

AGENDA

Meeting: STRATEGIC PLANNING COMMITTEE
Place: Alamein Suite, City Hall, Salisbury
Date: Wednesday 16 February 2011
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Briefing Arrangements:	Date	Time	Place
<u>PARTY SPOKESMEN</u>	16/02/11	9.30am	Meeting Room, City Hall, Salisbury

Membership:

Cllr Mark Connolly
Cllr Christine Crisp
Cllr Andrew Davis
Cllr Peter Fuller
Cllr Russell Hawker
Cllr Charles Howard
Cllr Chris Humphries

Cllr Julian Johnson
Cllr Mark Packard
Cllr Anthony Trotman
Cllr Ian West
Cllr Fred Westmoreland
Cllr Graham Wright

Substitutes:

Cllr Ernie Clark
Cllr Peter Colmer
Cllr Bill Douglas
Cllr Nick Fogg
Cllr Mollie Groom

Cllr John Knight
Cllr Jacqui Lay
Cllr Francis Morland
Cllr Leo Randall

PART I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Membership Changes**

3. **Attendance of Non-members of the Committee**

4. **Minutes of the Previous Meetings** (*Pages 1 - 22*)

To approve and sign as a correct record the minutes of the meetings held on 7 and 21 July 2010. (copies attached)

5. **Declarations of Interest**

Councillors are requested to declare any personal or prejudicial interests or dispensations granted by the Standards Committee.

6. **Chairmans Announcements**

7. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 10.20am on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

8. **S/2009/1943 - Land North, West & South of Bishopdown Farm, Salisbury, SP1 3WS - Erection of 500 Dwellings, 4 New Vehicular Accesses off Pearce Way, Associated Landscaping & Public Open Space and Creation of a Country Park with Associated Parking, Infrastructure & Facilities**
(*Pages 23 - 62*)

A report is attached.

PART II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 7 JULY 2010 AT COUNTY HALL, TROWBRIDGE.

Present:

Cllr Philip Brown, Cllr Mark Connolly, Cllr Christine Crisp (Vice Chairman), Cllr Andrew Davis (Chairman), Cllr Peter Fuller, Cllr Chris Humphries, Cllr Julian Johnson, Cllr Francis Morland (Reserve), Cllr Mark Packard, Cllr Ian West and Cllr Fred Westmoreland

Also Present:

Cllr Keith Humphries

16. Apologies for Absence

Apologies for absence were received from Cllr Russell Hawker, Cllr Anthony Trotman and Cllr Graham Wright.

17. Membership Changes

Cllr Russell Hawker was substituted by Cllr Francis Morland.

18. Attendance of Non-members of the Committee

Cllr Trevor Carbin and Cllr Keith Humphries were also present.

19. Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the meeting held on 12 May 2010.

20. Declarations of Interest

Cllr Francis Morland declared a personal interest as a member of Heywood Parish Council in respect of the following application:-

Application No W/10/01161/WCM – Land at Quartermaster Road, West Wilts Trading Estate, Heywood – Temporary Change of Use for a Three Year Period for an End-of-Life Vehicle (ELV) Depot.

Cllr Morland stated that he had not taken part in any debate by Heywood Parish Council on this application and would not come to any conclusion until he had heard the debate.

21. **Chairmans Announcements**

There were no Chairman's announcements.

22. **Public Participation**

Members of the public addressed the Committee as set out in Minute No. 25 below.

23. **W/10/00666/WCM - Bore Hill Farm, 124, Deverill Road, Warminster, BA12 8BD - Erection of Biogas Plant, Employment Units, Associated Land Modelling, Landscaping & Access Works - Electoral Division Warminster Broadway**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

It was noted that a site visit in respect of this application had taken place on Monday 5 July 2010 which had been attended by Cllr Philip Brown, Cllr Christine Crisp, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Chris Humphries and Cllr Julian Johnson.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Miss Ashley Price, a local resident

Mr Trevor Gilbert, a local resident

The following people spoke in favour of the proposal

Mr Toby Minter of Malaby Martin Ltd, the applicant

Mr Thomas Minter of Malaby Martin Ltd, the applicant

Mr Chris Beaver, Planning Director, GL Hearn, the agent

On hearing the views of Cllr Keith Humphries, as local Member, and after discussion,

Resolved:

To grant planning permission for the following reasons:-

Having taken into account the environmental information, the Council is of the opinion that the proposed development is in accordance with the Development Plan and that there are no material considerations that

indicate the decision should be made otherwise. The biogas plant would provide a sustainable means of creating renewable energy through the processing of waste to provide a source of power to run the plant itself, adjoining employment units, and supply electricity to the national grid. The employment units would provide the opportunity for new technology to develop and contribute to the vitality and economic viability of Warminster. The Council is of the view that the development proposed on the Bore Hill site is acceptable.

The policies relevant to this decision are: Policies RE5 and RE6 of RPG10: Regional Planning Guidance for the South West, 2001; Policies T1, RE1, W2, W3, DP1, DP9 and DP14 of the Wiltshire and Swindon Structure Plan 2016; Policies WCS1, WCS2, WCS3 and WCS5 of the Wiltshire and Swindon Waste Core Strategy 2006-2026; Policies WDC1, WDC2, WDC3, WDC7, WDC8, WDC11 and WDC 12 of the Wiltshire and Swindon Waste Development Control Policies DPD and; Policies C1, C4, C31a, C32, C34, C35, C38 and E6 of the West Wiltshire District Plan 1st Alteration 2004 (as amended by Secretary of State Direction of 26th September 2007 regarding “saved” policies).

Subject to the following condition(s):

1. The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: In accordance with Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

Plan Ref: 9068 (L) 001 Proposed Layout – Roof, dated 28.01.10
Plan Ref: 9068 (L) 003 Demolitions scheme, dated 21.07.09
Plan Ref: 9068 (L) 005 Elevations & Section – Unit 3, dated 25.01.10
Plan Ref: 9068 (L) 006 Elevations & Section – Unit 2, dated 25.01.10
Plan Ref: 9068 (L) 007 Elevations & Section – Unit 4 & 5, dated 25.01.10
Plan Ref: 9068 (L) 008 Ground First & Roof Plans – Unit 3, dated 25.01.10
Plan Ref: 9069 (L) 009 Ground Mezzanine & Roof Plans – Unit 2, dated 25.01.10
Plan Ref: 9068 (L) 010 Ground & Mezzanine Plans – Unit 4 & 5, dated 25.01.10
Plan Ref: 9068 (L) 011 Proposed Site Sections – AA BB & CC, dated 05.02.10

Plan Ref: 9068 (L) 013 Elevations & Section – Unit 1, dated 25.01.10
Plan Ref: 9068 (L) 014 Ground First & Roof Plans – Unit 1, dated 10.02.10
Plan Ref: 9068 (L) 015 Elevations & Section – Unit 6, dated 10.02.10
Plan Ref: 9068 (L) 016 Ground First & Roof Plans – Unit 6, dated 10.02.10
Plan Ref: 9068 (L) 020 Site Location Plan, dated 09.02.10
Plan Ref: 9068 (L) 021 Proposed Site Layout Plan, dated 09.02.10
Plan Ref: 9068 (L) 026 Employment Site Plan, dated 28.01.10
Plan Ref: 9068 (L) 030 Biogas Plant Site Plan, dated 17.02.10
Plan Ref: 9068 (L) 031 Biogas Plant Pre-Treatment Building Elevations, dated 17.02.10
Plan Ref: 9068 (L) 032 Biogas Plant Plan, dated 17.02.10
Plan Ref: 9068 (L) 033 Biogas Plant Site Cross Sections, dated 17.02.10
Plan Ref: 9068 (L) 034 Biogas Plant Pre-Treatment Building Sections, dated 17.02.10

Plan Ref: 978-001-1-A Landscape Masterplan, dated 10.07.09
Plan Ref: 978-G002 Landscape Section 1, dated February 2010
Plan Ref: 978-G003 Landscape Section 2, dated February 2010
Plan Ref: 978-400 Security Fencing Detail, dated 23.02.10

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

- 3. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the Biogas Plant and Employment Buildings have been submitted to and approved in writing by the Waste Planning Authority. Development shall be carried out in accordance with the approved details.**

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

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

a) details of all existing trees and hedgerows to be retained on the land together with measures for their protection in the course of development.

