

## REPORT FOR STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	14 August 2024
<b>Application Number</b>	20/11598/OUT
<b>Site Address</b>	Land east of Church Road, Laverstock, Salisbury
<b>Proposal</b>	Outline application (all matters reserved except external access) The erection of up-to 49 dwellings, accesses from Church Road, Green Infrastructure including landscaping and children's play, a sustainable urban drainage system and utility buildings (amended description).
<b>Applicant</b>	Hallam Land Management & Velcourt Group Ltd
<b>Town/Parish Council</b>	Laverstock and Ford Parish Council
<b>Electoral Division</b>	LAVERSTOCK AND FORD – Cllr Ian McLennan
<b>Type of application</b>	Outline
<b>Case Officer</b>	Lynda King

### Reason for the application being considered by Committee

The application has been called to Committee by Cllr McLennan as it represents a significant departure from the policies of the development plan, and which is recommended for approval.

#### 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 and Housing Mix
- Ecology
- S106

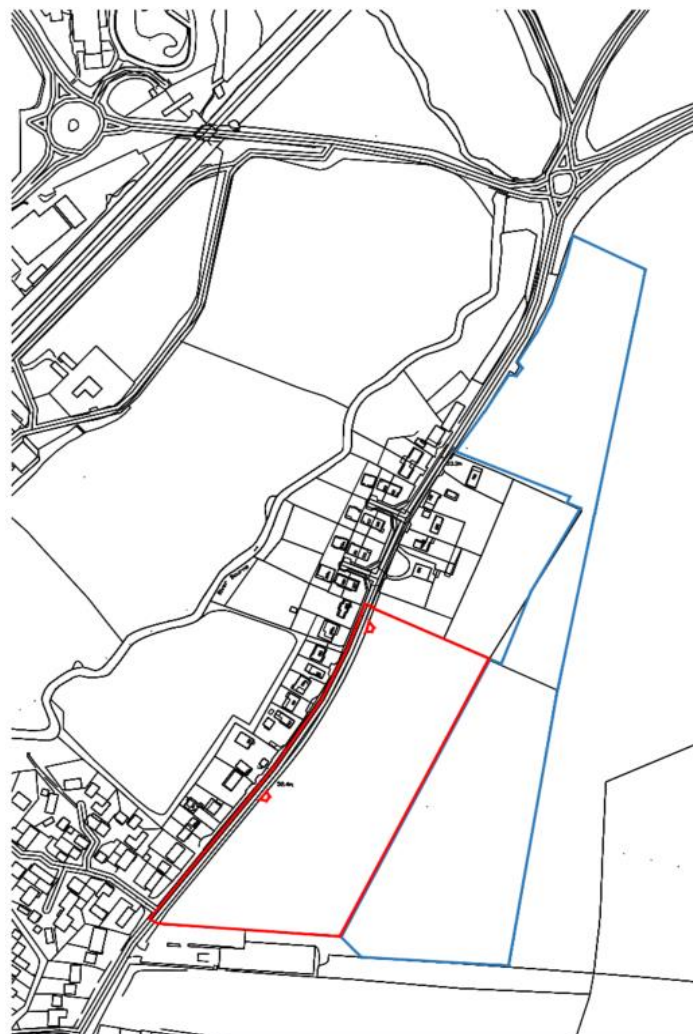
The application has generated objections from Laverstock & Ford Parish Council, and will be referred to later in the report, as well as over 400 letters of objection from individuals, many of whom have made more than one comment on the proposals.

### 3. Site Description

The site consists of an area of agricultural land fronting Church Road, Laverstock. The road forms the western boundary of the site with the opposite side being fronted by one and two storey dwellings. To the rear of these dwellings are further dwellings, open space and the River Bourne.

The application site is bounded by existing hedgerows along the north and south boundaries, and with the boundary to Church Road having a partial hedge along the road frontage. There is currently no planting along the eastern boundary. To the north of this field is a small group of residential properties and to the south is an employment building and the playing fields associated with St Edmund's Girls School and Wyvern College. The land to the east backs onto open countryside, with the slopes of Cocky and Laverstock Downs rising above it. The Downs are publicly accessible land and are a Site of Special Scientific Interest (SSSI).

The land edged in blue on the location plan below is the extent of the site when originally submitted for up to 135 dwellings and associated open space, allotments and Suitable Alternative Natural Green Space (SANG). The application has been significantly amended since it was first submitted to now propose up to 49 dwellings, open space and access. The application discussions are set out in more detail below.



*Location plan*

#### **4. Relevant Planning History**

None.

#### **5. The Proposal**

This application, which is in Outline with all matters reserved except for access, proposes the erection of up-to 49 dwellings, accesses from Church Road, Green Infrastructure including landscaping and children's play, a sustainable urban drainage system and utility buildings on 3.11ha of land.

The scheme, when originally submitted, proposed 135 dwellings, a 50 space car park, allotments, landscaping, play space, a sustainable urban drainage system and utility buildings. The scheme has been amended by the applicants to accord with the provisions of the emerging policy 30 of the Revised Local Plan.

#### **6. Local 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

*National Design Guide (2021)*

*Manual for Streets 2 (2010)*

*Wiltshire Core Strategy:*

CP1 – Settlement Strategy

CP2 – Delivery Strategy

CP3 - Infrastructure Requirements

CP23 – Spatial Strategy: Southern Wiltshire Community Area

CP43 – Affordable Housing

CP45 – Meeting Wiltshire's housing needs

CP50 - Biodiversity and Geodiversity

CP51 - Landscape

CP57 - Ensuring High Quality Design & Space Shaping

CP60 - Sustainable Transport

CP61 - Transport & Development

CP62 - Development Impacts on the Transport Network

CP64 - Demand Management

CP76 – Flood risk

*Wiltshire Housing Site Allocations Plan (2020)*

*Wiltshire Design Guide (2024)*

*Laverstock and Ford Neighbourhood Plan (2022)*

## **7. Summary of consultation responses**

Laverstock and Ford Parish Council – Objection for the following reasons:

- The application is premature in relation to the emerging Wiltshire Local Plan and would prejudice the plan making process.
- Contravention of existing and emerging spatial planning policies
- Lack of local needs for housing
- Development ‘creep’
- Adverse impacts on landscape sensitivity
- Adverse impacts on vehicular and pedestrian traffic

*Prematurity in Relation to the Emerging Local Plan –*

*The application relies heavily in the emerging Wiltshire Local Plan (draft LP), Policy 30, and if the published Local Plan timeline is adhered to the Plan is likely to be submitted to the Secretary of State for inspection before the end of this year. Policy 30 was not publicly consulted on in the previous Regulation 18 consultation and so the Regulation 19 consultation has been the first opportunity for the local population to be consulted and for the policy to be tested in any way. There has been a large number of objections to the policy and, if Wiltshire Council does not choose to withdraw it, it will undoubtedly be tested before the Planning Inspector. To accept this Planning Application based on policy 30 at the current time would prejudice this aspect of the Local Plan making process, and thus the Application is premature.*

*Contravention of Existing and Emerging Spatial Planning Policies –*

*The covering letter of the Outline PA 20/11598/OUT (PA) seeks to promote the PA as in accord with the draft LP, policy 30 which allocates up to 50 houses to the Church Road site. The National Planning Policy Framework, 2023 (NPPF) para 48 b states, the Local Planning Authority may give weight to policies in emerging plans according to the extent to which there are unresolved objections to relevant policies. In this case there is a large number of unresolved objections to Policy 30 including one submitted by the Parish Council based on the advice of a planning barrister. Therefore, at this point in the process Policy 30 should be given less weight than Policy 1 which is itself based upon the established and tested Core Policy 2 from the previous Local Plan.*

*If the draft LP conditions apply then the PA contravenes policy 1:*

- a) Laverstock is identified as a Small Village (draft LP para 4.159)*
- b) Small Villages are defined as having (draft LP para 3.14) “a low level of services and facilities” which “may accommodate some very modest development . . .” including “infill.”*
- c) “Development at Small Villages will be limited to respond to local needs and to contribute to their vitality.” (draft LP Policy 1). As set out in the Laverstock and Ford Neighbourhood Plan (NP), local needs are being met from other developments within the Parish.*
- d) “At Small Villages, the settlement strategy provides sufficient flexibility for neighbourhood planning groups to meet local housing needs, by a variety of means, at a scale that*

*preserves the character and setting of a village. . . new housing development will be limited to infill within the built-up area of Small Villages or should be geared towards meeting local affordable needs through exception sites, or up to 20 homes, or 5% of the size of the settlement (whichever is the lower).” (draft LP para 4.213)*

*If the pre-existing planning conditions apply then the PA choice of site and scale of development contravene Core Policies 1 and 2 of the current Wiltshire Council Core Strategy, namely that Laverstock, which is defined as a Small Village, is limited to infill only (generally 1 or 2 new houses in plots between existing dwellings), unless there is a compelling need within the village for development.*

