an investigation is carried out to determine the likelihood of the existence of contamination arising from previous uses of the land.

Tisbury is in the Cranbourne Chase Area of Outstanding Natural Beauty which also has International Dark Sky Status. Therefore, any external lighting scheme proposed for the development should adhere to Environmental Zone 0 as detailed in the Institute of Lighting Engineers Guidance for obtrusive light.

I recommend below conditions which should be applied to any approval of this application.

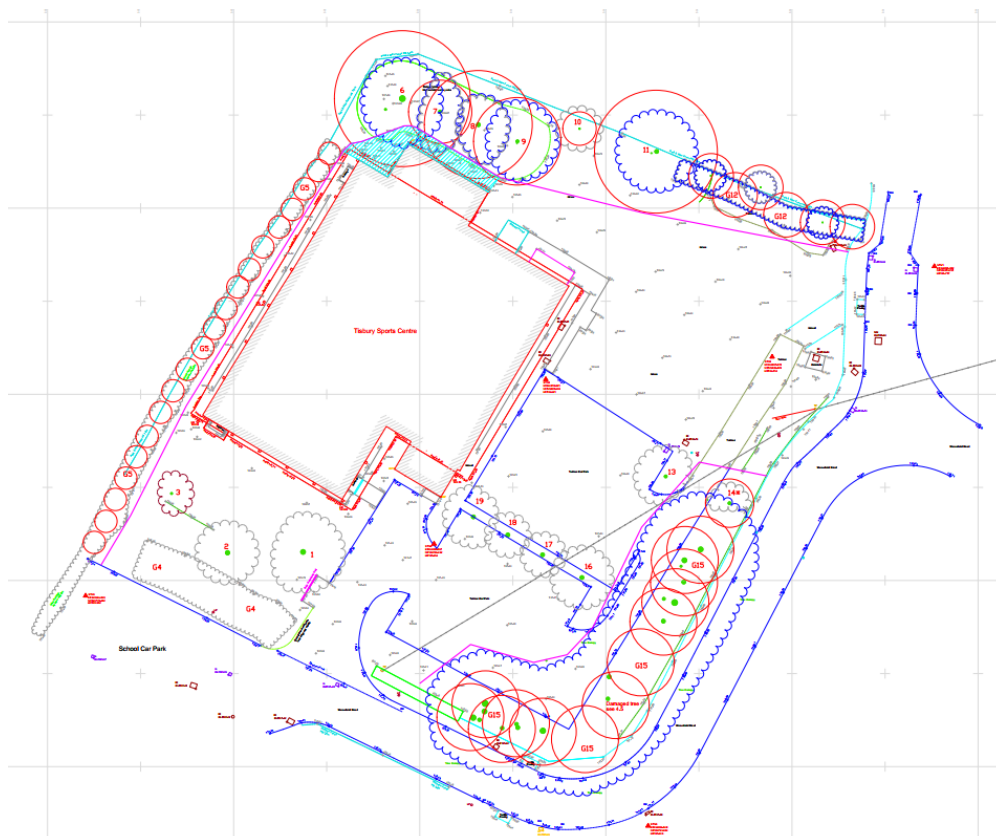
The conditions relate to lighting, provision of a Construction Environmental Management Plan (CEMP), provision and maintenance of Ultra Low Energy Vehicle infrastructure and the standard contamination condition. In conclusion, subject to conditions, the potential impacts of the development on future amenities are acceptable.

In conclusion, the proposal as amended is considered to comply with Policy BL.4 of the Neighbourhood Plan and CP57 and CP51 of the WCS. The great weight that is required to be given to conserving and enhancing the landscape and scenic beauty of the AONB under para 176 of the NPPF has been given to the determination and consideration of conditions. Appropriate levels of amenity are considered to be achievable within the development.