- b) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads and other works.
- c) proposed finished levels or contours
- d) means of enclosure
- e) vehicle parking layouts together with pedestrian access and circulation areas
- f) hard surfacing materials
- g) minor artefacts and structures (e.g. furniture, bicycle racks, refuse or other storage units, signs, lighting etc)
- h) proposed and existing functional services above and below ground (e.g., drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc)
- i) retained historic landscape features and proposed restoration.

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

Policy: WDC7 of the Wiltshire and Swindon Waste Development Control Policies DPD and Policy C32 of the West Wiltshire District Plan 1st Alteration 2004.

5. 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 Waste 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 Waste Planning Authority.

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

Policy: WDC7 of the Wiltshire and Swindon Waste Development Control Policies DPD and Policy C32 of the West Wiltshire District Plan 1st Alteration 2004.

6. Delivery of waste to the biogas plant shall only take place between the following hours:

**07.30 to 18.00 Monday to Friday
09.00 to 13.00 Saturday**

No deliveries shall take place on Sundays or Bank Holidays.

Reason: To reduce the potential for disturbance caused by vehicular movements.

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD.

- 7. No development shall commence on site until a detailed scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Waste Planning Authority. The agreed scheme shall be implemented in full in accordance with an agreed timetable.**

Reason: To prevent the increased risk of flooding and prevent pollution of the water environment.

Policy: WDC2 and WDC3 of the Wiltshire and Swindon Waste Development Control Policies DPD

- 8. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Waste Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.**

Reason: To protect controlled waters.

Policy: WDC2 and WDC3 of the Wiltshire and Swindon Waste Development Control Policies DPD

- 9. The development shall only be carried out in accordance with the Flood Risk Assessment (Clarkebond, Engineering and Management Consultants – dated February 2010) and the following mitigation measures detailed within the FRA:**

Limiting the surface water run-off generated by the 1 in 100 year critical storm (including an appropriate allowance for climate change) so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Policy: WDC2 and WDC3 of the Wiltshire and Swindon Waste Development Control Policies DPD

10. The plant and equipment on site shall be designed, installed and maintained to ensure that the following noise levels are achieved at the locations and time periods specified:

<u>Location</u>	<u>Time Period</u>	<u>Laeq 5min dB</u>
Butlers Coombe Farm House	07.00 – 19.00	34
	19.00 -- 23.00	30
	23.00 – 07.00	30
Dwellings on Ashley Place	07.00 -19.00	45
	19.00 –23.00	30
	23.00 –07.00	30
Dwellings on Ludlow Close	07.00 –19.00	40
	9.00 - 23.00	30
	3.00 –07.00	30

The plant shall be so designed and maintained so as to eliminate any tonal or impulsive character to the noise.

Reason: To safeguard the amenity of the area and of local residents.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD

11. No development shall commence on site until full details of visibility splays of 4.5m x 160m in both directions, at both access points to Deverill Road, shall be submitted to the Waste Planning Authority. The visibility splays shall be provided in accordance with the approved details before the development is first brought into use and shall be maintained at all times.

Reason: In the interests of highway safety.

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD

12. No development shall commence on site until full details of the internal access roads and access junctions to Deverill Road shall be submitted to and approved in writing by the Waste Planning Authority. The internal access roads and junctions shall be

constructed in accordance with the approved details before the development is first brought into use.

Reason: In the interests of highway safety

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD

13. No development shall commence on site until full details of the southerly access junction to the site have been submitted to and approved in writing by the Waste Planning Authority. Such details shall ensure that articulated vehicles will not obstruct the opposing traffic lanes when turning into the site. Gradients of internal access roads shall not exceed 1 in 30 over the first 9 metres measured from the nearside edge of carriageway of Deverill Road. The junction shall be constructed in accordance with the approved details before the development is first brought into use.

Reason: In the interests of highway safety

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD

14. No development shall commence on site until details of the location, scale, construction method, fill and means of retention of the proposed embankment adjacent to the A36 (T) road shall be submitted to and approved in writing by the Waste Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: To protect highway safety of the A36

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD

15. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Waste Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Waste Planning Authority on request, together with any changes arising from those results.

Reason: In the interests of road safety and reducing vehicular traffic to the development.

Policy: T1 of the Wiltshire and Swindon Structure Plan 2016

- 16. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Waste Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.**

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD.

- 17. There shall be no open storage of waste within the biogas plant or employment area.**

Reason: To safeguard the amenity of local residents from any potential odours.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD.

- 18. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in strict accordance with plans approved by the Waste Planning Authority prior to the first use of the development.**

Reason: To prevent pollution of the water environment.

Policy: WDC2 and WDC3 of the Wiltshire and Swindon Waste Development Control Policies DPD

- 19. Prior to the commencement of development an ecological construction method statement and detailed Environmental Management Plan shall be submitted to the Waste Planning Authority for approval. The plan shall set out details regarding how it is proposed to safeguard wildlife species during the construction**

and operation of the site and proposals for long term management of the site to maintain and encourage native species. Development shall be carried out in accordance with the scheme approved.

Reason: In order to ensure that appropriate measures are taken to protect wildlife and promote biodiversity.

Policy: WDC8 of the Wiltshire and Swindon Waste Development Control Policies DPD

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the employment units shall be used solely for purposes within Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The proposed use is acceptable but the Waste Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

21. No development shall commence on site (including any works of demolition) until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - h) measures for the protection of the natural environment;
 - i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Waste Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved

construction method statement without the prior written permission of the Waste Planning Authority.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

24. **N/10/01208/WCM - Land at Leigh Delamere, Chippenham, SN14 6JZ - Creation of a Landscaped Landform using Inert Fill Material to mitigate adverse Environmental Impacts of the M4 Motorway and Construction of a Temporary Access Track to facilitate Vehicular Access - Electoral Division By Brook**

The Chairman reported that the applicant had withdrawn this application.

25. **W/10/01161/WCM - Land at Quartermaster Road, West Wilts Trading Estate, Heywood - Temporary Change of Use for a Three Year Period for an End-of-Life Vehicle (ELV) Depot - Electoral Division Ethandune**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

After a detailed discussion,

Resolved:

To grant planning permission for the following reason:-

The development will facilitate the de-pollution of end-of-life vehicles aiding the prevention of waste from vehicles and the re-use and recycling of their components. The development is considered to be in accordance with the Development Plan and would not have adverse effects on the local environment or local communities. Policies relevant to this decision are Policies DP1, C5, HE2, W1 and W4 of the Wiltshire and Swindon Structure Plan 2016, Policies WCS1, WCS3 and WCS5 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document and Policies WDC1, WDC2, WDC3 and WDC9 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document.

Subject to the following conditions:-

- 1 The use hereby permitted shall be discontinued and all associated vehicles and components removed from the land on or before 31st July 2013.

REASON: In the interests of amenity, in order to secure the restoration of the land upon the cessation of the temporary use hereby permitted.

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 2** No development shall commence on site until details of surface water drainage from impermeable parking areas and hardstandings for vehicles associated with the development to oil interceptor(s) has been submitted to and approved in writing by the Waste Planning Authority. The development shall not be first brought into use until the oil interceptor(s) has/have been installed in accordance with the approved details. Thereafter the oil interceptor(s) shall be maintained in accordance with the approved details. Roof water shall not pass through the interceptor(s).

REASON: To minimise the risk of pollution of the water environment.

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 3** The de-pollution and removal of parts from vehicles shall only take place within the designated de-pollution building. No vehicle parts, materials or hazardous substances shall be stored outside the de-pollution building at any time.

REASON: In order to safeguard the water environment and in the interest of amenity

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 4** Vehicles shall be stored at ground level only and shall not be stored by stacking/racking at any time.

REASON: In the interest of visual amenity.

POLICY: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 5** The security fencing to serve the site shall be set away from the boundary of the Scheduled Ancient Monument (Scheduled Monument No. 12048) to the south/southwest of the site by 2.5 metres whilst the site is occupied in accordance with this planning approval. No vehicles, parts, machinery or waste products shall be stored within this 2.5 metre strip at any time.

REASON: In order to preserve the setting of the Scheduled Ancient Monument.