#### *Lack of Local Need for Housing –*

*As indicated above, Laverstock is categorised as a Small Village in the draft LP which then describes the constraints on development appertaining to Small Villages. However the draft LP also includes Policy 30 which allocates up to 50 houses to the land east of Church Road, Laverstock, not as an exception site and not in order to meet local needs (which would in any case be limited to 20 houses), but as a ‘reasonable alternative’ site for the housing needs of Salisbury. The draft LP contains no policy or condition to enable such an option or resolve the contradiction and the Parish Council has robustly challenged the soundness of the draft LP as a result.*

*The PA makes no case or claim for meeting the housing needs of Salisbury, which would require at the least a Framework Travel Plan describing sustainable transport links between the site and Salisbury, and the Parish Council rejects totally any claim that this PA is aimed at meeting compelling local needs. The Laverstock and Ford Communities Neighbourhood Plan (NP), Appendix 6 (Assessment of Local Housing Needs) concludes (pp.2,3) “A review of available evidence strongly indicates that the local need for affordable housing in the parish is low in both absolute and relative terms. This need is being addressed by the recent (and continuing) extensive programme of house building within the Parish and the requirement of Wiltshire Council for 40% of units to be in the form of affordable housing.” Even the draft LP Policy 30 did not argue that the policy was intended to meet local needs.*

#### *Development ‘Creep’ –*

*If the draft LP were to be declared sound notwithstanding its overtly contradictory policies 1 and 30, and the assessments contained within the NP are to be so quickly and easily discounted then the Parish Council is deeply sceptical about the capacity of this PA to limit the development to 49 houses on a 3.11ha site for the foreseeable future. The draft LP, Sustainability Appraisal (SA) Annex 2.11 relating to SA Objective 8 (Conserve and enhance the character and quality of rural and urban landscapes) shares this concern: “Potential for development to result in expansion of Laverstock to the east of Church Road that would alter the rural character and sense of separation from the hillside of Cockey Down.”*

*The initial (2020) application envisaged 135 houses on a 3.6ha footprint within an overall site of 7.91ha and there is no indication in the revised PA that such a target is not the ultimate ambition of the developer. Once up to 49 houses are allocated and built, many of the arguments around landscape sensitivity, Small Village and ‘semi-rural’ are weakened while arguments around meeting housing density targets in line with local planning policy become stronger, thereby making applications for further development harder to resist and reject. In the absence of safeguards limiting further development on and adjacent to the site, the Parish Council concludes that this Outline PA is, in effect, a “Trojan Horse”: development ‘creep’ becomes inevitable.*

#### *Adverse Impacts on Landscape Sensitivity –*

The NP includes a Landscape Sensitivity Assessment (LSA) which identifies the land at Church Road as of medium to high visual sensitivity, adjoining land of high sensitivity. Regarding potential development on the Church Road site, the LSA comments:

*“Large scale development in any of these areas is not recommended, but individual or small developments where there is local enclosure through topography or vegetation may be possible. Any development along Church Road should be in a series of clusters to allow the views of the Downs beyond to still be viewed between any houses, in a similar way to the closes on the other side of the road which allow views of the River Bourne. In this way, visual connections will be maintained across this landscape.”*

The Outline PA misleadingly suggests in its Parameters Plan that the large development of up to 49 houses in two clusters reflects “recommendations” of the LSA in the NP. The Parameters Plan states:

- *“Development forms two clusters of development in accordance with the recommendations in the Landscape Sensitivity Assessment for Laverstock and Ford Parish, Wiltshire – (Landshape 23 June 2020)”; and*
- *“Green space between development clusters maintains the ‘visual gap’ described in the Landscape Sensitivity Assessment for Laverstock and Ford Parish, Wiltshire and allows views through development towards Cockey Down.”*

The LSA actually states the opposite, “Large scale development in any of these areas is NOT RECOMMENDED”. The LSA goes on to state, “individual or small developments where there is local enclosure through topography or vegetation may be possible.” Firstly the LSA states “may” not “will” be possible. Any development on such sites is predicated on local need, and the section above has already argued there is none. Secondly, the LSA states that any such permitted development needs to be constrained to “individual or small”.

The closes referred to are two in number, each consisting of only of four houses: two facing pairs along a short drive so that the narrowest elevation of each house faces Church Road, thus minimizing the visual obstruction of the River Bourne and its water meadows. The PA is for up to 49 houses in two clusters with a central gap containing, according to the Parameters Plan, a “Centrally located and accessible play area.” The proposed gap is less than one third the existing frontage of the Church Road site. The visual connection with the landscape is thus reduced from a panorama to a doorway flanked by urban development and the foreground “visual gap” is described in terms indistinguishable from any urban green space and play area which is a far cry from the NP in terms of scale and layout, and effectively invalidates any description of Laverstock as ‘semi-rural’.

That Laverstock is a Small Village and ‘semi-rural’ is one of the reasons people are attracted to the area. It is not urban or suburban or even semi-urban but semi-rural, encouraging the natural surroundings to break into the built environment. As Gallent et al\* observe, “The fringe is often viewed as periurban but as being strongly influenced by urban pressure and process.

*But there is an alternative view: that the fringe is perirural and within the rural rather than within the urban.” \* Planning on the Edge: England’s Rural-Urban Fringe and Spatial Planning Agenda: Gallent N, Bianconi M, Andersson J; May 2006 Environmental and Planning B Planning and Design; 33(3):457-476*

The SAs relevant to the draft LP policy 30, proposing the allocation of up to 50 houses on this site, are equally relevant to this PA.

SA Objective 8 considers the site to be a “locally valued landscape,” and the feedback we have received as a Parish Council since the draft LP was published shows the significance very many local residents attach to this landscape and the role this site plays in connecting the village into its rural setting. The road frontage at this point on Church Road is not only valued but is the only unobstructed window onto the Downs now available for people entering the village from the North (and for residents of Salisbury City living on elevated ground to the West). It is, in the words of the draft LP, Sites Landscape Appraisals, a “quintessential view” and the feedback would indicate that this vista has therapeutic, aesthetic, environmental and symbolic significance for residents, embodying the key features of the “semi-rural” village. The Parish Council considers the PA allocation of up to 49 houses to the space will obstruct and adversely restrict the window and render the experience of those travelling southwards along Church Road little different from any urban environment with parks, green spaces and mere glimpses of distant views. The PA would not therefore “conserve and enhance the character and quality of rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place.” Nor would it, “maintain the character of the landscape when viewed from both inside and outside the Parish” in accordance with NP Policy 2. This adverse impact would be compounded by the further urbanization of the village from any physical expansion of the schools on Church Road required to accommodate the number of pupils generated by the development.

SA Annex 2.11 relating to SA Objective 1 (Preservation and enhancement of biodiversity etc.) includes the following statements:

- “Residential development at the site, in close proximity to the river would potentially lead to an increase in recreational / visitor pressure which could give rise to adverse effects on the river and its associated riparian habitat, as well as upon the species it supports. A mitigation strategy will be required to address impacts on the River Avon SAC.”
- “Cockey Down SSSI and Cockey Down Chalk CWS lies to the immediate east of the proposed allocation site and could be subject to adverse effects during construction as well as during operation. A public right of way runs through both the SSSI and CWS meaning development at the proposed allocation site would be likely lead to an increase in visitor / recreational pressure and a deterioration of the sites over time.”
- “Laverstock Down CWS lies 370m south-east of the site. This CWS is contiguous with Cockey Down Chalk CWS and would also likely be subject to additional visitor / recreational pressure as a result of development at this site. There are several other SSSIs and CWSs within a short distance of the proposed allocation site that are accessible either on foot or via a short car journey, and which could also suffer increased visitor / recreational pressure as a result of development at this site.”
- “... It’s unlikely to be possible to completely deter additional visits to the designated site by residents of a development at the proposed allocation site and therefore, that the potential for adverse effects could not be entirely offset.” “Overall a moderate adverse effect is considered likely against this objective.” SA Objective 2 (Ensure efficient and effective use of land and the use of suitably located previously developed land and buildings), adds: “Development of this site would lead to a significant, permanent loss of Grade 3 agricultural land.”