8.3 Trees and Landscaping

The site has soft edges along its boundaries, which separate it from the existing rights of way and the school. There are a number of mature trees and hedges which should be retained. An Arboricultural Impact Assessment, Tree Constraints Plan and Method Statement have been submitted to support the application. There are no *neighbouring* trees close enough to be affected by the development. One tree is showing signs of Ash dieback. The report also states that:

It will be necessary to remove eight Trees 1 - 3, G4, 13, 16, 17, 18, and 19 to facilitate the development proposals. Their removal will be mitigated with high quality replacement planting.



Grey – to be removed Red - root protection areas Pink - protective fencing

The retention of trees on site will provide the new development with maturity and screening. Groups G5, G12 and G15 all have foliage which encroach on the new site plan and will require pruning. G5, Tree 6 and G12 all

have demolition or construction work proposed close to or over their RPA's. The measures detailed in this Arboricultural Method Statement will minimise the impact of this.

The group G5 is a native hedge which makes up the western boundary, it provides good screening and biodiversity. G12 is a Beech hedge, it has recently been reduced with 3 stems retained to mature into trees. This provides screening and the 3 trees should mature into specimen trees.

Group 15: This group of Beech trees was planted as a hedge but has not been maintained as one. One tree has suffered significant bark damage, although this is not an immediate safety concern it has shortened its life expectancy. The location of this tree is indicated on the Tree Constraints Plan, it should be removed as part of the tree removal works.

An indicative landscape plan is included with the tree report and shows areas for new planting.

It is considered that the proposals have adequately acknowledged the quality of existing trees and hedges on the site and the contribution that they make to visual amenity and screening. The AIA and Method Statement have made reasonable provision for tree and hedgerow protection and retention where appropriate. The planting details for the indicative landscape plan can be conditioned to ensure suitable species are provided for the development. In conclusion, no objection is raised under saved policy C8, CP57, CP51 and BL.4.

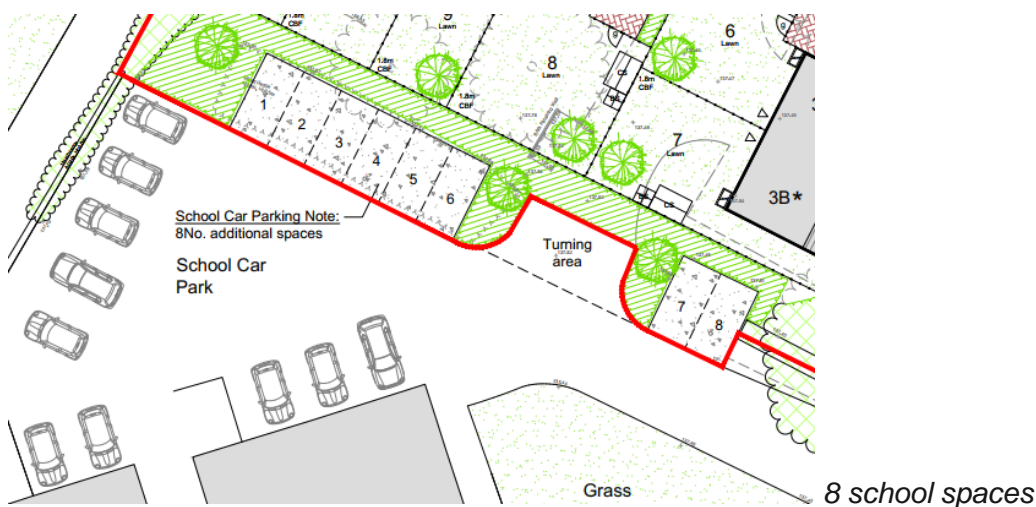


8.4 Highway Safety and Rights of Way

Core Policies CP57, 60 and 61 are relevant to the application and the highways officer has stated:

I note the proposal seeks the redevelopment of the former disused sports centre. The proposal seeks the provision of 13 residential dwellings, consisting of two x 1 bed, six x 2 bed and five x 3 bed units, served by a new estate road that connects to Weaveland Road via the Nadder Centre car park. The site does not appear to connect to the existing public highway at Weaveland Road nor Morrison Avenue, but the wider Nadder Centre car park/circulatory roads are owned by Wiltshire Council. As the site does not connect to the existing public highway, the estate road cannot be adopted as public highway and maintenance should thus be secured through a management company.