POLICY: WDC9 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 6** No flattening or crushing of vehicle shells shall be undertaken on site.

REASON: In order to avoid the level of noise generated in the interest of amenity

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 7** The development hereby permitted shall not be first brought into use until the security fence shown on the approved plans has been installed. The security fence shall be retained throughout the course of the development in accordance with the approved plans.

Reason: To ensure the security of the site in the interest of amenity.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document 2009.

26. Date of Next Meeting

Resolved:

To note that an additional meeting would be held on Wednesday 21 July 2010 starting at 10.30am, which would be held at Monkton Park, Chippenham to consider the following applications:-

N/09/00317/OUT – Land at Langley Park, Chippenham, SN15 1JD - Outline Planning Application for the Demolition and Redevelopment of the Site to Provide a Mixed Use Scheme Comprising Residential, Retail, Hotel, Public Open Space, Together with Car Parking, Servicing, Access and Other Ancillary Uses and Development

W/10/01560/REG3 – George Ward School, Shurnhold, Melksham, SN10 8DQ – Change of Use to Offices for a period of Three Years & Associated Works

27. Urgent Business

There were no urgent items of business.

(Duration of meeting: 10.30am – 12.00noon)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 21 JULY 2010 AT COUNTY HALL, TROWBRIDGE.

Present:

Cllr Peter Colmer, Cllr Mark Connolly, Cllr Christine Crisp (Vice Chairman), Cllr Andrew Davis (Chairman), Cllr Bill Douglas (Reserve), Cllr Russell Hawker, Cllr Julian Johnson, Cllr Leo Randall (Reserve) and Cllr Anthony Trotman

Also Present:

Cllr Rod Eaton

28. **Apologies for Absence**

Apologies for absence were received from Cllr Philip Brown, Cllr Peter Fuller, Cllr Chris Humphries, Cllr Mark Packard, Cllr Ian West, Cllr Fred Westmoreland and Cllr Graham Wright.

29. **Membership Changes**

Cllr Philip Brown was substituted by Cllr Jacqui Lay
Cllr Ian West was substituted by Cllr Bill Douglas
Cllr Fred Westmoreland was substituted by Cllr Leo Randall
Cllr Graham Wright was substituted by Cllr Peter Colmer

30. **Attendance of Non-members of the Committee**

Cllr Rod Eaton also attended the meeting.

31. **Declarations of Interest**

There were no declarations of interest.

32. **Chairman's Announcements**

There were no Chairman's announcements.

33. **Public Participation**

No members of the public addressed the Committee.

34. **W/10/01560/REG3 - George Ward School, Shurnhold, Melksham, SN12 8DQ - Change of Use to Offices for a Period of 3 Years, and Associated Works - Electoral Division Melksham North**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

Members of the Committee then asked technical questions after which Cllr Rod Eaton, the local Member made a statement in support of the application. He also reported that the Melksham Town Council of which he was Town Mayor and the Melksham Community Area Partnership supported the application.

After discussion,

Resolved:

To grant planning permission for the following reason:-

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

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 approved shall not be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.**

REASON: In the interests of road safety and reducing vehicular traffic to the development.

Wiltshire & Swindon Structure Plan 2006 - POLICY: DP1

- 3** No part of the development hereby permitted shall be occupied until the internal access, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 4** No part of the development hereby permitted shall be occupied until the overspill car parking space together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 – POLICY: T10

- 5** No development shall commence on site (including any works of demolition), until a Construction Method Statement which shall include details of how demolition will be undertaken and what provision will be made to protect bats should they be discovered in any parts of these two buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise the detrimental effects to the neighbouring amenities and the natural environment.

PPS9 and West Wiltshire District Plan 1st Alteration 2004 – POLICY: C38

- 6** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

- 7** Prior to the occupation of the site full details of the Air Source Heat Pumps which shall include noise data shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and brought into operation in accordance with the approved scheme and thereafter retained.

REASON: In the interests of the conservation of energy resources

West Wiltshire District Plan 1st Alteration 2004 – POLICY: C34

- 8** Prior to the occupation of the site full details of the solar panels including location shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

West Wiltshire District Plan 1st Alteration 2004 – POLICY: C31a and C34

- 9** No part of the development shall be brought into use until details of the stopping up of the existing pedestrian access from Addison Road on to the site has been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 10** Prior to the occupation of the development hereby approved details of the bus stop/shelter shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

West Wiltshire District Plan 1st Alteration 2004 – POLICY: C31a

- 11 This permission shall be for a limited period only expiring on 21st July 2013 or before which date the use(s) hereby permitted shall be ceased.**

REASON: To acknowledge the particular circumstances in this case and to retain control over the future use of the site.

- 12 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**

- * details of any trees and hedges to be retained, together with measures for their protection in the course of development;**
- * hard surfacing materials;**
- * proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 13 All hard landscaping works shall 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 14 No retained tree//hedgerow(s) shall be cut down, uprooted or destroyed, nor shall any retained tree//hedgerow (s) be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance BS3998: 1989 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.**

If any tree/hedgerow is removed, uprooted, destroyed or dies, another tree/hedgerow shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No equipment, machinery or materials shall be brought on to site for the purpose of development, until a scheme showing the exact position of protective fencing to enclose all retained trees and hedgerows beyond the outer edge of overhang of their branches in accordance with British Standard 5837: 2005: Tree in Relation to Construction, has been submitted and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

In this condition “retained tree/hedgerow” means an existing tree and hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the period expiring on 21st July 2013 or before which date the use(s) hereby permitted shall be ceased.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land].

REASON: To prevent trees and hedgerows being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 15 Prior to the occupation of the site details of the storage of waste, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved waste storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38
Wiltshire and Swindon Waste Core Strategy 2006-2026 – POLICY: WCS6

(Duration of meeting: 10.30am – 10.50am)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Agenda Item 8

Deadline	20-Apr-2010		
Application Number:	S/2009/1943		
Site Address:	Land North, West And South Of Bishopdown Farm, Salisbury, SP1 3WS		
Proposal:	Erection of 500 dwellings, 4 new vehicular accesses off Pearce Way, associated landscaping and public open space, and the creation of a country park with associated parking, infrastructure and facilities		
Applicant/ Agent:	Mr Chris Rees - Savills		
Parish:	Laverstock and City		
Grid Reference:	415701 132507		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr Richard Hughes	Contact Number:	01722 434382

Reason for the application being considered by Committee

The applicants have appealed against non-determination, and the proposal is now to be determined at Public Inquiry. As a result, officers must seek Councillors' opinion of the application scheme, and on what matters Councillors may wish to contest the scheme at appeal.

Councillor Moss also requested that this item be determined by Committee due to the various highway issues including the access on to the A30 and the excessive traffic on the A30 between Pearce Way and St Mark's roundabout.

1. Purpose of Report

As above. The applicants have appealed against non-determination, and the proposal is now to be determined at Public Inquiry. As a result, officers must seek Councillor's opinion of the application scheme, and on what matters Councillor's may wish to contest the scheme at appeal. Members should note that due to the appeal, the Council cannot formally determine the application. The scheme can now only be determined by the appeal inspector.

(The issues in the following report have been summarised where possible in the interest of brevity. However, at the end of the report, sections 9.7 & 10.0 offer a brief overview of the main issues.)

2. Main Issues

- EIA issues
- Principles and policies
- Design, layout, and impact on wider landscape
- Impact on countryside, scheduled ancient monument and conservation area
- Country Park and community issues
- Impact on highway system and improvements
- Impacts on public rights of way
- Impact on SSSI/SAC river system and drainage

- Impact on residential amenities
- Archaeology and heritage assets
- Section 106 issues
- Open space and community centre
- Affordable Housing
- Educational issues
- Public Art
- Waste and recycling
- Emergency services, healthcare, water and drainage.

3. Site Description

The site currently consists of a series of open agricultural fields, located between Pearce Way to the south and the settlement of Ford, to the north. The application site is crossed by a public footpath no. 11, and is divided by the public byway, "Green Lane". To the immediate east of the site is located a travel accommodation and restaurant use (Currently Premier Inn and the adjacent restaurant), and to the south, leading off Pearce Way, is a large area of housing, which contains a school, community centre, and other facilities (Bishopdown Farm/Hampton Park). The site is also bounded to the south west by a bridleway (SALS1), leading to the Castle Hill area.