*The SA concedes that the potential for adverse effects could not be entirely offset. The Parish Council takes the view that no mitigation strategies will be sufficiently robust to constrain the adverse effects to “moderate” regarding the objective of protecting and enhancing biodiversity on this site or compliance with the mitigation strategy for the New Forest protected sites.*

*SA Annex 2.11 relating to SA Objective 8 (Conserve and enhance the character and quality of rural and urban landscapes) includes the following statements:*

- Potential for built form to be intrusive in the rural landscape setting and alter the character of the distinctive views of Salisbury on the approach from the northeast. Potential for built form to be conspicuous on the rising slopes that form the rural backdrop and context to the existing settlement of Laverstock and northeast of Salisbury.*
- Potential for development to result in expansion of Laverstock to the east of Church Road that would alter the rural character and sense of separation from the hillside of Cockey Down.*
- Potential for inappropriate screening planting that would be uncharacteristic in the landscape.*
- Potential change from a rural to urban context for visitors to Cockey Down nature reserve.*
- Potential loss of hedgerow boundaries, shrubs, trees and woodland that contribute to green links through the local landscape to link river valley vegetation and woodland in the wider context. “*

*○ The Parish Council considers the PA fails to provide sufficient and relevant evidence of the magnitude to which its proposed mitigating measures will realistically offset (and the extent to which they will not offset) the ‘moderate adverse effect’ identified in the draft LP. The fact that the supporting landscape assessment does not even refer to the made NP for the area indicates that the applicants have failed to have regard for the plan.*

#### *Adverse Impacts on Vehicular and Pedestrian Traffic –*

*One of the most frequent concerns that local residents have raised to us about the site is the impact of development on the existing traffic problems that are experienced on the road at the start and end of the school day. These are identified in section 7.1.2 of the NP and photographic examples are provided in Appendix 1. Church Road is insufficiently wide to allow traffic to flow in both directions around parked cars and this is the cause of significant congestion, pollution and incidences of dangerous driving at the start and end of the school day. As there is not scope for discrete right turn lanes for East bound traffic into the two entrances to this development this site could potentially add significantly to these problems as traffic queues for an opportunity to turn right into any new development on the site. These issues do not appear to have been considered in the sustainability assessment or elsewhere.*

*The draft LP, SA objective 11 (Reduce the need to travel and promote more sustainable transport choices) quotes Paragraph 73 of the NPPF (para 74 (b) of the revised 2023 NPPF), which states:*

*“that when planning for larger scale development, authorities should “ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself.” Similarly, paragraph 105 of the NPPF (109 2023 NPPF) provides that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”*



*There are clearly no services and employment opportunities included in the PA within the development itself, and NP, Appendix 6 (Assessment of Local Housing Needs) concludes (pp.2,3) "A review of available evidence strongly indicates that the local need for affordable housing in the parish is low in both absolute and relative terms." It is therefore reasonable to expect new residents to travel for services and employment opportunities. The site is at a distance from retail and employment opportunities in Salisbury City Centre, the A36 Southampton Road Retail Park, The A30 London Road and scientific and military establishments to the North of Laverstock. The draft LP also indicates that school age residents may have to travel for education.*

#### *Transport Assessment–*

*The Parish Council considers the PA Transport Assessment (TA) to be substantially flawed and fails to accurately assess the adverse impact of the development on significantly increased private car use. Furthermore, the Parish Council considers the TA to be misleading in its assessment of the impact of the development on local traffic.*

*The Manual Traffic Surveys (TA Part 3), include the period of school drop-off by covering the period 0730 to 0930 but exclude the school pick-up time, covering only 1630 to 1830. The omission results in conclusions skewed in favour of sustainability and is far from accurate.*

*The Highway Network considered in TA Part 2 (Fig 4.8) includes the junction of Church Road with the A30 to the north and with the A36 to the south but excludes the junction with the A36 Southampton Road at Petersfinger, accessed via Manor Farm Road and Milford Mill Road.*

*Milford Mill Road, compared with its alternatives, provides a shorter distance and faster travel time between Laverstock and the A36 Southampton Road and gives access to a substantial range of employment and retail opportunities as well as a faster route to the New Forest and Southampton. Because of traffic congestion in Salisbury, the road is a major 'rat-run' for Salisbury traffic in both directions. It is narrow; contains two 'pinch points' (the medieval bridge, and the railway arch at Petersfinger); suffers from irregular, potholed edges; is prone to regular flooding throughout the year from frequent run-off and occasional overflows of the River Bourne; and is subject to a 20mph speed limit.*

*Flooding is an intractable problem on Milford Mill Road: a Wiltshire Council written response to pre-submitted questions from the Parish Council for a 'Highways Matters' event on 22 February 2024, stated, "The land surrounding Milford Mill Road forms part of the flood plain. The surface level of the carriageway is very little different to that of the surrounding land and as such is prone to flooding. There is a proposed scheme to improve the way that water discharges from our drainage system to the river. While this will make a positive impact on flooding, it will not prevent floods from occurring."*

*Use of the road as an access route to and from the Church Road site receives no mention, and certainly no impact assessment. The Parish Council consider this to be a substantial and major omission from the TA for the site and considers the road is most unsuitable for the increased weight of traffic generated by up to 49 additional houses on Church Road.*

*NPPF (2023) paragraph 115 states, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

*The Parish Council considers Milford Mill Road most unsuitable to absorb the impact from up to 49 houses on the proposed site. Furthermore, it considers the cumulative impacts on Milford Mill Road and the historic medieval bridge will indeed be severe from the proposed site when combined with the following Planning Applications under consultation:*

- *PL/2023/10495 (Conversion of Elmfield House and outbuildings to 6 x dwellings and the erection of 15 dwellings);*
- *PL/01200/FUL (Erect 19 no. new houses to create a new retirement estate and community, incorporating existing scheme of 4no. dwellings), both at Petersfinger; and*
- *PL/2023/07368, Old Sarum Airfield (allocating 155 houses at Ford).*

*Access between the A36 Southampton Road and the A30/A338 (including the village of Ford), and access between the A36 Southampton Road and the schools on Church Road, has historically strongly favoured the 'rat-run' along Milford Mill Road, Manor Farm Road, and Laverstock Road over the A36 Southampton Road - Churchill Way - A30 London Road (or Wainalong Road, Laverstock Road). A Transport Assessment for the addition of, potentially, 245 houses across four sites cannot be done piecemeal except on a 'first come, first served' basis which would place an unrealistic burden on individual developers to revise their TA in the light of each emerging, newly granted planning permission. The TA for the Church Road site contains no assessment of the site in the context of a wider set of site developments, which, in our opinion, renders its conclusions and mitigating factors valueless. The Parish Council considers a Transport Assessment for the Laverstock local road network must be considered in its entirety. Sadly, this is an omission in the draft LP.*

*The TA Part 1 Figure 4.2 illustrates walking isochrones for 800m and 2k, measured from the centre of the (initial) site. The Parish Council acknowledges that TAs tend to follow generic models, accepted by planning officers. Nonetheless in small villages, the impact from and on unique local conditions can have a critical effect on individual behaviours which is not reflected in the model.*

*Even at a generic level of modelling, the impacts could be more accurately estimated. The Chartered Institute of Highways and Transportation has published guidance (Planning for Walking 2015) which states that about 80 per cent of journeys shorter than 1 mile are made wholly on foot. For journeys that are 1 to 2 miles long, 26 per cent are made on foot. Applying such multipliers to the 800m (0.5mile) and 2k (1.24 miles) isochrones offers a more accurate model of the number of potential journeys on foot, which would correspondingly increase the potential vehicular traffic impact.*

*The Site Accessibility Audit references in support of its modelling the IHT document ('Guidelines for Providing for Journeys on Foot 2000') but omits the factors impacting acceptable walking distances contained in the Guidelines. The IHT Guidelines note that walking distances are impacted by factors such as age, ability, encumbrances (shopping, pushchairs), journey purpose, time savings, convenience, personal motivation. The TA omits any demographic modelling / assumptions of potential residents and potential impact on walking journeys.*

*The village of Laverstock is unique for its size in having four schools (Primary and Secondary) on Church Road within some 800m of the proposed development and so are within accessible walking distance. The TA paragraph 4.3.7 states that the 800m and 2km walking isochrones from the site, "roughly equate to a 10-minute and 25-minute walk respectively." However, the presence of the schools and the impact of pedestrian numbers and vehicles at school drop-off and pick-up times present a significant hindrance and disincentive to walking (see Appendix 1 below): lengthening walking times and increasing the hazards to pedestrian safety, especially for those with pushchairs and those with mobility or sight/hearing restrictions. The Audit fails to model or acknowledge the impact of school drop-off and pick-up times on the walking speed and/or motivation of site residents to walk and thus on the level of car use at such times.*

*The TA also attempts no assessment of demand for school places and the capacity of local schools to meet demand. The draft LP, SA objective 10, acknowledges that the local primary school is most likely not capable of meeting the need for the estimated number of early years and primary school places generated by a development of up to 50 houses. Such pupils will therefore be travelling further, "This would most likely be Salisbury primary schools." The draft LP, "Planning for Salisbury" (PFS) p.33 states that meeting the demand for secondary school places generated by the site is dependent on increased capacity on the opposite side of the city, "Sufficiency of secondary school places is dependent upon the timely extension of Sarum Academy (developer contributions)." Based on the draft LP SA data, the site is therefore not sustainable in terms of reducing the need to travel and reducing the need to travel by car in order to access local education.*

*Primary healthcare is of concern nationally and is reflected locally, particularly, access to GPs and access to NHS dental provision. The draft LP, SA Objective 10, states: "The site is situated approx. 1.1km from Bishopdown Surgery. GP provision in Salisbury was forecast as being subject to a positive capacity gap by 2026, however the closure of one branch surgery in 2020 to relocate services has led to issues. Negative premises capacity gaps are therefore apparent within the primary care network. There is a planned extension to the hospital. Expanded services are to be offered by Porton and Winterslow branch surgeries following this the closure of the Wilton branch. As a result, . . . there may be some negative effects on the capacity of individual surgeries. The location and constrained capacity of local surgeries inevitably requires journeys by car or by long and unreliable public transport."*

*The history of the Old Sarum and Bishopdown Farm developments gives clear evidence that health provision cannot be attracted out to the edges. While the NHS nationally is seeking to invest in expanded provision, it will take time to realise any benefits and the BMA points out that the supply side of the equation will be a limiting factor for the foreseeable future. The site is therefore not sustainable in terms of access to primary healthcare provision reducing the need to travel and reducing the need to travel by car, whatever the theoretical modelling may suggest.*