The site is allocated within the Tisbury Neighbourhood Plan (BL.8), which states that community led housing on the site would be supported subject to a number of conditions. The submitted site plan includes additional car parking provision for the school, which appears adequately located.



In highway terms, the principle of the development is accepted and it is noted that the former use of the site would have created a much greater traffic demand and at times, parking demand.

The proposed road layout and geometry, which is in a shared space form is considered suitable and I am content with the refuse vehicle swept paths provided. Car parking has also been provided for all plots to meet Wiltshire's Car Parking Standards, as well as two visitor car parking spaces. I note that one of the visitor spaces will require the amendment of the existing footway leading from Morrison Avenue – this is not public highway, but it is Wiltshire Council land and as such, the construction of this will need to be supervised accordingly. I note that cycle parking will be provided per plot, which is welcomed.

The site is bound by an existing public bridleway (TISB1) to the North and an informal footpath that is currently going through the process of becoming a formalised right of way to the North-West. As is stated, these routes are overgrown, but do provide useful, traffic free leisure routes. The existing bridleway was improved as part of the Morrison Avenue development and as the route is primarily a leisure route, not utility route, the surface of the bridleway is considered adequate. The forthcoming right of way to the North-West is much more overgrown and has an unmade and uneven surface, yet it is a pseudo-rural route. As part of this development, I would think it reasonable that the developer provides a financial contribution towards the improvement of the local rights way in the vicinity of the site, as per the request from the Council's Public Rights of Way Team.

Therefore, I recommend that no Highway objection is raised subject to obligations and

conditions: £10,000 towards PRow improvements on the adjacent right of way network.

The Rights of Way officer supported this stance and said:

The site is bound by a public bridleway (TISB1) to the north and public footpath TISB85 runs to the north-west of the site. The existing bridleway was improved as part of the Morrison Avenue development and as the route is primarily a leisure route, not utility route, the surface of the bridleway is considered adequate. TISB85 is much more overgrown and has an unmade and uneven surface, yet it is a pseudo-rural route. I would request a financial contribution in the region of £10 000, which could be put towards clearing, width improvements and surface improvements on the adjacent right of way network.

Therefore, no highway safety or rights of way objections are raised under Core Policies CP57, 60 and 61 subject to conditions and a proportionate S106 contribution being secured for improvements to the rights of way network.

8.5 Other S106 matters and contributions - waste, public open space, education and affordable housing

Waste

Core Policy 3 of the Wiltshire Core Strategy (adopted January 2015) provides overarching policy support for securing developer contributions towards 'waste management services such as recycling and collection facilities', which is classed as 'essential infrastructure'. The Wiltshire Planning Obligations Supplementary Planning Document (SPD) (Adopted May 2015) supports Core Policy 3 and provides further detail on the council's approach to developer contributions.

Policy WCS6 requires developers to provide facilities for separation and storage of waste for recycling and composting. It also states that any such provision must "have regard to the existing Municipal Waste Management Strategy". The council's waste strategy expects that new developments are designed to enable waste collection services to operate safely and efficiently and, to this end, the waste SPD sets out what is deemed to be safe and efficient. Meeting the requirement of WCS6 can be achieved by following the guidance in the waste SPD. As developers cannot directly provide the facilities for the separation and storage of waste, instead the requirement under WCS6 is met by securing a section 106 contribution.

The waste team have considered the latest revised scheme which included vehicle tracking details and waste collection locations and concluded:

The Waste Management supports this application subject to a S106 contribution of £1,183 towards provision of waste and recycling containers.