The River Bourne Site of Special Scientific Interest/Special Area of Conservation (SSSI/SAC) runs to the east of the site, and land to the south west of the site is designated as a County Wildlife Site. To the west of the site lies the Old Sarum Schedule Ancient Monument (SAM) and its Conservation Area. Some distance to the north is the Old Sarum airfield and Conservation Area, and to the south east is the Figsbury Ring SAM.

4. Planning History

The site was subject of a planning permission in the early 1990's for use of the land as a golf course, although this was never implemented. This application was also the subject of a wider S106 agreement in relation to the development of the site and the adjacent housing land.

The surrounding area has been the subject of a number of applications over the last 20 years, that has shaped the surrounding environment, including the various housing parcels forming Bishopdown Farm, the hotel and restaurant building located to the east of the site, and the various applications related to the London Road retail park site, to the south of Pearce Way. In this regard, Members should note that extant planning permission exists on this adjacent site for a large scale bulky goods retail scheme, and the site also benefits from a more recent planning permission for a similar, but larger bulky goods retail scheme, subject of application S/2007/1460.

5. The Proposal

In general terms the original proposal related to:

- The erection of 525 dwellings, including 40 percent affordable housing
- The creation of 4 new vehicular access points of Pearce Way
- Highway works to Pearce Way and contributions to off site sustainable transport improvements
- The creation of a Country park, including parking, pathways, and other features
- The creation of a number of public areas of open space within and adjacent to the development
- Improvement of wildlife habitats

An Environmental Impact Assessment has been submitted, together with various reports and assessments including a Transport Assessment, a Sustainability and Energy Assessment, a Flood Risk Assessment, as well as a landscape assessment and scheme.

However, in recent months, as a result of protracted negotiations with officers, and following the various consultee responses, the scheme has been revised, with the reduction in the total number of dwellings from 525 to 500, together with changes to the layout of the scheme and to the detailed design of the buildings including:

- Reduction in the number and length of terraced properties
- Reconfiguration of parking spaces and parking courts
- Re-alignment of cycle paths and pedestrian routes
- Replacement of block of flats with dwellings
- Improvements to Pearce Way and speed reduction measures
- Amendments to car parking ratio
- Orientation and alignment of numerous individual properties across the site

6. Planning Policy

the following policies are considered relevant to this proposal

National Guidance

PPS1	Sustainable development and climate change
PPS3	Housing
PPS5	Historic assets
PPS7	Sustainable rural development
PPS9	Biodiversity
PPS13	Sustainable Transport
PPS22	Renewable Energy
PPS23	Pollution
PPS24	Noise pollution

PPS25	Flooding and drainage
Circular 5/2005 Circular 6/2005	Planning Obligations Biodiversity and Geological Conservation
Conservation of Habitats and Species Regulations 2010	
Wildlife and Countryside Act 1981 <u>Regional guidance and policy</u>	
Draft Regional Spatial Strategy	TR1 – Demand management and public transport TR4 – Trunk Road management H1 – Affordable Housing LCF1 – Local Cultural Facilities ENV1 & 4 – Protection of natural and historic environment RE5 – Renewable Energy W4 – Waste Audits
<u>Local policies</u>	
Emerging South Wiltshire Core Strategy	Core Policy 2 – Strategic Allocations Core Policy 3 – Affordable Housing Core Policy 6 – Housing needs Core Policy 20 – Pollution and phosphates Core Policy 22 - Community facilities
Wiltshire Structure Plan	DP1 – Sustainable development DP2 –Infrastructure requirements DP7 –Infrastructure requirements DP14 – Housing in the open countryside T3 T5 T6 – Sustainable Transport issues C1 C2 C3 C10 – Protection of countryside HE2 - Archaeology HE6 – Landscape Strategy RE1 – Renewable Energy RTL2 – Access to the countryside W1 – Waste and recycling Waste and recycling SPG policy WSC6
Salisbury District Local Plan	G1 G2 G3, G5,G6, G9, D1 D8 H8 H23 H26 TR1 TR12 TR13 PS1 C2 C7, C8, C11, C12, C13 C14 C15 C17 C18, CN11, CN20 – 23, R2,

R4, PS8

Creating Places SPG
Affordable Housing SPG

7. Consultations

(Officer note – Members should note that for the sake of brevity, the following comments are a summary of those received)

7.1 Spatial Planning – Development in this location is currently contrary to the adopted local plan, however although still in draft form, the submission draft Core Strategy is the Council's emerging policy at this point in time, and the evidence gathered to formulate the strategy states that subject to the requirements in the development template that this site is suitable for strategic development. Without the strategic sites, south Wiltshire and in particular Salisbury is unable to demonstrate a 5 year supply of deliverable sites, which is contrary to the requirements set out in PPS 3. Therefore based on the evidence to support the emerging Core Strategy, I raise no policy objection to the principle of residential development in this location. However, the case officer needs to be satisfied that the application meets all the requirements set out in the development template.

7.2 WC Tree Officer – The applicant has not provided sufficient information to allow me to assess the extent of the risk to the trees, which causes me concern. The close proximity of a number of the proposed dwellings and the two new routes across the lane have the potential to cause significant damage. Under the circumstances, I object to the proposed development and I recommend the application for refusal.

7.3 WC Public Art officer – The application is suitable for the provision of public art. This will need to be secured as part of an agreed scheme of works.

7.4 WC Highways – Objection:

Matters of General Principle.

As part of an evidence based approach for the South Wiltshire Core Strategy (SWCS), the Council has indicated that the combined impact of growth arising from the SWCS creates the need to invest in city wide transport infrastructure. The way forward is for the Council to seek a legal agreement in order to secure a financial contribution from this site to help pay for the investment required to deliver the emerging Salisbury Transport Strategy. In principle the wider impact of the development on the transport network can be dealt with by a suitably drafted and agreed planning obligation.

Highways – Matters of Detail.

We remain unsatisfied that the latest amended scheme offers sufficient detail and clarity for the Highway Authority to be assured that a safe, convenient and commodious road network for all users can be provided by the submitted scheme. (see separate highway section of this report)

The application is therefore recommended for refusal in its present submitted form with the rider that it is acknowledged that the submission of further amendments and additional information could overcome these concerns but that the current submission is now to be considered at the forthcoming enquiry. It is also acknowledged that some detailed requirements could be made conditional where appropriate and clearly agreed between the applicant and the Authority.

7.5 WC Ecologist – The developer needs to provide further information to demonstrate how existing features will be protected and enhanced, further details on how the country park will be delivered and further assurances on how the goals of the CEMP will be achieved. An assessment will need to be made under the Habitats Regulations before the application is determined by the Inspector.

7.6 WC Urban Design officer – The revised masterplan is ‘an improvement and did not expect to have any further fundamental points to raise subject to the Landscape masterplan outstanding reflecting my comments’. However I have not seen a corresponding revision of the Landscape Masterplan and the drawing indicating all boundary treatments updated to reflect the current Roof Masterplan to be certain the ‘landscaping’ overall will suitably help contain and reinforce spaces, emphasize routes and screen rear gardens. For example: confirmation of the extent to which the berm along Pearce Way is retained and screen planting provided. My current position therefore is that I do not object to the proposal as currently submitted apart from this. Removal of a block of flats is welcomed, and the retention of the other blocks of lesser bulk would have limited impact due to their location adjacent an area of open space.

7.7 WC Parks

On site Open space issues:

Equipped Play Space (on the development): We object due to the lack of information provided on the overall area of the Equipped Play Space, Specification and our Health and Safety Concerns. It would be our preference that these spaces are within local authority ownership. However if these spaces are to be managed by a developer/management company we would require a management plan. The S106 would need to secure public access to these areas at all times.

Country Park:

In principal, we agree with the Country Park. However, as you are aware following interest from the Parish Council and the Laverstock Community Farm, a further discussion is to be held with the Spatial Planning Department and subsequently the Developers to discuss future land use

and layout.

POS: Equipped Play Space: We object due to the lack of information provided on the overall area of the Equipped Play Space, Specification and our Health and Safety concerns.

Informal Play and Youth and Adult Provision: We accept, subject to further discussion concerning the use of Land at the Country Park.