*On the accessibility to other amenities by walking or cycling, the draft LP, SA objective 11 states:*

*"Other than education facilities, Laverstock does not adequately serve its community, leaving long distance walking trips to non-education amenities and employment.*

*"Cycling is simply accommodated by on carriageway non-compulsory cycle lane facilities and whilst this does represent informal cycle infrastructure provision, such interventions are no longer supported by technical guidance. Furthermore, the on-carriageway cycle lanes only extend along Church Road and terminate at the railway bridge on Laverstock Road to the south and prior to the A30 roundabout in the north. The cycle facilities may therefore only serve cycle accessibility for Laverstock residents and their trips to local schools within Laverstock."*

*The local bus services within 1k of the site provide no direct routes to Salisbury station and connections with most locations in and around the city are via the centre of Salisbury. The service has been experienced as problematic, with cancellations, delays and staff shortages in the past, serving to lengthen journey times and discouraging those with access to private transport from opting for public transport. Public transport is also more challenging for those accompanying young children, those with mobility issues, or those wishing to undertake family shopping. The lack of convenient access to local amenities and employment serves to emphasise social inequalities.*

(The comments of the PC are accompanied by photographs of traffic around the local schools at drop off and pick up times.)

Similar detailed comments were received in respect of the original submission.

WC Archaeology – No objections, subject to conditions

*Following the receipt of an exploratory archaeological evaluation of the site, which included 36 trial trenches excavated in the area shown for residential development. The results of the evaluation have enabled the archaeological impacts of this proposal to be established with authority. Several buried archaeological remains were identified across the site. These comprised some Middle/Late Neolithic (3,400 – 2,800 BC) pits, two pits containing Beaker pottery (2,200 - 1,700 BC) and a Roman (AD 43 – 410) ditched enclosure and associated features.*

*The Neolithic and Beaker pits are particularly notable as they appear to represent the slight and uncommon traces of domestic settlement, outside of the more visible and well-known ceremonial and funerary monuments of these periods in the wider landscape. Such pits often only occur as isolated or small groups of features, so they are often only identified serendipitously as is the case here. They were not identified by the preceding geophysical survey. The presence of a high number of fragmented but unabraded sherds of pottery, animal bone, and charred plant remains plus, in the case of the Beaker pits, two tiny fragments of copper alloy, adds to their significance.*

*The evaluation also identified a Roman ditched enclosure that runs beyond the application area and under Church Road. A small number of associated features were recorded and few finds, suggesting that the enclosure did not define an area of settlement, although its purpose remains unclear.*

*Red River Archaeology's report concludes that the prehistoric and Roman remains are in a good state of preservation, and they are of local significance.*

*I am broadly in agreement with these conclusions although I would consider the Neolithic and Beaker pits to be of more than local significance. However, none of the buried remains are of such significance that they merit preservation in situ subject to appropriate mitigation measures that enable these buried remains to be investigated and recorded prior to their loss. As an outline application, there may be some flexibility in the residential layout to enable areas of archaeology to be preserved in situ should that be considered desirable. The programme of archaeological work can be secured by an appropriately worded condition.*

WC Drainage – The application has been supported with a Site Specific Flood Risk Assessment, and subject to conditions no objection is raised.

WC Ecology – No objection to additional submitted material, subject to conditions and the need for a legal agreement to secure the necessary mitigation for the additional phosphate burdens from the development, which is an off-site solution, and a contribution toward mitigation of the recreational pressures from the development on the sensitive New Forest. This equates to £29,400.

WC Education – No requirements for contributions towards Secondary or Primary educational needs. There is a requirement towards the provision of Early Years Education at £105,132 to be secured by legal agreement.

WC Highways – No objection subject to conditions.

*The revised plan satisfactorily addresses the required amendments sought in my previous response dated 11 May 2024.*

*The proposed development now has less dwellings than the previous submitted plans.*

*There is now clarity that 2 puffin crossings are to be provided on Church Road to facilitate improved active travel facilities, general safety, and convenience for walking in the vicinity of the development.*

WC Housing Enabling Team – No objection subject to legal agreement:

*Core Policy 43 of the Wiltshire Core Strategy (as amended by the National Planning Policy Framework) sets out a requirement for 40% on-site Affordable Housing provision within the 40% Affordable Housing Zone, on all sites of 10 or more dwellings. There is therefore a requirement to provide 19 affordable units within a scheme of up to 49 dwellings. This would meet the policy requirement and would assist in addressing the need for affordable housing. The proposal to provide 19 Affordable Housing units therefore meets the policy requirement. The size and mix of the proposed dwellings will be secured via the S106 agreement.*

WC Landscape Officer – Comments

*Concerns to ensure that the proposed layout parameters Plan aligns with the emerging Local Plan in light of the site's sensitivity and of its setting. The emerging Local Plan allocation of 50 units aligns with the evidence base set out in the Parish Sensitivity Study (for the Neighbourhood Plan) and the Local Plan Review Landscape Appraisals)*

Note :- no comment has been received on the revised Parameters Plan which reduces the scheme to up to 49 dwellings.

WC Open Space – No objection subject to contributions towards Youth and Adult provision and on-site provision of public open space and play provision, to be secured via condition and S106 agreement.

WC Public Protection – No objection, subject to conditions regarding noise mitigation strategy due to proximity of the highway and the adjacent industrial unit as well as a Construction Environmental and Management Plan, Contaminated Land Survey and Air Quality Assessment .

WC Spatial Planning – Comments in relation to original submission.

*The proposal is not supported in principle as it does not accord with the strategy and pattern of development anticipated by the WCS. Therefore, from a strategic policy perspective, the proposal does not constitute sustainable development and would conflict with the principal aims of the National Planning Policy Framework.*

*Other material considerations may apply, the most pertinent of which is the current housing land supply position. .... careful consideration should be given to decisions on housing proposals [in the context of housing land supply requirements]. This means balancing the need to boost housing supply against any adverse impacts of the proposal, considered against the development plan as whole, and any material considerations, on a case-by-case basis. This will need to include consideration of what weight to assign to the most important policies.*

NOTE:- this comment refers only to the originally submitted scheme for 135 dwellings and pre-dates the identification of the site as a possible housing site for 50 dwellings in the emerging Revised Local Plan (Policy 30).

WC Waste and Recycling – no objection subject to condition and contribution to be collected via S106 of £4,949.

Wessex Water – No objection, provided the water mains from the Cockey Down reservoir are safeguarded and that the development avoids building too close to these facilities.

Esso Petroleum Company – No objection to the proposals as long as ‘Special Requirements for Safe Working’ details are complied with along with the Deed of Grant being adhered to, in respect of the Fawley to Avonmouth apparatus situated near the proposed works.

## **8. Publicity**

This application was advertised through a site notice, press notice and letters to neighbouring properties. In excess of 400 Letters of objection were received raising the following issues:

- Laverstock is defined in the Core Strategy as a Small Village and therefore the level of development proposed is contrary to the Core Strategy, particularly CP1, CP2, CP23, CP51, CP57, CP60 and CP61.
- Laverstock is a separate village and not part of Salisbury. It is only suitable for limited infill development of up to 2/3 dwellings per scheme.
- The location of the access is not safe
- There is a range of wildlife that uses the site and the immediate area, including bats, skylark, yellowhammer and reed buntings.
- Concerns about the capacity of the local sewage system to cope with additional housing
- Over development of the site.
- Overlooking of existing dwellings to the east
- The land is prone to being waterlogged.
- The development would lead to the loss of valuable agricultural land.
- The site gives open views over Cockey Down SSSI and Laverstock Downs.
- The proposed pavements do not link to existing paths.
- Building on green space has a negative effect on peoples’ mental health
- Concern about the loss of habitat for both flora and fauna.
- There are brown field sites that could be used instead.
- Strain on local infrastructure, including the schools.
- The area is sensitive for archaeology.
- Church Road is a rat run and heavily congested, especially when the schools turn out. Additional traffic from the proposed dwellings will make this situation even worse.
- The electricity demand will increase due to the need for charging points and heat pumps, which will be noisy.
- Air quality is a killer and any proposal to build over large areas of green field will be detrimental to people’s health
- There will be parking problems in the area.
- Is there going to be any affordable housing? And could one really afford the dwellings?.
- Who will pay to maintain the open space and play equipment on the site? The village has sufficient play areas and sports facilities at the moment.

- The development will lead to light pollution.
- The area is designated a Strategic Nature Area and is within the River Avon Special Area of Conservation with no possibility of mitigating the phosphate.
- Contrary to the wishes of the Neighbourhood Plan, which seeks small scale infilling for residential development.
- Concern about the loss of agricultural land regarding food security in this country.
- Reduced quality of sleep for existing residents due to traffic noise and light pollution.
- Existing bus services are not adequate to reduce car usage from the site. It is not quick or easy to walk or cycle into Salisbury from the site.
- There is a water supply from Cockey Down Reservoir crossing the site
- There is an Esso pipeline that crosses the site in an east/west direction.
- Rainwater from Cockey Down is subsumes by the site, will the system proposed for surface water drainage protect the existing dwellings at a lower level in Church Road?
- Object to Policy 30 of the emerging Local Plan.
- Object to the desecration of the chalk downland.
- No need for additional housing in this location
- Question the accuracy of the surveys on Cockey Down visitor numbers as it was carried out in the winter
- Concerned that the form of the subsequent housing development could be too dense and poor quality, detrimental to the physical and mental health of future residents.
- Laverstock has already absorbed a lot of new housing in the parish in recent years.
- The River Bourne is liable to flooding and these additional houses will make the situation worse.

