

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 5 OCTOBER 2022 AT MARLAND ROOM, THE CLUBHOUSE, SALISBURY & SOUTH WILTS SPORTS CLUB, SKEW BRIDGE, WILTON ROAD, SALISBURY. SP2 9NY.

Present:

Cllr Howard Greenman (Chairman), Cllr Tony Trotman (Vice-Chairman), Cllr Adrian Foster, Cllr Carole King, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Robert Yuill and Cllr Bridget Wayman (Substitute)

Also Present:

Cllr Pauline Church and Cllr Brian Dalton

119 **Apologies**

Apologies were received from:

- Cllr Ernie Clark
- Cllr Sarah Gibson
- Cllr Pip Ridout, who was substituted by Cllr Bridget Wayman
- Cllr Elizabeth Threlfall

120 **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 August 2022 were presented for consideration.

Cllr Adrian Foster noted that at the last meeting he had requested an update from officers on where the Council was with the 5 year Housing Land Supply and if the Council had not met the supply whether there was a strategy in place to reach the required figure. However, that had not been included in the minutes of the last meeting. He requested that an update be provided at the next meeting including the above and a date for when the 5 year Housing Land Supply would be met. It was confirmed that his request would be added to the minutes of this meeting.

It was,

Resolved:

To approve and sign the minutes as a true and correct record.

121 **Declarations of Interest**

There were no declarations of interest.

122 **Chairman's Announcements**

There were no Chairman's announcements.

123 **Public Participation**

The procedures for public participation were detailed and noted.

124 **Planning Appeals and Updates**

The appeals report in the agenda was detailed.

Members also highlighted that there had been 2 appeal decisions recently regarding applications which the Strategic Planning Committee had refused at Land Off Park Road, Malmesbury (applications 19/05898/OUT and 20/08341/OUT). Both appeals were supported by the planning inspector and the Committee's decision reversed. This related back to the lack of a 5 year housing land supply. So, this was an important factor which the Committee had to take into consideration.

Resolved:

To note the update on appeals.

125 **Planning Applications**

The following planning application was considered.

126 **PL/2021/06594 - Land North of Netherhampton Road, Salisbury**

Public Participation

Murdo Urquhart spoke in objection to the application

Eleanor Wills spoke in objection to the application.

James Prain spoke in objection to the application.

Des Dunlop spoke in support of the application.

Cllr Annie Riddle of Salisbury City Council spoke in objection to the application.

Adam Madge (Development Management Team Leader, South) presented a report which recommended to delegate to the Head of Development Management to grant planning permission subject to the completion of a section 106 legal agreement and conditions for a residential development comprising 106 dwellings including formation of vehicular access and footways, open space, drainage, landscaping and associated works.

The site consisted of a field which borders the main A3094 (Netherhampton road). In planning policy terms, the site was located in the open countryside, outside the boundary for Salisbury City as a principal settlement as defined in

the Wiltshire Core strategy. It was however allocated in the Wiltshire Housing Sites Allocation DPD.

The planning officer presented the slides for the meeting (published in the agenda supplement). The proposal had a single access point which led onto the A3094. The A3094 led to Wilton in one direction and the Harnham gyratory in the other.

Across the road from the site was another allocated site which had outline planning permission for 640 dwellings. The reserve matters application for that site was currently underway.

The proposal comprised a mixture of houses, bungalows and flats and had a large area of green open space running through the centre so that views of the cathedral could be retained. English Heritage were happy with that approach. There were also some drainage ponds within the open space. The site layout had been updated to increase the size of footpaths on the site so that they could also be used by cyclists. The development was proposing 40% on-site affordable housing provision to include both rented and shared ownership homes.

2 late observations had been received which had been circulated to Members. One had resulted in an amendment to condition 2, the plan for the block of flats would be substituted for one which removed three windows from the Eastern elevation. This was to ensure that houses to the East were not overlooked. This would have little effect on the properties in the block, as they had originally been designed without those extra windows, and each room already had a window on a different elevation.

Officers had spent a long time working on the application and with the developers to ensure that consultees were satisfied. It was on an allocated site and the houses were needed to help meet the 5 year housing land supply. Therefore, the recommendation was for approval.