Public Open Space

Saved Policy R2 states:

New residential development will be required to make provision for recreational open space (comprising facilities for communal outdoor sport and children's play) in accordance with a standard of 2.43 hectares per 1000 population. Additional amenity open space (including landscaped areas, public gardens and roadside verges) will be sought as appropriate. The Local Planning Authority may consider reducing this requirement where developments comprise accommodation for those

with special needs. Further details of the District Council's open space requirements are contained in Appendix IV.

The leisure officer response is awaited and will be presented as **late correspondence** to committee.

Education

Para 13.6 of the supporting text for saved Policy PS5 states:

Where a proposed residential development will take the school over its current capacity, the Local Planning Authority will seek contributions from developers for new education facilities to serve the development.

The Educational requirements for this development have been assessed by Wiltshire Council as being 3 primary spaces and 2 secondary spaces. Current early years provision is sufficient to meet demand generated by the proposed development.

- Primary - £56,274. This contribution is subject to indexation and will be secured by an S106 agreement to which the Council's standard terms will apply
- Please could Members note that the closest secondary school is in Shaftesbury and Dorset CC has not responded to the planning consultation request. Dorset haven't made a case and Wiltshire cannot therefore justify any secondary school place contributions with any school data.

Therefore, no objection is raised subject to S106 contributions being secured as set out above.

Affordable Housing

Core Policy 43 is applicable to the proposals and the Housing team have commented:

Core Policy 43 of the Wiltshire Core Strategy (as amended by the National Planning Policy Framework) sets out a requirement for 30% on-site Affordable Housing provision within the 30% Affordable Housing Zone on all sites of 10 or more dwellings. There is therefore a requirement to provide 4 affordable units within a scheme of 13 dwellings. This would meet the policy requirement of the Wiltshire Core Strategy and would assist in addressing the need for affordable housing in Tisbury where there is need for both affordable rented and shared ownership housing. The four Affordable Housing Units which are required by policy should be secured through a S106 Agreement at nil subsidy.

*The site is located within the Tisbury framework boundary. Policy BL8 of the Tisbury and West Tisbury Neighbourhood Plan allocates the site for redevelopment, supporting uses which meet community needs such as community-led housing. It is noted that the applicant is working with Nadder Community Land Trust to deliver the Affordable Housing. **In addition to the four units to be provided at nil subsidy in accordance with policy, it is proposed that two additional Affordable Housing units will be provided.** The S106 should not restrict the input of grant funding for the additional Affordable Housing units.*

In accordance with Core Policies 43 and 45 of the Wiltshire Core Strategy the tenure mix should reflect local need for affordable housing. I understand that the following mix is proposed:

Policy Requirement - S106 AH Units:

<i>Affordable Rent:</i>	<i>2 x 1 bed / 2 person flats 1 x 2 bed / 4 person house</i>
<i>Shared Ownership: Additional AH Units:</i>	<i>1 x 2 bed / 4 person house Affordable Rent: 2 x 3 bed houses</i>

I confirm that this mix meets demonstrable need and is therefore supported.

Therefore, no objection would be raised under CP43 subject to the applicant entering a Section 106 Agreement to provide affordable homes in line with the Council's standard requirements set out in the full response from housing. The additional two units are also welcomed.

CIL

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support this development. An informative would be placed on any permission.

Summary of S106 matters

The education, waste, affordable housing (and public open space to be confirmed) teams have all made representations regarding the proposals. No objections have been raised to the details of the application, subject to the appropriate Section 106 terms and contributions being made and agreed to, as set out in their published recommendations. Therefore, these matters can be dealt with by suitable S106 Agreement terms and conditions. The proposal would comply with policies CP3, CP43, PS5 and R2 of the WCS, the adopted Planning Obligations DPD, and policy WCS6 of the Waste Core Strategy.

8.6. Biodiversity – Ecology, Chilmark bat SAC and River Avon catchment

Ecology and Chilmark bat SAC

Core Policy 50 of the WCS states:

Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. All development should seek opportunities to enhance biodiversity.