Many of the above comments were re-stated when the scheme was reduced from the originally proposed 135 to the current proposal for up to 49 dwellings.

One letter of support was received

Salisbury and Wilton Swifts - require the installation of swift bricks and bat roosting features as part of the development.

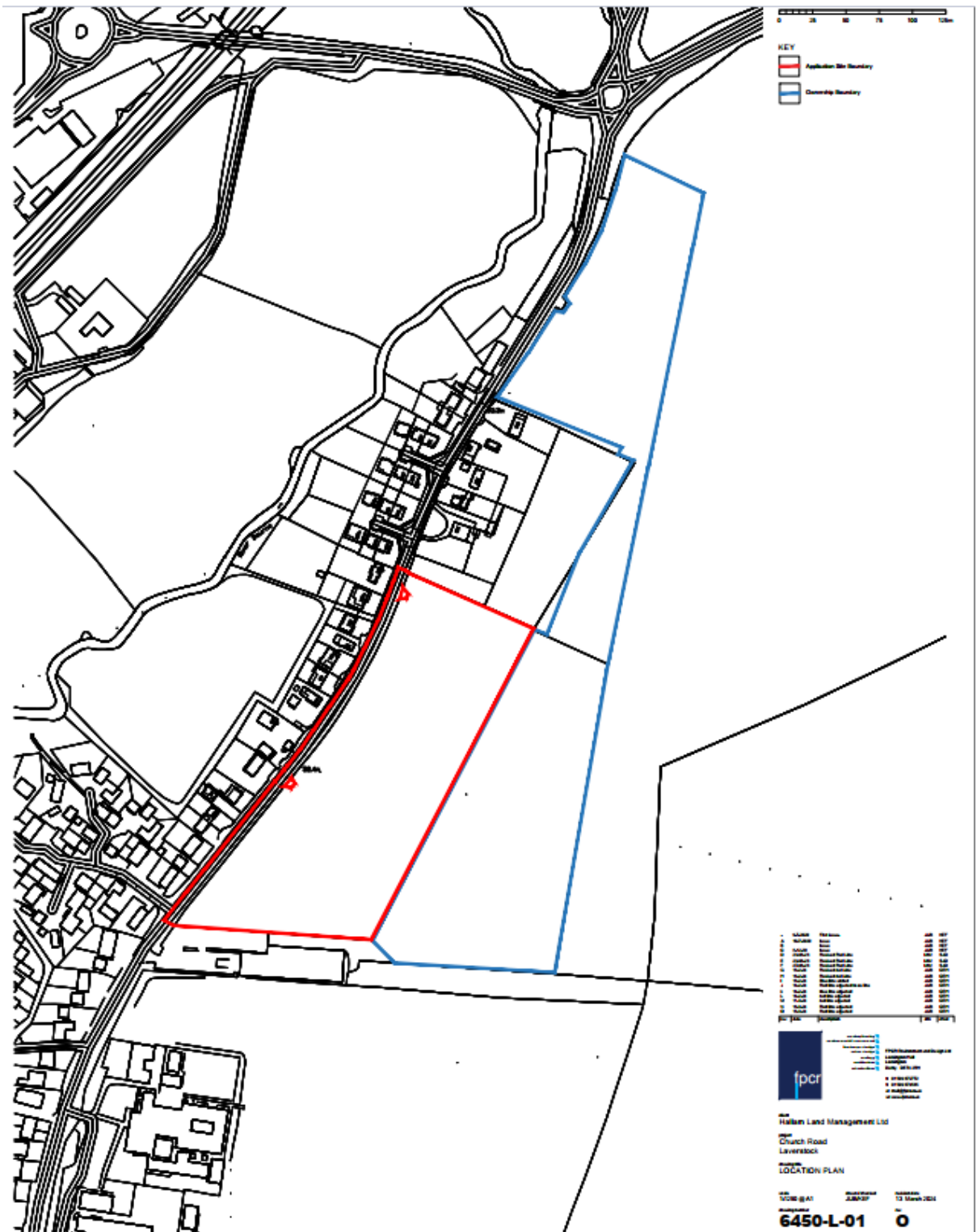
CPRE – Object to the proposal on the grounds that the development, even in its amended form, is out of scale with the character, historic and natural landscape of the area. Laverstock is classified as a Small Village in the emerging Local Plan. The site is of archaeological interest as well.

## **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.

### Principle of development

The application site lies adjacent to existing residential development and an employment site on the northern edge of the village of Laverstock, as shown on the plan below:-



The village is defined as a Small Village in Policy CP23, and Policy CP2 states that :-

*Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans.*



*At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:*

- i) Respects the existing character and form of the settlement*
- ii) Does not elongate the village or impose development in sensitive landscape areas*
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.*

Therefore, this proposed development is contrary to the provisions of the current Development Plan as it lies outside of any settlement boundary and is of a scale not normally considered appropriate within a Small Village.

However, the site has been identified as suitable for development of up to 50 dwellings in the emerging Wiltshire Local Plan, which is due for submission to the Secretary of State later this year following consideration of the consultation responses received in respect of the Regulation 19 Consultation which took place in the Autumn of 2023. It is anticipated that the Document will be considered by Members in October of this year, and will then become the Council's preferred policy.

The Local Plan sets out Wiltshire Council's strategic vision for growth, providing land to meet objectively assessed development needs. It will make provision for development up to 2028 and will in effect replace the existing Core Strategy, which was adopted in 2015.

The Pre-Submission Draft 2020-2038 (Regulation 19) Document states at para. 2.9 that *The challenge for the Plan is to deliver enough new homes in the right places to meet Wiltshire's objectively assessed housing needs. Providing decent and affordable homes to complement the economic growth being promoted will help improve the self-containment and resilience of Wiltshire's communities. New homes will need to be delivered at appropriate, sustainable locations and must be supported by necessary improvements to infrastructure. Within a predominantly rural area, with a limited amount of previously developed land for redevelopment, the identification of enough strategic sites to ensure an adequate supply of new homes is a challenge.* (underlining added)

The Plan needs to identify land to enable approximately 36,740 new homes to be constructed, and the primary focus for such development is at the Principal Settlements of Trowbridge, Chippenham and Salisbury and the market towns.

Salisbury is identified, in table 3.2, as a Constrained Settlement where the scales of growth are balanced with the need to help each community thrive and work toward the achievement of local priorities. Para 3.41 of the Local Plan states that in these constrained settlements *Scales of growth set by policies for these settlements are achieved factoring a forecast contribution of homes from small sites of less than ten dwellings. This gives added protection to the character and setting of these settlements, by ensuring site allocations on greenfield land are minimised and only released when essential to do so.*

Policy 22 of the emerging Local Plan comments that over the plan period (up to 2038) approximately 4,500 homes will be provided in Salisbury, and that the development will be planned in such a way as to maintain separation and distinctiveness between Salisbury and Wilton, and between Salisbury and adjacent settlements, notably Ford, Laverstock, Britford, Netherhampton and Quidhampton. This Policy sets out that there will be a new allocation for approximately 50 dwellings in Land East of Church Road, Laverstock, amongst other allocations.

The supporting text for the proposed allocation sets out the reasoning behind the allocation, as follows:-

*4.159 Approximately 3ha of land East of Church Road, Laverstock is allocated to provide approximately 50 dwellings. New housing creates a modest extension to the village of Laverstock, which although identified as a Small Village is situated adjacent to one of Salisbury's secondary schools and is reasonably well connected to the city centre via a bus route.*

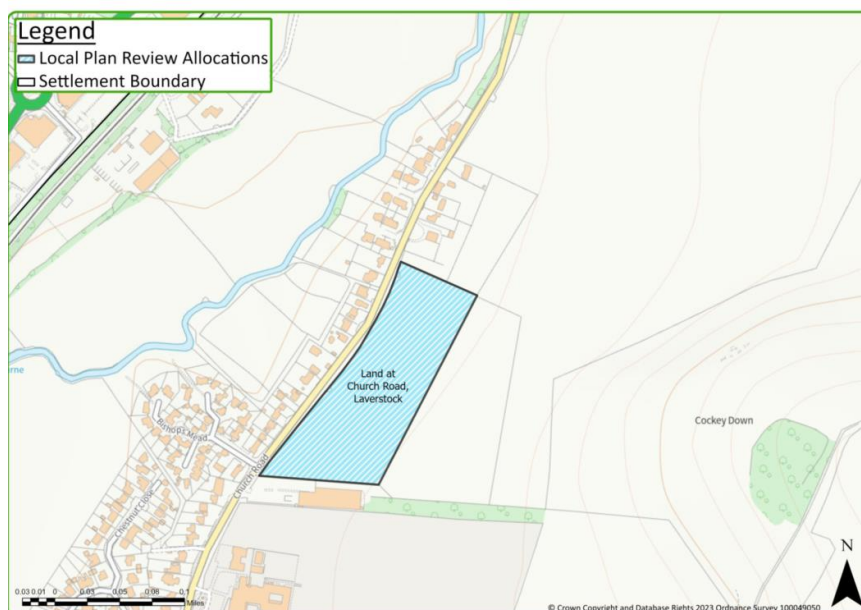
*4.160 Development will create an improved urban edge and countryside transition in the approach into Laverstock from the north. Limiting the scale of development here will moreover ensure continued separation and distinctiveness between the villages of Laverstock and Ford.*