Allotments: In principal, we are happy with the allotments. However, insufficient information has been provided on Car Parking, Water Provision and Soil Quality.

Community facilities: As the current proposal stands at 500 dwellings, it must be considered that a substantial new demand will be generated; subsequently the current Community Facility at Hampton Park will not be able to cater for the additional demand. With this and Policy R4 in mind, we would seek for a financial contribution of £100,000 to enhance the existing facility at Hampton Park and a further £250,000 towards a Parish Community Facility serving the Parish of Laverstock.

7.8 WC Education – No objections subject to suitable financial contributions being made via a legal agreement, and land being provided for the construction of a new school.

7.9 WC Housing – No objection to the provision of 40 percent affordable housing. Remains concerned regarding the location of some units, and the need to achieve a more harmonious distribution across the site. Also concerned about some of the tenure types, and property sizes.

7.10 WC Archaeology - The area is rich in archaeological remains, particularly from the prehistoric period. Insufficient detailed information on the proposed archaeological mitigation strategy, or about the archaeological remains in the proposed country park area, to determine the application. If the planning application is granted on appeal, I would advise that widespread further archaeological mitigation and recording is required prior to the development commencing in terms of archaeological excavation and archaeological monitoring across the whole of the site. A condition is imposed on all ground works associated with the development, including the country park.

7.11 WC Environmental Health – Suggested a number of conditions be imposed, but also requested a noise assessment.

7.12 Natural England - Identified a number of areas where additional information is needed, and where suitable conditions could be imposed, with respect of the impact of the scheme on protected species, the use of native plants. However, concerns have been raised regarding the impact of the development in terms of phosphate levels in the river system, and the pollution of the river system during construction. Secondly, development close to the river carries the risk of damage to the river ecosystem through pollution during construction, for example through accidental spillage or run-off carrying oil pollutants, soil or building materials into the river. Construction may also cause disturbance to ground water flows and impact on water quality. The risks should be assessed and a Construction Working Method Statement should be submitted, incorporating pollution prevention measures to ensure appropriate measures are adopted to avoid and reduce impact on the River Avon SSSI/SAC.

7.13 Environment Agency - No objection to the development proposed subject to the conditions. We would also recommend a S. 106 Agreement to incorporate provision for long term management and maintenance of the drainage system and management of the buffer zone along the River Bourne.

7.14 Highways Agency – Direction of Non Approval on the LPA remains in place. Making positive progress on the outstanding information required to determine the application, including the Travel Plan, and the appropriate package of measures to mitigate against the identified impacts on the highway system.

7.15 English Heritage

While the proposals aim to accord in broad footprint terms with the provisions for the site contained in the emerging South Wiltshire Core Strategy, we are concerned that the information submitted with the application appears insufficient to demonstrate that the significance of the area's heritage assets has been fully understood and reflected in the proposals, to the extent that it is difficult to confirm compliance with the statutory provisions of Planning Policy Statement 5 on the Historic Environment.

Given the scale and potential for impact of the proposals on the area's historic environment, the need for additional information to allow for an informed decision to be made, and the site's current lack of formal ratification for development within the Core Strategy, we consider any favourable consideration of the proposals based on the information available to be premature. There is a need for more sophisticated graphic information to confirm that views to and from Old Sarum have in fact been safeguarded, there is more reason to believe that the strategic landscape setting of the northern slopes of Salisbury has not in fact been protected.

We would therefore encourage deferral of the application until such time as the status of the site is clear, further negotiation to secure additional or amended information, or the application's withdrawal. In that we understand that an appeal against non-determination has been lodged, as the application stands we would endorse any recommendation by your authority that it be refused.

7.16 Wiltshire Police Design Officer

Green Lane - The pathways joining the two sides of the development across Green lane have been straightened which is acceptable. However, when the pathways enter the estate they are still shrouded by fencing, it may be that the choice of fencing materials have been changed, this has not been communicated to me.

Boundary treatment - My previous comments mentioned the number of rear gardens backing onto Green lane and the subsequent lack of lighting/surveillance due to the rear fencing. I also stated that on this occasion, permeable fencing wouldn't be appropriate due to a privacy issue. Some properties have been turned so they are 'side on' to the lane providing an element of surveillance/overlooking, however permeable fencing must be considered as above

Country Park - There is a small parking area near the proposed school, and the housing development but no provision on the Southern edge of the site, if there is insufficient parking facilities on a site, visitors will park indiscriminately in the surrounding area, this can cause issues of anti social behaviour and nuisance, especially in areas of existing housing.

Site in general - comments and concern in relation to the positioning and locations of a number of features such as; benches, picnic areas and play facilities. To date, I have not received a definitive response. I have not been advised if any amendments have been made to reflect my concerns.

Pathways and alleyways - The pathways appear to be much straighter and permeability has been reduced however a considerable length of the pathway still flows between gable ends or garden fencing. It may be that some of the end gables have windows, and the type of fencing has been addressed (permeable material). Rear pathways have been addressed and have been gated.

Play Areas - I still have concerns regarding the positioning of a Neap on the Southern edge of the country park, and am still awaiting an update as to whether this has been addressed (as mentioned above in COUNTRY PARK)

I am satisfied that the applicants and their agents have been extremely receptive and made significant progress in addressing the issues relating to crime prevention and security, however a number of issues remain outstanding, mainly those relating to the materials and more importantly the wider country park layout. Therefore until these matters are satisfactorily addressed our position of opposition to this application still remains.

7.17 Wessex Water – No objections. Sewers to be built to new 2011 standards and scheme will require further capacity improvements downstream. Condition suggested for new foul and surface water, and drainage scheme.

7.18 Esso – No objections, subject to safe working requirements are adhered to.

7.19 Salisbury Civic Society – Objection

- The objection here is confined solely to any merits of the layout for the scheme and the design for the houses and flats themselves. It is the Society's view is that this scheme does nothing to capture the imagination.
- Along with other poor quality nods to the past, the buildings are a familiar type of modern estate house, whose acknowledgement of earlier forms is barely skin-deep and as a result unsuccessful. We cannot see that this scheme will enhance the area and believe it would simply extend previous uniformity and outdated urban planning.
- an alternative approach could be sought, which used such materials much more appropriately by combining them with contemporary design. This approach would not only be more honest, it would also open up the way to creating a development which was much more interesting.
- Barratts have shown elsewhere, for instance with the Higher Barracks at Exeter, that

when faced with a context which requires a more thoughtful approach they are capable of coming up with something rather better, if given the encouragement.

- The Society very much hopes that the council will not accept the low-grade and superficial approach to design shown by this application, and will ask for something better.

7.20 Campaign for the Protection of Rural England (CPRE)

- Existing empty houses should be brought back into use before large estates are built
- 500 houses is in line with Core Strategy – no real reduction
- Separation between Ford and proposal would not be adequate
- Larger houses along northern edge would be visible threat to Ford
- Vegetation on northern edge of site would not provide adequate screening
- Scheme will not have a negligible impact on traffic as suggested
- Question the highways data, and whether a modal shift will happen and will bus vouchers work
- The proposal pre-empts the Council's Transport Strategy
- Care needs to be taken in securing the planning gains and payments
- Country Park is not needed and impractical, and who will maintain it
- Timber cladding and 3 storey development is out of character
- Wider consultation with local people and beyond should have occurred
- Challenge the environmental footprint of the development
- Development will place a burden on existing infrastructure, and contributions will mitigate the likely impacts

7.21 Salisbury City Council (SCC):

- A definitive statement be requested from Wiltshire Council in respect of the line of the City boundary in that location
- In principle, and with the correct financial support, SCC is willing to adopt and maintain the Country Park
- Wiltshire Council be asked to consider a boundary review for this area as this application highlights the folly of the current position
- Any transfer to SCC must include ownership
- As a City Council we can confirm that we have the ability and resources to take on the Country Park as a whole if necessary
- The Planning Officer convenes a meeting between Laverstock & Ford PC, the Wiltshire Council Planning Officers, the Chairman of SCC's Planning and Transportation Committee, the SCC Ward Councillors and SCC Officers in order to ensure that all parties are aware of all information.