The 2014 approval of the Nadder Centre development was conditional on the sports centre building to be demolished and replaced by a wildflower meadow. Condition 8 required the approved Ecological Management Strategy (EMS) by Ecosulis Ltd. dated 23 April 2014 to be implemented and Condition 6 required any planting measures to take place in the first planting season or after completion of the development, whichever is the sooner.

In 2019, the applicant sought to vary the condition by amending the EMS under 19/03260/VAR. A revised Ecological Assessment (March 2019) was submitted along with a revised Ecological Management Plan (March 2019) and the sports centre was to be retained as part of the revisions. The report stated:

In reviewing the existing habitats on sites and local wildlife supported by these habitats, it is advised that the creation of a wildflower meadow is not the most appropriate enhancement to

the context and scale of the site. Generally, where there is scope to do so, it is recommended to enhance existing habitats, rather than seek to create new habitat.

A replacement Ecological Management Plan (EMP) has been prepared to set out prescriptions for the revised enhancement measures set out within this report. The habitat enhancements together with species provisions are considered to provide a net gain of biodiversity on site in line with the requirements of the NPPF and the Tisbury and West Tisbury Neighbourhood Local Plan.

Pre and post demolition ecological improvements were proposed in the report and conditioned under the 2019 consent. The principles for the demolition of the sports centre and alternatives to the provision of a wildflower meadow were therefore established by the 2019 consent.

An updated Ecological Assessment (2022) has been submitted with the current application. It concludes that the site has negligible potential for bats. It also found that:

- The habitats on site were dominated by common and widespread habitats; the key features were assessed to be the hedgerows which are being retained and enhanced.*
- The site was assessed to provide suitable habitat for hedgehog, reptiles, and birds. Recommendations have been provided within this report to mitigate the effects of the development on protected species. There is scope to enhance the hedgerows on site by introducing greater diversity and structure which would, in turn, increase the habitat suitability and ecological connectivity of the site for a range of notable species.*
- An Ecological Management Plan (EMP) has been produced alongside this report regarding the variation of Condition 8; and this older report has been included to secure a net gain in terms of biodiversity on site. As proposed within the EMP, the northern and western boundary hedgerow will be retained, enhanced and subject to a management plan. Two areas of species-rich grassland lawns will be created and maintained within the carparks offsite to the east. An attenuation pond will also be created within the west of the site and buffered from the development by grassland with newly planted trees and hedgerows.*

The draft report concludes:

The building on site is not assessed to support any bat roosts and offers negligible potential for bat roosting features. Therefore, the building can be demolished without the need for further targeted bat surveys.

The building was found to support nesting birds; therefore, any demolition works must have due regard to presence/potential presence of active nests. Works must take place outside of breeding bird season, or following precheck for nests and if present, not until all young chicks have fledged.

An updated Ecological Management Plan has been designed and agreed in consultation with Wiltshire's County Ecologist to compensate for the loss of nesting opportunities and to enhance the site for protected species.

The proposals are not predicted to result in an impact to bat related to Bath and Bradford-on Avon Special Area of Conservation, Chilmark Quarries SAC and Mottisfont SAC.

The Council's ecologist considered the submissions and stated:

The site is within the 4km greater horseshoe bat buffer and the 6km Barbastelle bat buffer for Chilmark Quarries Bat SAC. The site does not support suitable habitat or features for roosting and although it supports some habitat which is connected to other suitable habitats in the wider area and therefore potentially used for foraging and commuting by both these species, the habitats are of low quality and limited function for this purpose. Adjacent habitat areas, particularly those closer to core roost sites and hibernation sites offer better quality and function. No habitats potentially likely to be used by bats are to be removed from within the site boundary and the landscape plans propose an increase in available, functional habitat for bats by increasing the quality of hedgerows through gap planting, provision of some replacement trees and the addition of the attenuation pond. Gardens associated with the residential development will offer greater function for bats than the area of hard standing and limited boundary features currently present. Since no habitats suitable for bat use will be removed, the application will not result in likely significant impact to bats associated with the bat SAC and is therefore screened out of Appropriate Assessment under the Habitats Regulations.