The wording of the policy itself is as below:-

#### *Policy 30 - Land East of Church Road, Laverstock*

*Land East of Church Road, Laverstock, as identified on the Policies Map, is allocated for the low-density development of approximately 50 dwellings, between existing linear development to the north and employment uses and Laverstock schools to the south. Infrastructure and mitigation requirements include: vehicular access via Church Road; improvements to cycling and walking routes through, around the site and into the centre of Salisbury, linking into existing networks. The layout of the development shall be sensitively planned to ameliorate landscape impacts; funding contributions toward measures that improve air quality. An assessment will be needed to understand cumulative effects of development on relevant receptors in the Air Quality Management Area, and to identify appropriate mitigation measures; measures aimed at neutralising the levels of phosphates flowing into the River Avon Special Area of Conservation (SAC) to improve water quality; off-site infrastructure reinforcement to improve foul water network capacity where required; a noise assessment to assess the potential impacts of the nearby electronics manufacturing plant and detail any mitigation measures resulting from this assessment; provision of Suitable Alternative Natural Greenspace; and funding contributions towards early years, primary and secondary education.*

Figure 4.22 Land at Church Road, Laverstock



It is acknowledged that the application site currently lies outside of any settlement boundary and is therefore classed as being within the open countryside where development is not normally permitted. However, the emerging Local Plan, which has been through the Regulation 19 Pre-Submission stage and is anticipated to be considered by the Council in October of this year, ready for formal submission to the Secretary of State for Examination by an appointed Inspector before the end of the year, is a consideration.

It is understood that no modifications are likely to be made to the proposed allocation following on from the Regulation 19 consultation as the evidence base for the Local Plan does not identify any adverse harms which would preclude the site being allocated and developed for housing at the scale proposed in the Plan, which corresponds to the quantum of development now proposed as part of this application. The scheme, as amended, now accords with the requirements of the emerging Policy 30, as set out above, and the applicant has expressed a willingness to enter into a S106 Agreement to secure the necessary infrastructure to deliver the policy. It is also considered that a development of this relatively small scale would not lead to a prematurity argument that could be sustained at appeal if that argument were to be suggested.

The Council has a current 4 Year Housing Land Supply of 4.2 years, and there is still a requirement for the Authority to maintain a supply of housing sites to support its housing trajectory for the Local Plan Examination. As Members are aware, a failure to maintain an adequate housing land supply opens the Council up to speculative housing development, often granted at appeal, in locations where the Authority would not normally support large scale development. It is considered that supporting this emerging housing allocation site, with a scale of development which accords with the Draft Local Plan and which is largely offering the infrastructure requirements set out in Policy 30, will help to maintain a supply of land to avoid the necessity of planning by appeal elsewhere in the County.

The parish of Laverstock and Ford produced a 'made' Neighbourhood Plan (NP) in 2022 which seeks to recognise the settlement of Laverstock as a Small Village where only small scale infill development is appropriate. This document forms part of the Development Plan. However the production of a revised Local Plan by the Local Planning Authority can introduce new policies that are at odds with the tenet of a Neighbourhood Plan, and para 13 of the NPPF comments that :- *Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies.* Neighbourhood plans should be in conformity with the adopted Development Plan for the area.

Para 14 states that :- *In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 67-68), where that requirement has been identified within five years or less of the date on which the decision is made.*

Para 30 of the NPPF goes on to state that :- *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict;*

unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

However the Neighbourhood Plan for Laverstock and Ford recognises that:-

*The writing of a Neighbourhood Plan for our Parish is made more complicated by its proximity to Salisbury city, which makes it subject to strategic allocation of development sites by Wiltshire Council as part of the current Core Strategy and the recently published Local Plan Review consultation document. Under the current policy and guideline, strategic site allocations can be made which are either within or adjacent to the Salisbury Settlement Boundary. Several parts of the Parish are within this boundary (see Figure 3, P17), namely the Bishopdown Farm/Hampton Park/Riverdown Park area and the Old Sarum/Longhedge Village area. If Wiltshire Council were to decide to make strategic allocations(s) there would be significant limitations on what our Neighbourhood Plan could say about them.*

Policy 1 of the NP seeks to protect the distinctive settlement pattern of the parish and comments as part of this policy that:- *The village of Laverstock shall be retained as a discrete settlement. Development proposals must ensure that Laverstock remains separated from the urban edge of Salisbury city to the west by the Green Buffer 2.*

An extract of the relevant plan in the NP shows that the application site lies to the east of the Green Buffer and will not lead to coalescence with Salisbury. The application site is highlighted in yellow on the plan below:-

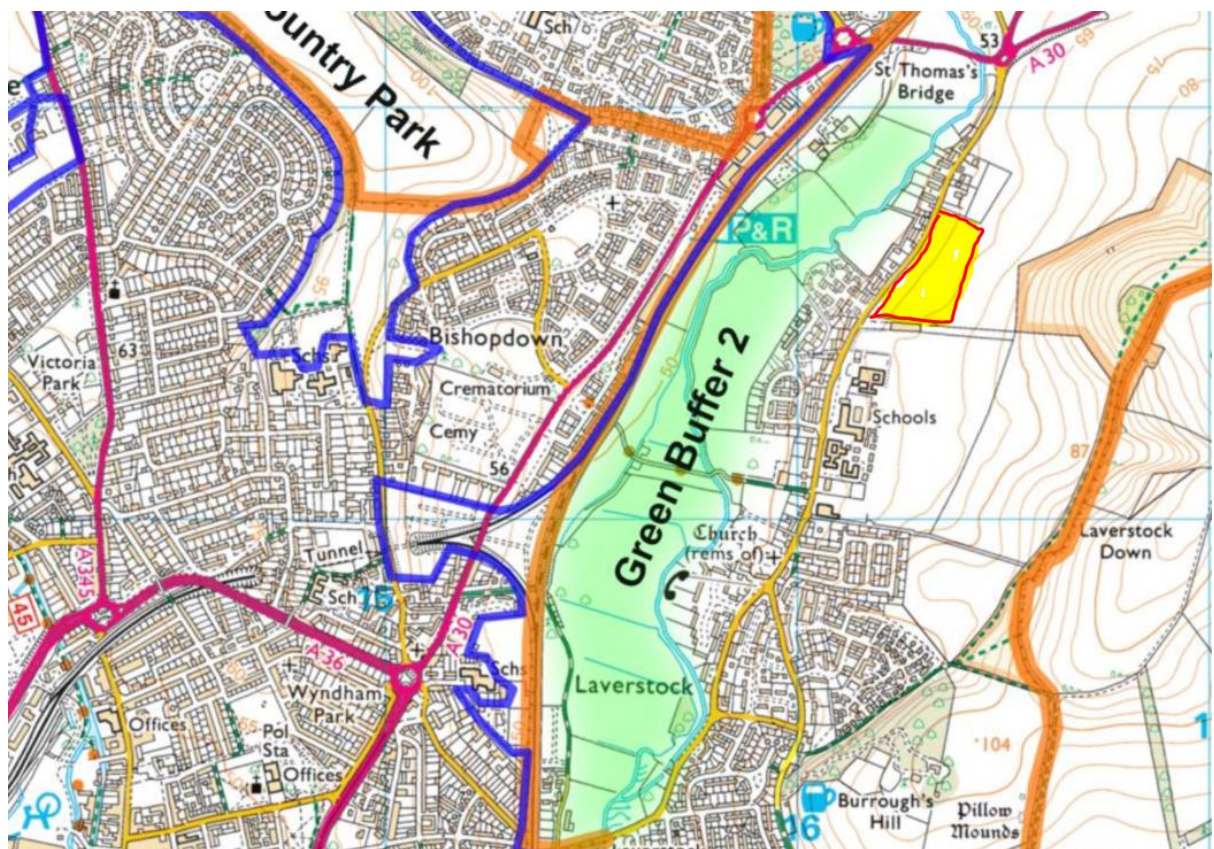


Figure 3 Green Buffers from Laverstock and Ford NP

Policy 2 of the NP seeks to ensure that development proposals shall, appropriately to their scale and location, maintain the visual character of the landscape when viewed

from both within and outside the Parish, have regard to the Landscape Sensitivity Assessment carried out for the Plan, improve wildlife habitats and ensure that any heritage assets affected are suitably dealt with.