Members of the committee then had the opportunity to ask technical questions of the officer.

In response the officer explained that the scheme regarding the bronze age ring ditch was to uncover and record the ditch, but it would not be retained. The ditch had already been damaged by ploughing, archaeology had already been undertaken and it was not thought anything significant would be found.

The wording within the reason for condition 5 which included 'delete as appropriate' was a typing error.

Mark Wiltshire (Highways Development Control Officer, Major Projects explained point 2 of the s106 agreement. The site opposite (which was owned by the same developer) had contributed to the extension of the R5 bus service. During negotiations regarding this site, it was agreed that as the site opposite was paying for the extension of the service, then no funding should come from

this site. There was provision to get funding towards the bus route if the site opposite did not come forwards.

The planning officer stated that the natural greenspace within the site would be maintained by a management company. There would be provision of a play area within the space.

The pedestrian and cycle routes connected to a cycle way which was already present on the South side of the A3094. A refuge would be put in by developers at one of the accesses to ensure people could cross the road safely. That met the requirements in the guidance.

The red line which extended from the site location plan was a drainage pipe.

The Committee could not impose solar panels in order to make the development more sustainable as there was not yet a national policy regarding this. It was hoped that both local and national policies would be updated to include such policies. All properties would have an EV charging point.

The affordable housing mix and proportion now being proposed was confirmed as acceptable. There were six 1-bedroom flats in the block.

Highways were comfortable that on this allocated site there was enough mitigation, in the form of a contribution, to meet the traffic impact. A robust estimate was that the scheme would generate 55 trips in peak hours. There was a Harnham gyratory scheme being developed to improve capacity and approximately £250,000 would go towards that if the scheme was approved. It was acknowledged that piecemeal applications could present issues.

There was no allocated refuge/layby for a bus stop as the Public Transport team encouraged bus stops to be in the carriageway because that encouraged bus use. Members could if they were so minded request a condition to require an amended plan showing a bus refuge.

In relation to the high voltage cables, crossing one corner of the site it was explained that usually on developments these are put underground. However, the officer had not spoken to the applicant regarding this.

Members of the public then had the opportunity to present their views, as detailed above. The main issues raised by all speakers in objection were the highways concerns and the increase in traffic, noise and pollution the proposal would cause on an already incredibly busy road.

The unitary division member, Cllr Brian Dalton spoke in objection to the application. Issues raised included flooding, traffic on Netherhampton Road and in particular the Harnham gyratory which was already terrible, he felt that major investment was required. Bus services, of which there was now only 1 an hour and the problems with piecemeal development not providing the required infrastructure were also mentioned.

Cllr Pauline Church, neighbouring division Member for Wilton spoke in objection to the application. Her representation could be seen on page 42 of the agenda. The Cllr highlighted the disproportionate numbers of homes built within or bordering her division, with no thought to transport, highways and infrastructure.

The Chairman then opened the debate and requested that the first Member to speak proposed a motion that the Committee could debate.

Cllr Tony Trotman stated that he had heard the highways concerns of those present and it was a difficult situation. He explained that the Committee had to look at the application which was before them on its own merits. The site was also allocated in the Wiltshire Housing Sites Allocation DPD, so the principal of development had already been approved. Therefore, he proposed a motion to approve the application as per the officer recommendation, with the amendment to condition 2, regarding the removal of 3 windows from the block of flats and an additional condition that the overhead electricity cables be put underground. This was seconded by Cllr Christopher Newbury.

Cllr Foster proposed an amendment to the motion requesting to add a condition that the developers provide a plan showing the provision of a bus refuge/layby, the final wording of the motion would be delegated to officers. This was accepted as a friendly amendment by the proposer and seconder of the original motion.

During debate Members stated that the site allocation created a presumption for approximately 100 dwellings on the site subject to policies being met and views of the consultees. Highways were happy with the £257,000 to mitigate traffic issues so the Committee had to accept that. In order to refuse on highways grounds significant evidence would be required which could be presented at appeal and they did not have that. The Committee could not defer the application until the 640 homes on the site opposite were built as there were deadlines which had to be met. The Committee followed professional advice provided by officers and consultees. The Environment Agency guided on the flooding issues. The Committee had tried to go against this in the Malmesbury applications mentioned earlier which were overturned at appeal. If that happened again there was the possibility of significant costs to the Council. The city and parish objections detailed issues which were either dealt with by the planning inspectorate when the site was allocated or within the s106 agreement. The Committee had to be just to both sides and the applicant had tried to comply with all requests.