Conditions to secure ecological enhancement are recommended and no objection is raised under CP50.

Hampshire River Avon SAC Catchment

The ecologist also concluded on this matter:

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.

Following the Cabinet's 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.

The strategic mitigation is being delivered by the council on behalf of developers, providing that burdens are avoided and mitigated on site as far as practicable, such as the use of sustainable urban drainage systems (SuDS). For this application the above criteria have been met. I request conditions be applied to any permission you are minded to give this application:

In conclusion, the development would provide enhancements to biodiversity and a SUDs scheme is included in the drainage strategy. The development would not harm the interests of the Chilmark bat SAC and the Hampshire River Avon SAC catchment, in accordance with para 180-183 of the NPPF and CP50.

8.7 Drainage and Flood Risk

The site is within Flood Zone 1 of the River Avon catchment and there are no identified sources of flood risk. A Flood Risk Assessment, Drainage Strategy and Drainage Technical Note have been submitted to support the scheme. The FRA concludes:

A surface water drainage strategy has been developed and hydraulically modelled incorporating sustainable urban drainage systems (SUDs) in line with the NPPF and EA standing advice. The strategy is based on a reduction in the surface water run-off rates thus ensuring that the re-development does not increase the risk of flooding from the site.

The report assesses the potential flood risk sources to and from the site and details the drainage strategy for implementation on the scheme.

The report also outlines a conceptual foul water drainage strategy which can be implemented for the proposed foul water discharge associated with the development. A new foul water drainage network is proposed to serve the development with a new connection to the existing private foul sewers in Weaveland Road.

The Drainage team as LLFA commented:

Further to our previous correspondence (dated 24 March 2022), the drainage team have reviewed the additional provided drainage technical note (dated 7-7-22). As a result of the information detailed within this technical note we are now in a position to be able to remove the drainage objection to this application, subject to conditions requiring approval of the finalised drainage design and a Construction Environmental Management Plan to demonstrate how water quantity and quality will be managed throughout the construction process.

The proposal is considered to comply with CP52, 57 and para 020 of the NPPG.

8.8 Conclusion and Planning Balance

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. Planning decisions should apply a presumption in favour of sustainable development and this means approving development proposals that accord with an up-to-date development plan without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application seeks consent for 13 dwellings within the settlement boundary of the Local Service Centre for Tisbury, in the AONB, the Hampshire River Avon SAC catchment and the Chilmark bat SAC. The tilted balance would not automatically apply under para 11 footnote 7 where harm is identified to these protected sites.

The development would secure 13 new dwellings including 6 affordable homes, in compliance with the made Neighbourhood Plan for Tisbury. Para 60 of the NPPF seeks to significantly boost the supply of housing and encourages a variety of land to come forward. This can be afforded significant weight in the determination as the development would have some positive impact on housing supply in the South HMA whilst providing 6 affordable homes which is over and above the policy requirement of four.

The Wiltshire Core Strategy and the NPPF set out the other policy considerations for the application and the LPA cannot currently demonstrate a 5 year housing land supply. Irrespective of the extent of such shortfall, this means that the WCS policies relating to the delivery of housing are out of date. Paragraph 11(d) of the NPPF is therefore engaged, which says planning permission should be granted unless any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

The provision of biodiversity enhancement measures and additional planting to complement the retention of the majority of the significant trees and hedges on the edges of the site as part of the scheme can be afforded moderate weight. There would be some modest harm to the setting of the AONB as a result of the development on the edge of the settlement adjacent to open fields and there is some conflict with the aims Dark Skies Reserve initiative which actively seeks to reduce light impact in the AONB. However, lighting can be conditioned to meet the E0 standard and so this harm can be afforded only some weight, given the importance placed on the AONB and its setting by the NPPF.