It is argued that the proposed development complies with the above aims of the plan in that the form and scale of the development proposed will not adversely impact on the landscape setting of the village, has regard to the Landscape Sensitivity Assessment, as confirmed by the Council's Landscape Officer, and protects and enhances the wildlife on and around the site in accordance with Core Policy 50 and the Habitats Regulations. The Council's Archaeologist is satisfied with the information provided in respect of the heritage impacts of the proposal, subject to conditions.

Policy 4 of the NP sets out principles that any future development, whether in the form of a single dwelling or larger scale, should follow, and which states that it must aim to improve the quality of the built environment of the Parish, maintain or enhance its semi-rural character and help to address the climate emergency.

It is therefore argued that the proposed development does meet those aims, which recognise that larger scale development might be proposed in the Parish, by enhancing the biodiversity of the site, ensuring that the development and the neighbouring properties are not a risk from flooding, will protect and enhance the views to Cockey Down and will provide highway improvements to mitigate the impact of the development on the local highway network, as well as providing opportunities for car-less transport. The scheme will also be required to meet the requirements of minimising its carbon footprint through the provision of EV charging points for the dwellings and water efficiency requirements, as well as minimising the light spill from the site in the interests of the wildlife using the site and nearby land.

The development is therefore considered to be in accord with the Policies set out in the Neighbourhood Plan.

#### Highway safety

The Council's Highways Officers have concluded that due to the reduced quantum of development now proposed, and with inclusion of a package of physical works in the vicinity of the application site, and a package of further active travel measures proposed then no highway objection is raised to the scheme. It should be noted that following discussions and amendments to the scheme, no objection was raised by the Highways Authority to the larger scheme on the site, subject to conditions and infrastructure improvements.

The physical works proposed are:- the provision of 2 puffin crossings on Church Road including the associated kerbing works, footway works including localised resurfacing of the footway and planing-off of the carriageway 30mm and carriageway resurfacing over the length of the crossing road markings at each crossing locations, road markings and traffic orders.

Provision by the developer of two bus stops with shelters, electronic real time information, raised bus access kerbs, and localised footway adjustments and resurfacing at the bus stop locations.

The active travel measures proposed are:- a Travel Plan based on the submitted Framework Travel Plan including the following measures:-

A £50 cycle voucher per household if requested within 6 months of occupation of the dwelling.

Either one adult 30-day Salisbury Red bus pass (£53) or up to 2 adult 7-day Salisbury Red bus pass (£15 each) + 2 child 7-day bus passes (£14 each) per household.

Consideration was also given to the provision of e-bike and e-car club facilities, but it is considered that this form of provision cannot be justified on this relatively small scale development.

There is therefore no highway objection subject to a recommendation for conditions to be attached should permission be granted and the necessary S106 agreement entered into to secure the above.

It is acknowledged that a significant number of local residents and the Parish Council have raised concerns about the traffic situation along Church Road and the locality around the application site, in particular when the school children are dropped off and picked up. However, the Highways Officers have carefully assessed the proposed development and have concluded that with specific works, as set out above, there is no highway objection to the proposal.

Therefore, the concerns expressed by local residents about the adequacy of the access to accommodate the development have been addressed satisfactorily by the Highways Officer.

### Drainage

The site is not at risk of flooding from any source, such as fluvial, groundwater or surface water according to the Council's Strategic Flood Risk Assessment. It lies in Flood zone 1.

Due to the application site being in excess of 1ha in area, the application is accompanied by a detailed Flood Risk Assessment which has carried out detailed analysis of the site's conditions. The Council's Drainage Consultants have examined this document and its supporting information and have concluded that the development will not be at risk from any source of flooding, and that the proposals to deal with surface water from the site are acceptable and will therefore not lead to problems off-site, a concern raised by a number of local objectors, subject to conditions requiring more details at the Reserved Matters stage.

On that basis it is concluded that the development will not present a flood risk to existing or proposed residents and that no objection be raised to the scheme on flood risk grounds.

### Layout and Housing Mix

The scheme, which is in Outline only with all matters other than the point of access reserved, does contain a Parameters Plan which demonstrates how the 49 dwellings could be accommodated with 2 distinct development parcels to the north and south of the site. In-between these parcels would be an area of open greenspace that would maintain views from Church Road to Cocky Down. Buildings would also be set back from the Church Road frontage. A new hedgerow boundary would be established along

the eastern edge of the site where one does not exist at the moment. This approach would ensure that the layout of the proposed development would sensitively respond to the landscape context and be capable of ameliorating any perceived adverse landscape impacts. This is explained in more detail in the updated Landscape and Visual Appraisal Addendum. The Parameters Plan is set out below:-



The application site, as set out above, corresponds to the area of land identified in Policy 30 of the emerging Local Plan.

However, it should be noted that this is an Outline application with all matters reserved and the final layout and form will be considered under any subsequent Reserved Matters application, if this Outline application is approved. However, the Parameters Plan, which indicates the areas to be developed for housing, and as areas of open space will form part of the approved plans for the scheme.

Policy CP43 requires that 40% of the dwellings on the site should be affordable, and the Council's Housing Enabling Officer has confirmed that the current proposals meet the requirements of this policy, with the affordable units to be secured via a S106 agreement.

Policy CP45 requires that the type, mix and size of both market and affordable housing is designed to address local housing needs. The Council's Strategic Housing Market Assessment identifies that there is the greatest need for 2 and 3 bedroom properties. This application does not currently include an illustration of the proposed housing mix, but this is not required at the Outline stage. However, an Informative Note is proposed which requires the Reserved Matters application to be compliant with Policy CP 45 to ensure a suitable housing mix for the site.

### Ecology

Policy CP50 requires development to demonstrate how they protect features of nature conservation and geological value as part of the design rationale. All development

proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development. The application was accompanied by a Preliminary Ecological Appraisal and Construction Environment Management Plan. In addition, CP50 requires all development to seek opportunities to enhance biodiversity.

Major development must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Ecological enhancements of the site are proposed, as explained within the Net Gain Assessment and recommendations within the Ecological Appraisal.



Ecological Parameters Plan

The Council's Ecologists have concluded that the proposal complies with the requirements of Policy CP50, subject to conditions to secure the details of the proposed enhancements and their implementation and retention.

The site also lies within the zone of influence for the New Forest protected sites which includes the New Forest SPA, New Forest SAC and New Forest Ramsar site. It is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects through increased recreational pressure, which may occur alone and in-combination with other plans and projects.

The Council is revising its mitigation strategy for the above impacts, and it has been concluded that this development will comply and deliver the required mitigation via a contribution of £600 per dwelling, to be secured via the S106 legal agreement, towards the Strategic Access Management and Monitoring scheme and that the development will not lead to adverse effects on the New Forest Protected sites. As the proposal is now for less than 50 dwellings, an on-site Suitable Alternative Natural Greenspace (SANG) is no



longer required in accordance with the Interim Recreation Mitigation Strategy for the New Forest Internationally Protected Sites.

The application site lies within the catchment of the River Avon SAC, and at its closest point the SAC/River Avon System SSSI is located approximately 41m west of the site. Stage 2 HRA (Appropriate Assessment (AA)) of development proposals within the catchment is necessary and planning applications must be accompanied by evidence that development proposals would be phosphorus neutral. It is considered that this site currently falls outside of the Council's agreed phosphate mitigation strategy as it is not planned development as part of the currently adopted Core Strategy.

Therefore the applicants have negotiated with Natural England directly to agree a scheme which would be capable of neutralising the levels of phosphates flowing into the River Avon Special Area of Conservation (SAC) to improve water quality, and a solution was provided for the proposed 135 dwelling proposal which involves taking land out of intensive agricultural use elsewhere in the River Avon catchment and converting the majority of it to woodland. This scheme was agreed as being appropriate and acceptable by Natural England. The Updated Nutrients Assessment (Technical Note 1 Rev 9) and Fallow Land Management Plan (dated 13 February 2024) have been provided by the applicants to demonstrate that this scheme remains appropriate and acceptable to the scale of development now proposed. The difference is the land take required to mitigate the phosphates is much reduced from the scale of the development originally proposed on this site. This scheme would need to be secured via the S106 agreement to ensure that it is delivered and maintained in perpetuity to ensure that the phosphate mitigation can be provided for the proposed residential development.

The site lies adjacent to the Site of Special Scientific Interest of Cockey Down, which is also designated as Cockey Down Chalk County Wildlife Site (CWS), to the west of the site. This is an area of important chalk downland currently managed by the Wiltshire Wildlife Trust. Concern was expressed in relation to the originally proposed scheme for 135 dwellings about the impacts of additional recreational pressured on this fragile habitat from the residents of the new dwellings. However, due to the reduction in scale of the development and the increase in distance of the site from the boundary of the SSSI, along with the provision of a large area of open space within the application site, this concern has been mitigated.