Members discussed the additional condition to put the electricity cables underground. A Member pointed out that the site met regulations and therefore they did not think the Committee could add that condition. Officer advice was sought, and the officer confirmed that public protection were consulted and raised no issues, so the applicant could appeal against that condition, therefore he advised not to include that condition.

Cllr Trotman and Cllr Newbury as the proposer and seconder of the motion confirmed that they were happy to remove the extra condition from the motion.

Members highlighted that they did have concerns regarding the highways situation and transport issues. Whilst they understood that Salisbury residents were not responsible for the 5 year housing land supply, this was a principle from central government which had to be followed. The options before the Committee were very limited and the best they could do was to mitigate the effects of the application. They could not always refuse applications when they wanted to if there were no sound planning reasons to do so.

The motion to approve as per the officer recommendation with the amendment to condition 2 and an additional condition that the developer provide a plan for a bus layby (the final wording of which would be delegated to officers) was put to the vote and it was,

Resolved:

To delegate to the Head of Development Management to grant planning permission –

(A) Subject to the prior completion of the Section 106 legal agreement by all relevant parties to provide: -

1) A financial contribution of $(1,551,363 / 640) \times 106 = \text{£}256,944$ index linked, time limited towards the measures in the Salisbury Transport Strategy.

2) A financial contribution of $(750,000 / 640) \times 106 = \text{£}124,218$ index linked, time limited towards the extension of bus services to serve the development. To be payable 5 years after the first, first occupation of either H3.1 (the southern site) or H3.3 (this site) and only taken if at that point there is not full occupation of both sites. ie if full occupation of both sites the money will not be required.

3) The provision including offering for highway adoption of a 3 metre wide short link within the red line boundary of the site, between the roads or cycleways on the development, and the northern boundary of the development to connect directly to the route of the STS path reference PC09, if at any point within 10 years of occupation of the final dwelling on the development, a contract is let for the construction of the STS path reference PC09 between the development and the Broken Bridges area.

4) = $\text{£}210,264$ towards the development of Early Years provision in this area.

5) Retention and management of the open space as Suitable Alternative Natural Greenspace (as shown on a plan) in

perpetuity or for as long as the development site remains in residential use.

6) A contribution of £8000 towards compliance of SANG provision in accordance with requirements of the Council's Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1, 25 March 2022):

- a) to provide a compliance visit in each of the first five years after the open space is laid out,
- b) a compliance visit once every five years thereafter until 30 years after the open space is laid out and;
- c) inclusion of the SANG in a contract for visitor surveys in years 5 and 10 after the open space is laid out.

7) The provision of 40% affordable housing on site.

And subject to the following conditions –

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and reports listed in Drawing Issue Sheet I project no CB_78_232 Vistry Homes , with the exception of plan no's CB_78_232_NHR_IBF_01 and CB_78_232_NHR_SS_02 which shall be substituted by plan no CB_78_232_NHR_IBF_01 Rev A and CB_78_232_NHR_SS_02 rev A.

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

- 3) No development shall commence above slab level 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, in the interests of visual amenity and the character and appearance of the area.

4) No railings, fences, gates, walls, bollards and other means of enclosure 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 occupied.

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

5) No development shall commence above slab level 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;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: The matter is required to be agreed with the Local Planning Authority before commencement above slab level in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting

season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

7) The development shall only take place in accordance with the written scheme of investigation for a programme of archaeological excavation and strip, map and sample prepared by Museum of London Archaeology (MOLA), Site code – SBYWM:2021.20, and dated June 2022*. The condition shall not be discharged until the programme of assessment, analysis, and publication elements of the programme has been fulfilled.

REASON: To enable the recording of any matters of archaeological interest.'