The development is unlikely to cause material harm to neighbouring amenities and the highways and rights of way matters have been addressed. The additional 8 spaces for the primary school are a community benefit of the scheme. Drainage and flooding matters have been considered and can be suitably conditioned to ensure that the dwellings can be adequately served by on site infrastructure and a SUDs scheme provided.

Education, waste and open space contributions could be secured with the provision of affordable housing and funds to improve the rights of way surfaces through a Section 106 Agreement and these benefits can be afforded weight in favour of the development.

The River Avon catchment area is a European site and every permission that results in a net increase in foul water entering the catchment could cause further deterioration to it. However, the scheme falls within the agreed Strategic Mitigation Strategy and together with the SUDs scheme, this would help to offset the harm.

Therefore, officers consider that any adverse impacts of approving the development would not significantly or demonstrably outweigh the benefits of the scheme, when assessed against the policies in the Framework taken as a whole. The planning balance weighs in favour of the development and that planning approval should be granted.

9. RECOMMENDATION:

Subject to the applicant entering into a Section 106 Agreement to secure the following financial contributions:

- **£56,274** for primary school places
- **£10,000** towards Public Right of Way improvements on the adjacent right of way network
- **£1,183** for provision of containers for waste and recycling
- **Public open space contribution** – to be confirmed

and to secure a scheme of 6 Affordable Housing Units with the agreed tenure mix, at nil subsidy, meeting NDSS design and floorspace standards, subject to the nomination rights remaining with Wiltshire Council and the homes being transferred to a Registered Provider, approved by the Council, or to the Council.

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 listed in the schedule:

Location (red line) Plan ref 2827 001 dated Nov 2021
Proposed Site Plan ref 2827 120 Rev C dated Nov 2021
(Proposed Site Plan in context ref 2827 121 Rev C dated Nov 2021)
Proposed Floor Plans and Elevations Plots 1-3 ref 2827 125 Rev B dated Nov 2021
Proposed Floor Plans and Elevations Plot 4 ref 2827 126 Rev A dated Nov 2021
Proposed Floor Plans and Elevations Plot 5 ref 2827 127 Rev B dated Nov 2021
Proposed Floor Plans and Elevations Plots 6-7 ref 2827 128 Rev A dated Nov 2021
Proposed Floor Plans and Elevations Plots 8-9 ref 2827 129 Rev A dated Nov 2021
Proposed Floor Plans and Elevations Plots 10-11 ref 2827 130 Rev B dated Nov 2021
Proposed Floor Plans and Elevations Plots 12-13 ref 2827 131 Rev B dated Nov 2021
Proposed Car Barn and Cycle Store ref 2827 132 Rev A dated Nov 2021
Proposed Street Scenes ref 2827 140 Rev B dated Nov 2021
Boundary Treatments ref 2827 150 dated June 2022
Ecological Assessment, Ethos Environmental Planning ref ETH21-105 V 3 dated July 2022
Drainage Technical Note ref Acl665/21020/TN dated 7th July 2022
Planning Design and Access Statement ref 2827/DAS dated Jan 2022
Arboriculture Impact Assessment, Constraints Plan and Method Statement, by Sharples Tree Services dated Jan 2022
Transport Statement v2 by Entran Ltd dated Jan 2022
Preliminary Drainage Strategy ref 21-020-003 dated Sept 2021
Flood Risk Assessment and Drainage Strategy ref Acl589/21020/FRA/DS dated Sept 2021

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

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

REASON: In the interests of visual amenity and the character and appearance of the area and the setting of the AONB.

4. Any new external street and artificial (domestic) security lighting shall achieve a level of 0.5 lux or less at the edges of the site's boundary features (hedges, tree lines and all other linear features at the site boundaries). External light fittings throughout the site shall be low level wherever possible, pointing downwards and avoiding any increase in the ambient light within, adjacent to and particularly above the site.

Any new external street light fixture within the site shall be installed in accordance with the appropriate Environmental Zone standards (E0 for the AONB) set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)" and shall be maintained thereafter.