7.22 Laverstock and Ford PC – Objection, on a number of grounds:

- Application is premature, and exceeds the 500 units mentioned in Core Strategy
- The development compromises the strategic gap between Ford & Hampton Park

- The contours of the site impinge on the existing development, with 3 storey blocks an alien concept
- 300 houses would assist the Council's need for housing and be more likely to enable retention of a realistic strategic gap and a more rural feel
- We do not consider that the designs and materials complement the current development to which they should be similar and in keeping. This is a rural development not urban

(The following additional comments were submitted in response to the appeal)

The opposition of this parish to the development known as HP2 is well documented. However, should this development go ahead, against the wishes of the local community, then we would wish the following points to be incorporated into the S106 Agreement.

- The Country Park, as currently conceived and presented in the drawings for the application, is not sustainable. The park will be very expensive to maintain in the future and, in the absence of any funds being offered by the developers to maintain it, we would prefer to change the underlying concept. We would wish to hugely reduce any need for expensive grass cutting to a small area adjacent to the homes, for picnic and games activities. A 'wild' area would be welcome along with areas of woodland. Paths should be constructed from natural materials such as gravel with 'formal' facilities kept to a minimum. Large areas could be managed by our local Community Farm, or similar and connected partnership (CIC), for the raising of stock, the growing of crops and regeneration of proper grass chalk downland. The park will require a rethink regarding the boundary and internal fencing but the overall concept of as much public access as possible would remain for walkers, cyclists and horse-riders. This concept would be a much more environmentally sensitive model and be more sustainable and sympathetic to the countryside scene into which it is placed. A 20 year maintenance contribution as occurred at the recent Duck Lane development is required.

We would require all the LEAPS to be provided on land to be managed under the intended Barratt management plan within the estate and not on land within the country park.

- Primary Education we would wish to see an environmentally friendly building of adaptable use, so that, when need arises, it can be hired for community use. No plans have yet been submitted for the school and, given the application is for 500 homes, these should have accompanied the application. Adequate provision for off road drop-off and collection of pupils will need to be built in.
- Secondary Education, the planned 500 homes would put further strain on a system in Laverstock that is already full and causing problems for the Laverstock residents as c2000 pupils arrive and depart daily. The HP2 pupils would not qualify for free school transport and will further exacerbate what is already a very difficult problem.
- A contribution is required to provide secure drop-off/pick up procedures which would remove any further negative impact on the current secondary school transport problem, or preferably, a Green Travel plan produced which negates the use of cars entirely.

- To improve the movement of pupils and adults from HP2, the provision of suitably sited bus shelters with real time read out should be provided, along with traffic calming measures to ensure a safe environment.
- Community facilities - There is a very good community centre at Hampton Park 1 but it will not be sufficiently large and flexible to cater for another 500 homes. This facility is currently owned by the owner of the land identified for the development and country park, with a verbal undertaking to transfer it to public ownership on successful completion of the planning application. Funds need to be provided to enable the current facility to be expanded and enhanced, with the minimum of constraint as to how the funds may be spent(R2/R4)
- Planning gains -Timing of the provision of the above facilities is of concern to us. Given the current economic climate the proposed development may well be phased over a lengthy period of time. The community would not wish to see the provision of planning gains several years down the line and so should be built into early implementation, particularly space for an expanding school population.
- River access - We note that the land ownership includes the River Bourne and yet this is not included in the public access/ownership. We would require unrestricted access to the river, as part of the larger Country Park. The site extends beyond Green Lane towards the Hampton Inn. We believe that this land should be left as a green entry point to the Country Park and facilitate public access for horse and pedestrian use, rather than through an urban development.
- We would wish the Laverstock & Ford parish boundary to remain intact for its length, as it runs alongside St Mark's footpath and bridleway. This is a most important aspect and defines our parish. However, a landmark access from and to the city, via the bridleway/footpath would be welcomed, in the spirit of a good neighbour.
- Lighting - We believe that street lights would have a major impact - any street lights should be designed to not be seen from Ford at all and to go off between midnight and 0500.
- Strategic Gap - A vital element of our rejection of 500 houses, is that all of this land was designated as a 'Strategic Gap' between our two L&F communities of Hampton Park and Ford. This was included in the current local plan, until the very last Inspector report, which defined the words as unnecessary. Any incursion into this space is a violation of our two communities and therefore, if any approval is to be given, then a much wider 'strategic gap' than that offered, should remain. Currently, houses appear to be yards from the farm houses on Roman Road and this is unacceptable.

We ask that the planners and/or the Planning Inspectorate, take full account that this area is not in Salisbury. It is in a predominantly rural farming parish of Laverstock & Ford. We have, at last managed to reassert ourselves in 'spatial planning' terms, as an independent parish. It therefore defies belief that our remaining diminishing green space should be permitted to be

invaded by such an unwanted and unneeded development. As a parish, we have readily accepted 674 new houses at Old Sarum and are being asked to accept several hundred more, along with many hectares of employment land, at Longhedge (adjacent to Old Sarum). As a parish we have no need at all for these houses and, indeed our own local people will have no rights to the affordable houses. In the context of the purpose of this letter, we therefore ask that this site, if common sense does not prevail, is accepted as an 'exception' site, where the first priority for the affordable houses is for the residents of L&F parish.

7.23 Winterbourne PC – Objection:(In relation to original plans). Traffic through the Winterbournes will be significantly increased, using the A338, and the accident black spot of Broken Cross Bridge. Will also lead to significant traffic delays into Salisbury from A30 and A338.

7.24 Wiltshire Fire and Rescue – Require a contribution towards emergency services

8. Publicity

8.1 The original scheme resulted in a total of 48 responses. Following amending plans, the application was re-advertised by site notice/press notice /neighbour notification
Expiry date 14th December 2010

30 letters have been received from neighbours/third parties in response to the amended plans.

Summary of key points raised:

- The site is not yet allocated for housing
- New housing should be located elsewhere, near new employment.
- Salisbury cannot accommodate this many new houses
- Other Brownfield sites could be used for housing first
- Has the London Road retail development traffic been included in traffic data
- Amendments have altered little of the original proposal
- The plans do not have local support
- Shared parking areas is out of keeping with existing development
- Development is too dense
- 3 storey buildings are out of keeping and will overlook existing garden areas
- Number of housing should be reduced
- Garaging should not be grouped together for crime reasons
- Design of dwellings and layout out of keeping with the character of the area
- Will affect views of Old Sarum
- Development would be visible from the north and London Road
- This site is outside the housing policy boundary in the open countryside and is contrary to countryside policies
- Proposal removes the Strategic Gap with Ford village
- Laverstock will be used as a rat run
- Will increase use of St Thomas' Way roundabout
- Scheme will have a visual impact on the area and wider countryside

- Country Park is a poor substitute for existing facilities – residents already use surrounding countryside and have access
- As designed, paths through Park would impact on existing amenities
- Open space areas in Park will attract anti social behaviour
- Where are the large playing pitches
- Additional screening needed between Park and rear of existing houses
- Funding for maintenance of Country Park is needed
- Hedgerow adjacent Pauls Dene estate needs to be retained for wildlife
- Proposals should pay towards enhancement of community facilities
- Any open space should be provided at the same time as the dwellings
- Would the development affect the flood situation
- Additional traffic will seriously affect amenity in the area
- Will lead to significantly more traffic congestion on London Road and area
- St Thomas Railway bridge will not take the traffic increase
- A link to the A345 is needed
- Public transport measures will not have an impact
- Will impact on bat population
- Loss of wildlife habitat
- Will need additional facilities and services due to additional 500 houses
- Genuine consultation has not taken place
- How will impact on secondary education be mitigated
- 40percent affordable housing is too much
- Will increase noise, smell, and general disturbance

8.2 Design Forum – With regards the original scheme, the Forum highlighted a number of design issues. (Note: the revised scheme was not considered again by the Forum)

8.3 South Wiltshire Agenda 21 – (original plans)

- Application is a departure from current policy
- Will have significant impact on SAC and SSSI
- Concern about flooding issues
- Houses should be high Code level and more efficient
- Car Club needs to be set up
- Residential Travel plan needed

8.4 Salisbury Campaign for Better Transport – Object:

- Core Strategy has not yet been agreed
- No residential travel plan has been submitted
- Additional parking will not lead to a modal shift to sustainable travel
- Better cycle links needed
- Has a Car Share Club scheme been explored
- Proposed bus service improvement is not good enough
- Can existing rail links be improved and used