This mitigation work is to be carried out following the standards and guidelines for archaeological excavations and monitoring of groundworks as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

8) NO development above slab level shall commence until a detailed assessment of the drainage strategy shall be submitted to and approved in writing showing that a MADD factor of zero has been used in the assessment and demonstrating how the proposed drainage and storage on site can accommodate the rainfall volumes used in the hydraulic assessment. The drainage strategy as approved by this condition shall be implemented prior to first occupation of the development.

REASON: The application contained insufficient information to enable determination of this issue prior to approval.

9) The development will be constructed in strict accordance with the Ecological Parameters Plan, Drwg no edp6768_d023f

REASON: In the interests of conserving biodiversity and to ensure that legally protected habitats and species are not permanently displaced as a result of development.

10) 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 preconstruction/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.

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.

11) 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.

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

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

13)No external light fixture or fitting will be installed within the application site until a Lighting Strategy has been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate that a level of 0.5Lux or less can be achieved at the edges of the dark corridors marked on the Ecological Parameters Plan which forms part of this permission.

REASON: In the interests of conserving biodiversity.

14)Prior to the start of construction, a site plan indicating the number, type and location of all bat and bird boxes and of reptile refugia areas will be submitted for agreement in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

15)No residential unit shall be occupied until those parts of the Residential Travel Plan capable of being implemented prior to occupation have been implemented. Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Residential Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Residential Travel Plan for a period from first occupation until at least 2 years following occupation of the last residential unit.

REASON: In the interests of reducing the amount of private car movements to and from the development.

16)Prior to first occupation of any dwelling the ghost island right turning lane outlined on drawing CB/78/232/001/C including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of the A3094 over the length of the right turning lane scheme, the footway to be provided over part of the site frontage, and the tactiled crossing of the access track to the east, shall all provided

in in accordance with details to be first approved under a Highways Act 1980 Section 278 Agreement.

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

17) Prior to first occupation of any dwelling hereby permitted the access 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 120 metres to the west and 120 metres to the east.

REASON: In the interests of highway safety.

18) Prior to occupation of the any dwelling 2 bus stops including flag signs, road markings and high bus access kerbs shall have been provided on A3094 near to the development in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient access to public transport for occupiers of the development.

19) The parking spaces for plot 28, located separate from the plot curtilage shall be clearly demarcated as private spaces for use by the residents of plot 28, prior to the plot being occupied. The demarcation shall be maintained in perpetuity.

REASON: In the interests of making clear that these spaces are not for general use.

20) The development shall be carried out in accordance with the submitted flood risk assessment (FRA) by Stantec, Ref: 3322310515/4001 Rev: B, dated June 2021 and the mitigation measures detailed. This will include:

- All built development will be located in Flood Zone (FZ) 1
- There shall be no temporary or permanent ground raising, including the storage of material within FZ 2 and/or 3.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: The very northern edge of the site lies within flood zones 2 and 3. To reduce the risk of flooding to the proposed development and future occupants and to prevent increasing flooding elsewhere.

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

REASON: Core Policy55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

22) No construction work (excluding the internal fitting out of dwellings) nor the movement of spoil from the site shall take place outside the hours of 0700 – 2000 Monday to Thursday, 0700 – 1800 on Friday, 0800 – 1300 on Saturday and at no time on Sundays and Bank holidays.

REASON: In order to protect the residential amenity of future and adjoining residents.

23) Within 3 months of the date of this permission a plan shall be submitted to and agreed with the local planning authority for a childrens play area on the site. The childrens play area as agreed shall be constructed prior to occupation of the 25th dwelling on the site and shall be maintained in perpetuity.

REASON: In the interests of ensuring adequate outdoor play and recreational facilities exist on the site.

24) Within 3 months of the date of this permission a plan shall be submitted to and agreed with the local planning authority for a bus layby within the Southern boundary of the site to serve buses on Netherhampton road travelling in an Easterly direction towards Salisbury. The bus layby as is agreed shall be constructed prior to occupation of the 50th dwelling on the site and shall be maintained in perpetuity.

REASON: In order to ensure that there is adequate provision for a bus to wait off the main road whilst picking up passengers.

127 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.40 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail tara.shannon@wiltshire.gov.uk

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