REASON: In the interests of the amenities of the AONB and its setting, to minimise unnecessary light spillage above and outside the development site and to avoid excessive illumination of habitat used by bats.

5. No part of the development hereby permitted shall be first occupied until the access, turning area & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

6. The development hereby permitted shall not 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 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.

7. The development hereby permitted shall not be first occupied until a scheme for the future maintenance of the roads and other communal areas has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

8. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. Details regarding dust and noise mitigation and wheel washing for vehicles;
- viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
- ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.
- x. Confirmation that there shall be no burning undertaken on site at any time.
- xi. Details to demonstrate how water quantity and quality will be managed throughout the construction process.

and also:

a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.

- b. Working method statements for protected/priority species, such as nesting birds and reptiles.
- c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
- d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

The development shall be implemented in accordance with the agreed details in the CEMP.

Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable. To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable. To protect the water environment during construction.

- 9. The proposed scheme for Ultra Low Energy Vehicle infrastructure shown on the Proposed Site Plan and drawings hereby approved shall be implemented in full before the dwellings are occupied and maintained at all times thereafter.

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

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

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

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of

the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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

11. The hours of construction for the development shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

Reason: In the interests of neighbouring amenities.

12. The development hereby approved shall not commence until detailed drainage design drawings & calculations, demonstrating the finalised drainage design have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed drainage details before the dwellings are occupied.

Reason: It is noted that the drainage strategy drawings submitted are "preliminary for planning" and finalised details are required to be agreed by the LLFA before development commences.

13. The development hereby approved shall be carried out in strict accordance with the following documents:

- Section 8 (Recommendations) of the updated Ecological Assessment, Former Sports Centre, Tisbury, dated July 2022 by Ethos Environmental Planning and
- Ecological Management Plan (EMP), Former Sports Centre, Tisbury, dated July 2022 by Ethos Environmental Planning.

All enhancement measures (for bats, swifts, bees and other birds) shown in Figure 3 of Section 3 (Management Prescriptions) and the nesting and roosting provisions in Table 3 shall be implemented before the dwellings are occupied and maintained for the lifetime of the development.

The post demolition management prescriptions in Table 2 shall be implemented in accordance with the management prescriptions for the lifetime of the development.

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

14. The development hereby approved (including site clearance, storage of materials and other preparatory work) shall be implemented in accordance with the Arboriculture Impact Assessment, Constraints Plan and Arboricultural Method Statement (AMS), by Sharples Tree Services dated Jan 2022. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The approved AMS shows the areas which are designated for the protection of trees, shrubs and hedgerows, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPAs will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

REASON: To protect the amenity value of the trees, shrubs and hedgerows growing within or adjacent to the site.

15. 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;
- means of enclosure in plan form (all railings, fences, gates, walls or other means of enclosure)
- car park layouts;
- all hard and soft surfacing materials;
- All new trees, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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. In the interests of good design to reduce the risk of crime and antisocial behaviour, visual amenity and the character and appearance of the area.

16. 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.

17. 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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the elevations and roof slopes of the dwellings hereby approved.

REASON: In the interests of residential amenity and privacy.

19. No air source heat pumps shall be installed on the dwellings hereby approved until a Microgeneration Certification Scheme (MCS) accredited installer has demonstrated the Air Source Heat Pump (ASHP) installation will meet the requirements of the MCS Planning Standard; and the ASHP will produce a noise level of no more than 42dB LAeq (5mins) at the nearest bedroom/lounge window when operating; through source noise level data, distance attenuation and screening calculations. MCS compliance certification must be submitted to the LPA within 3 months of installation.

Reason: In the interests of neighbouring amenities.

Informative

SuDS features should be constructed in line with the guidance provided within the CIRIA SuDS Manual Infiltration drainage features must be constructed in accordance with Wiltshire Council's soakaway guidance.

For guidance on external lighting – please visit <http://www.ccwwdaonb.org.uk/publications/aonb-management-plan/> and view Dark Night Skies.