8.5 Cycling Opportunities Group for Salisbury (COGS) – Object:

- Welcome the suggested increase in bus services, free bus passes, and diversion of Park and Ride busses.
- Draft Travel Plan not adequate
- No residential travel plan submitted
- Modal shift would not be achieved by proposals
- The scheme could facilitate the improvement of existing links, to provide a safe link to schools in Laverstock

8.6 Bishopdown Residents Association – Object on the following grounds:

- Consultation - the BFRA has never been consulted on any aspect of this application either at outset or subsequently for these revisions. As an association representing over 800 homes directly impacted by this application, the input of the BFRA should have been sought throughout the process. The disingenuous claim of consultation should in no way be taken as an endorsement of the application by our association.
- Framework boundary - The current site is designated as agricultural land located outside the Salisbury framework boundary in the Local Plan making such a proposal contrary to both local policies and national guidance. We are of the opinion that, as submitted, the application is contrary to policies and as such should be refused. The applicant should await the outcome of the South Wiltshire Core Strategy prior to re-submitting this application.
- Over-development - The 'gesture' of a reduction of 25 homes from the original application is nothing more than that, with 500 homes still representing substantial over-development of what is a rural location. HP1 benefited from a sensible approach to design and spacing which has resulted in a location that does not feel over-developed and as a result is a pleasure to live in. We fear that the same will not be true if the proposal for HP2 is allowed to proceed as it stands.
- If the applicant had genuinely taken the concerns of residents and the Parish Council into account, the number of homes would have fallen to around 300 which has been the consistent message from all interested parties.
- Design - The amended plans have not addressed our concerns over the design of the properties, which will be out of keeping with HP1. The use of 3-storey apartment blocks is particularly unacceptable and would be out of keeping with the rural nature of the site and would have an adverse effect on the existing development in HP1.
- The use of balconies/Juliet balconies, and timber cladding is again not in keeping with HP1 which has no such features. The Juliet balconies shown on the front elevations of some of the house designs appear cramped and sit uncomfortably.
- Many of the buildings suffer featureless and poorly proportioned design and should not be allowed. These are simply not appropriate for the rural nature of the site and again out of keeping with the local area.

- Traffic - The impact of a significant increase in traffic volume has been disregarded. The insignificant reduction of 25 properties does nothing to allay concerns that the already saturated A30 (as noted in the Highways Agency's' original objection) will get considerably worse. Additionally, there appears to have been little regard given to the increased traffic from the now approved retail units to be built on the corner of Pearce Way.
- There appears to be no clear plan for providing suitable public transport. This means insufficient services at key times to enable residents to travel to work. The BFRA is concerned that the existing road infrastructure is completely ill-equipped to cope with the potential increased burden of this development.
- To build additional housing at the point of what is probably the worst traffic congestion in the whole city makes no sense and is in complete contradiction with the policies on sustainability and environmental protection.
- Country Park - The provision of a country park remains nothing more than a cynical ploy to hoodwink the public that the community is benefiting from the development. The land being offered is clearly, in the main, totally unsuitable for housing and therefore of limited value to the developer.
- It is clear that no funding is planned from the applicant to support the upkeep of the country park. Immediately after completion this 'facility' will become the responsibility of the Council and therefore a burden on the tax payer i.e. local residents. If this proposal is to go ahead we would urge the Local Authority to seek far more from the developer in the Section 106 agreement and treat the notion of the country park as nothing more than a distraction and the token gesture that the developer knows it is.
- NEAP - The location of the NEAP to the west of the proposed school site and to the south of the existing agricultural barn would appear to be wholly inappropriate. The BFRA understands that facilities should be provided for young people and we welcome them, however, to site this effectively in open countryside, away from any watchful eyes, - risks creating a haven for potential trouble as teenagers will have a dedicated area to congregate away from the supervision of any adults.
- Screening - If this proposal is to go ahead, then we would expect there to be additional screening provided compared to that shown on the plans. If the country park is developed as shown, there is likely to be a significant increase in the number of people walking / cycling directly behind many properties that currently back onto the site. This can be easily alleviated by the provision of more extensive planting of proper screening between existing properties on HP1.
- Schools - The proper provision of education facilities is insufficient. There is no commitment to make any additional primary school facilities sufficient to cope with the expected increased demand. This application should only be approved if there is an agreement from the applicant to build a primary school that is of sufficient size to accommodate the increased demand.
- The provision of additional secondary education capacity through the S106 agreement

should also be a pre-requisite for any approval to build houses on this site.

- Allotment location - The location of the allotments does not seem to be optimal in that access will be gained by driving through the new estate and will potentially be limited to car use unless there is the provision to securely leave equipment on the site. Furthermore, the proposed car park should be secure
- Sustainability - There appears to be no reference to the sustainability of the development despite strong references to it during the initial exhibition last year which referred to an 'innovative energy strategy' including 'on site renewable energy and the use of renewable building materials'.
- Community facilities - It should be integral to the approval of any building on the site that significantly more community facilities are provided. Current community facilities are limited to one community centre on HP1. The council should push for the provision of the maximum amount possible through the Section 106 Agreement for the benefit of local residents.
- S106 agreement - As it currently stands, the benefit to local residents from this proposal seems negligible at best. Little more than a 'country park' is being offered where upkeep is paid for by local residents along with a school that will be part funded by local residents. This is scandalously little given the potential loss of open countryside. As it stands, this application offers next to nothing for existing local residents and has completely failed to take into consideration any of the objections made not just by the BFRA but just about all respondents either from the time of the very first consultation or from the comments raised in response to the original application.
- Based on the above comments, we would suggest that Officers recommend that this application be refused.

9. Planning Considerations

9.1 Environmental Impact Assessment (EIA)

An Environmental Impact Assessment has been submitted in support of the application. This document attempts to cover all the major environmental issues and impacts which the development may have on the surrounding environs. This document is substantial, and only a brief summary of the issues raised and mitigation proposed is possible below:

The scheme is located adjacent to the River Bourne is part of the River Avon system, which runs to the east of the site. The river system is designated as a Special Area of Conservation, and a Site of Special Scientific Interest. The site and the surrounding area are therefore highly "sensitive" in an ecological sense.

Protected species - The applicants ES document analyses the impact of the development in this regard. The ES indicates that subject to careful management of the construction process, including protective fencing and seasonal restrictions on certain site clearing activities, and controlled relocation of some reptiles to improved habitat areas, it is hoped that negative impacts to protected species can be mitigated.

The ES does indicate that an adverse impact could result from dust deposition on the river system SAC, but this is noted to be only minor or insignificant. As part of the built development, the ES also indicates that native species will be planted as part of the wider landscaping scheme, sustainable drainage systems will be used to service the development, and bird and bat boxes will be provided in association with new buildings.

Drainage/flooding issues - the ES confirms that the site lies in an area at low risk from flooding, and the development would not adversely impact on the flood risk elsewhere. The ES indicates that without mitigation, there is some potential that construction operations could impact on water quality during construction. However, subject to appropriate management measures, the ES concludes that water quality will not be affected, and that water flows, whilst different to existing rates, would not have any significant impacts.

Residential amenity - During construction, the EIA covers such impacts and concludes that whilst there is likely to be some short term impacts on adjacent amenities in terms of general disturbance, noise, fumes and dust, these impacts would be short lived, and the impacts could be mitigated by certain measures taken during the construction process, including the use of appropriate site management techniques like the specific routing of construction traffic, and adherence to specific working hours. The ES also indicates that subject to such management techniques, air quality impacts should be generally insignificant. After construction, the applicants ES also suggests that the impact of the development on Air Quality following completion of the development, there is likely to be a small increase in emissions from traffic, although such increases are likely to be within statutory requirements.

Highway impacts - The EIA accepts that Pearce Way is expected to “exhibit the greatest difference” in traffic flow. However, it concludes that this road, the impact of traffic noise generated would be of “low significance”. On other roads, the ES suggests that traffic noise would have a negligible impact.

Heritage Assets - The EIA covers the impact on various heritage assets, including the schedule ancient monuments, and other archaeological matters, and suggests that subject to a suitable mitigation, there scheme would have little impact.