### S106

To enable the application to comply with local planning and Council policies which relate to development on this scale and in this location, the applicants are required to contribute towards the provision of necessary infrastructure via a legal agreement under S106 of the Planning Act. In accordance with the CIL Regulations 122 any planning obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The applicants and the Council have agreed that the S106, if planning permission is resolved to be granted, that the Heads of Terms of the legal agreement should cover the following:-

- 40% on-site provision of affordable housing in accordance with the requirements of Policy CP43, including an appropriate mix of tenure and house sizes
- £105,132 towards the provision of Early Years Education requirement in the catchment.
- Provision of specified on- site equipped play space and casual play space along with the establishment of a Management Company, and a financial contribution of approx. £22,138 to be used for Youth and Adult provision in the village- .
- £4,949 towards the provision of waste and recycling containers for 49 dwellings.
- Phosphate Mitigation Implementation, as set out in the Phosphate Mitigation Report
- New Forest Recreation Mitigation Contribution of £29,400 (plus legal and administration fee to be confirmed)
- Highways
  - A £50 cycle voucher per household (if requested) within 6 months of first occupation of a dwelling.
  - Either one adult 30-day Salisbury Red bus pass (£53) or up to 2 adult 7-day Salisbury Red bus pass (£15 each) + 2 child 7-day bus passes (£14 each) per household at first occupation of a dwelling.
  - Two bus shelters with real time capability

The provision of two controlled crossings will be delivered by the Developer via a Grampian condition and the necessary S278 Agreement with the Highways Authority.

- A contribution towards the Council's costs of drafting the Agreement.

## 10. Conclusion (the 'Planning Balance')

This planning application proposes the construction of up to 49 dwellings outside of the settlement boundary of the Small Village of Laverstock, and is therefore considered contrary to the settlement policies of the Development Plan, namely CP1, CP2 and CP23.

However, as Members are aware, the Council can currently only demonstrate a 4.2 year housing land supply, which is close to the current guidance in the NPPF which requires Local Planning Authorities with an emerging Local Plan to demonstrate a 4 year housing land supply, as opposed to those Councils not in this position to demonstrate a 5 year housing land supply.

Section 38(6) of the *Planning and Compulsory Purchase Act 2004* says development should be in accordance with the development plan '*unless material considerations indicate otherwise*', and this is reaffirmed in the Framework. Therefore, whilst the development plan has primacy in decision making, there are situations where material considerations could indicate a decision that was otherwise than in accordance with the plan.

It is acknowledged that the application site currently lies outside of any settlement boundary and is therefore classed as being within the open countryside where development is not normally permitted. The emerging Local Plan, which has been through the Regulation 19 Pre-Submission stage and is anticipated to be considered by the Council in October of this year, proposes to allocate the land for housing. However, the emerging Local Plan carries limited weight at this point in time, notably in view of there being objections through the Regulation 19 process to the proposed allocation.

The above said, the Council has a current Housing Land Supply of 4.2 years, and there is still a requirement for the Authority to maintain a supply of housing sites to support its housing trajectory. As the Committee is aware, a failure to maintain an adequate housing land supply opens the Council up to speculative housing development, often granted at appeal, in locations where the Authority would not normally support large scale development. It is considered that supporting this potential emerging housing allocation site, with a scale of development which accords with the emerging Local Plan and which is largely offering the infrastructure requirements set out in Policy 30, will help to maintain a supply of land to avoid the necessity of planning by appeal elsewhere in the County.

It is considered that the conflict with the current spatial strategy with regard to the location of the proposed development does not demonstrably and significantly outweigh the benefits of delivering up to 49 dwellings, 40% of which would be affordable, on this site. The application is therefore recommended for approval.

## **RECOMMENDATION**

**Grant planning permission, subject to the following conditions and the prior completion of a S106 Agreement in respect of the Heads of Terms referred to above:-**

- 1) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

The scale of the development;  
The layout of the development;  
The external appearance of the development;  
The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3) An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4) The development hereby permitted shall be carried out in accordance with the

following approved plans and documents:

Site Location Plan – drawing no.6459-L-01, Rev O, received on 30 April 2024

Proposed Vehicular and Pedestrian Access - drawing no. B14150\_SK\_T\_012\_P8, received on 21 May 2024

Parameters Plan- Drawing No 6450\_L\_05 Rev S, received on 23 April 2024.

Ecological Parameters Plan - Drawing No 6450\_E\_01, received on 26 February 2024

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

- 5) No development above slab level shall commence 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.

- 6) No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being.

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

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- 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);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 8) 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.

- 9) Prior to commencement of development:

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 in writing by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

- 10) Details of the surface water drainage scheme, (including sustainable drainage details), the foul water drainage scheme and timetables for their implementation shall be submitted to the local planning authority for approval with or before the submission of reserved matters. No development shall commence until those schemes have been approved in writing by the local planning authority, and the surface water drainage scheme and the foul water drainage scheme shall then be implemented in accordance with the approved schemes and timetables, and thereafter retained.

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

- 11) 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:

- 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.

Development shall be carried out in strict accordance with the approved CEMP.

The CEMP shall also address 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, mud and noise mitigation;
- 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.

REASON: 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, and the development is carried out in such a way as to not cause a nuisance to local residents.

- 12) Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management

responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

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

- 13) No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: to avoid illumination of habitat used by bats.

- 14) The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

Within 3 months of each phase being completed and the housing being brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

- 15) Within 6 months of first use of the development hereby approved a full travel plan shall be submitted based on the framework travel plan. The full travel plan when approved shall be implemented including the appointment of a travel plan co-ordinator for three years from the date of first appointment.

REASON: In the interests of promoting sustainable patterns of travel to and from the development.

- 16) Prior to first occupation a 2 metre wide footway over the red lined part of the site frontage, and extending a short distance beyond the site frontage southwards to a point as shown on drawing number SK/T/012/P8 shall have been constructed and made permanently available for use by pedestrians, in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: in the interests of safe and convenient pedestrian access to the development.

- 17) Prior to first occupation of any dwelling served by the northernmost access, that access shall have been provided to the specifications set out in the S278

Agreement.

REASON: In the interests of highway safety.

- 18) Before being brought into use the northernmost access to the development shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 43 metres to the north and 43 metres to the south.

REASON: In the interests of highway safety.

- 19) Prior to first occupation of any dwelling served by the southernmost access, that access shall have been provided to the specifications set out in the S278 Agreement.

REASON: In the interests of highway safety.

- 20) Before being brought into use the southernmost access to the development shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 43 metres to the north and 43 metres to the south.

REASON: In the interests of highway safety.

- 21) There shall be no burning undertaken on site at any time.

REASON: In the interests of the amenities of local residents.

- 22) Construction hours 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 the amenities of local residents

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

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

REASON: In the interests of the amenities of local residents and the occupiers



of the new dwellings.

- 24) 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: To reduce the risks associated with land contamination.

- 25) The applicant must undertake an Air Quality Assessment (AQA) or Screening Assessment to be approved by the LPA prior to commencement of construction. This must quantify the effect of the development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. It must also identify and make adjustments for all core strategy based development in the developments locality. Use of CURED data in the AQA is expected along with any other currently accepted approaches to AQA.

REASON: Development proposals, which by virtue of their scale, nature or location are likely to exacerbate

- 26) No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: In the interests of the amenities of local residents.

- 27) Concurrent with the reserved matters application a Sustainable Energy Strategy (SES) shall be submitted for the approval in writing by the local planning authority. The SES shall set out the measures to deliver sustainable construction and climate change adaption, and include an implementation schedule and any approved infrastructure shall be provided in accordance with the approved schedule.

REASON: To ensure that the development is carried out to the prevailing sustainable construction and climate change adaption principles.

- 28) For the avoidance of doubt, the number of dwellings hereby permitted shall not exceed 49.

REASON: To ensure that the development is carried out in accordance with the submitted application details.

### Informative Notes

- 29) Reference to S106 Agreement

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

- 30) 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>

- 31) The applicant should note that archaeological mitigation required by Condition

9 will include the excavation of a number of areas within the site in advance of development, followed by the assessment, analysis, reporting, publication and archiving of the results. The applicant should not under-estimate the programme and resources required to undertake the full programme of archaeological work, and they may wish to seek the advice of their archaeological consultant in this respect, especially in relation to the post-fieldwork assessment, analysis and reporting stages of the programme.

A mitigation strategy could be prepared and agreed in advance of the determination of this application so that the applicant is fully aware of the programme of archaeological work required and the programme and resources required to achieve it. It should also be noted that this site is in a location that is prominent to the general public and passers-by, and it therefore provides an opportunity to engage the local community with the archaeological programme.

- 32) A water efficiency calculation will be needed to discharge condition 14. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44).

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/504207/BR\\_PDF\\_AD\\_G\\_2015\\_with\\_2016\\_amendments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf)

- 33) The applicant will be required to enter into a S278 (Highways Act) legal agreement with Wiltshire Council for the Highway works, which shall include the provision of 2 puffin crossings on Church Road including the associated kerbing works, footway works including localised resurfacing of the footway and planing off of the carriageway 30mm and carriageway resurfacing over the length of the crossing road markings at each crossing locations, road markings and traffic orders.

Provision by the developer of two bus stops with shelters, electronic real time information, raised bus access kerbs, and localised footway adjustments and resurfacing at the bus stop locations.

- 34) The development hereby approved shall be carried out in accordance with the Special Requirements for Safe Working booklet, provided to the applicant's agent on 4<sup>th</sup> March 2021, in respect of the Esso Petroleum Co Ltd apparatus situated near the proposed works.