However, notwithstanding the conclusions of the EIA, officers have considered these and other matters, and sought the views of various parties and consultees. The main material considerations are outlined below:

9.2 Principles and policy context

The site is located in the open countryside, and is in relatively close proximity to both the Old Sarum and Figsbury Ring SAM and Conservation Area. The site is currently within the designation of policy C7 of the Local Plan, relating to the Landscape setting of Salisbury. The wording of the policy prohibits any large scale development, as do other countryside and housing policies, which seek to severely restrict such a scale of development within countryside locations. The current Wiltshire Structure Plan does not allocate the site for housing, although it

does indicate that several thousand dwellings would be needed across the south Wiltshire by 2016.

The scheme is therefore contrary to the aims of existing countryside and housing policies of the current Development Plan.

However, the intention of National government was that the existing Structure and Local Plan system would be superseded by Regional Spatial Strategies and a system of Core Strategies and other local documents. Following the 2010 national elections, at the time of writing, the national/ regional planning policy situation remains in a state of flux.

i) Regional Spatial Strategy issues

Central Government has announced its intention to abolish the Regional Spatial Strategy as part of the Decentralisation and Localism Bill launched in December 2010. However, this position is being challenged as part of a high profile legal challenge, and as a consequence, it appears that at the time of writing, the Regional Spatial Strategy for the South West carries the same weight as it previously did as a material consideration. This document informs the Core Strategy system, and in particular provides the basis for the housing numbers required in each area. In essence, the housing requirement stipulated by the RSS between 2006 and 2026 is for 12,400 dwellings in South Wiltshire, and 6000 dwellings in Salisbury City.

ii) South Wiltshire Core Strategy issues

The application site is to be formally allocated as a strategic housing site within the emerging Core Strategy. Core Policy 2 relates to this site, and indicates that the objective is:

“To develop 500 new homes through a high quality residential development which delivers an appropriate sense of place ...in a sustainable location close to Salisbury..”

The specific issues to be addressed are:

*“Protection of the strategic landscape setting of Salisbury, including the safeguarding of views to and from Old Sarum SAM
Strategic Gap planning to ensure Ford retains its independent character and does not become merged with the city.
The delivery of a significant country park that will be handed to the community in perpetuity
To deliver a development that is adequately served by essential infrastructure
To plan the permanent retention and enhancement of the Castle Hill/Bishopdown green lung to the city as a key area of habitat retention and informal recreational open space
To deliver a development which conserves and in places enhances the natural environment, including the quality of the Bourne tributary of the River Avon SAC/SSSI”*

The Council's current stance therefore indicates that the site is sustainably located, and is suitable for 500 dwellings.

Update on Core Strategy EIP position

On the 28th January 2011, the Inspector of the Examination in Public for the Core Strategy convened a procedural meeting. At the meeting the council discussed the ongoing review of

housing and employment numbers, and that a report on the review will be considered by Full Council on 22nd February. The Inspector will then need to decide whether the changes proposed are 'focused' changes, and if this is the case, they will be reconvened upon, and the EiP will be reconvened at a later date.

Summary of current position

The provision of 500 dwellings would in principle also meet the policy requirements of the Core Strategy, and the housing delivery aspirations as expressed in the draft RSS.

It is also considered that the current acceptance by the Core Strategy that the site is sustainably located would also appear to meet the broad aims of national planning policy guidance expressed in Planning Policy Statement Note 3. This document post-dates the Local Plan in that a site could be defined as sustainable and suitable for housing subject to its locational characteristics and proximity to services and facilities. Therefore, whilst the application site is located outside the Housing Policy Boundary as defined within the Local Plan, the suitability of the site for housing development must be considered in broader sustainability terms.

Numerous objections have been received regards the ability of the land to take 500 dwellings, and many comments have suggested that this number is significantly reduced. However, a significant reduction in the number of dwellings would not achieve the number of dwellings currently suggested by the Council's own Core Strategy document, and would also be likely to result in a corresponding reduction in affordable housing provision, as well as reduce the developers ability to fund the various mitigation measures needed, ie a new school building, community centre works etc.

Consequently, as a result of the above, it is considered that a refusal of the application scheme on grounds that the site was unsustainably located, or that in principle, the site would be unsuitable for housing development or 500 dwellings in principle, may be difficult to justify at appeal.

9.2 Design and Impact on wider landscape

There has been a number of concerns and objections to the overall design and visual impact of the proposal. The following sections outline the issues in this regard.

i) Overall Layout of housing development

The scheme is conceived as five "areas", with one of the areas separated from the other four areas by the public byway, "Green Lane". The scheme would be serviced via four new vehicular access points off Pearce Way. Land for the provision of a new school would be located to the western end of the scheme.

The revised layout of the scheme is more legible and permeable, and it will be easier for pedestrian traffic and vehicular traffic to travel, and find its way in, through and out of the development. The distinct cul de sac's have been softened, with better links between them. Furthermore, the number of routes through the scheme has been reduced, leading to the creation of a smaller number of better defined and well used routes, which now address previous crime and antisocial concerns.

Several “focal areas” are proposed. A more coherent “avenue” has been created between Area 4 and Area 5, which will hopefully result in the creation of an attractive feature within the development, providing a “sense of place”, and allowing easy and clear access for residents of the whole Bishopdown Farm area to access the Country Park facility. The small areas of open space dotted throughout the scheme would also enhance the sense of place, acting as “visual markers” for users of the housing estate, which will aid legibility of the site.

However, the proposal would generate the requirement for 40 percent affordable housing provision as part of the development. At the current time, Council’s Housing officer still has some issues regarding the size and type of some of the units and their location in respect of other affordable and private housing. She feels that the clusters of affordable housing should be separated, so that there is a more varied mix of public and private housing throughout the site. Furthermore, the Council’s Highways department also remains concerned about the layout of the housing. As a result, at the current time, it appears that further alterations may need to be made to the layout.

ii) Detailed design and visual appearance of dwellings

The original scheme was considered to have a very poorly detailed and rather bland appearance. As a result, the various house designs have been altered to incorporate a range of architectural details in terms of porches, doors, windows and materials. Together with additional information regarding planting and surfacing materials throughout the scheme, in officer’s opinion, this will enhance the appearance of the development, and give it a richer visual appearance, similar to that of the original Hampton Park Development.

Concern was also expressed at the very repetitive nature of the terraced form of the development. Whilst the terraced form of much of the scheme has been retained, the improvement to the designs of the dwellings coupled with adjustments and repositioning of some of the parking areas, has reduced and softened the amount and impact of the terracing. Thus the resultant development would be more reminiscent of the more open built form of the original Bishopdown Farm scheme, although not a copy of it.

A significant number of the objections centre on the inclusion of blocks of flats into the development. The applicants have now removed one of the larger blocks of flats at the entrance to the proposed scheme, and replaced it with dwellings. This is a welcomed change, and will visually improve one of the four entrances to the development. Whilst the other blocks of flats remain in the scheme, these blocks are smaller, and when set against the backdrop of a 500 dwelling scheme, the actual visual impact of these buildings in the street scene of Pearce Way and immediate area would not be so significant as to warrant refusal, particularly when taking into account the scale of the existing motel building, the scale of the permitted retail scheme on the site to the south, and the scale of the newer office and residential care home along London Road.

Sustainable design criteria/waste and recycling

The applicant has submitted both a Sustainability assessment and an Energy assessment, which indicate that it is intended that:

- A minimum of Level 3 to be achieved under a Code for Sustainable Homes Assessment for all residential dwellings.
- 10% of site wide energy demand to be met through renewable sources.

- Water saving measures will be introduced to significantly reduce the internal water consumption associated with all buildings.
- Homes designed to enable flexibility of use through meeting Lifetime Homes standards.
- High standards of environmental construction which include recycling and re-use of construction waste.
- Each residential dwelling will benefit from a high degree of natural day lighting which will aid passive solar heating.
- 10% of the residential units will be specific wheelchair units
- Provision of cycle storage to promote the use of sustainable modes of transport in the local area.
- Secured by Design principles will be applied to the development.

National Planning Policy Statement 1 (Climate Change supplement) encourages the creation of sustainable buildings, and particularly welcomes the generation of energy on site, and the use of renewable energy, as does draft policy RE5 of the RSS. The scheme would accord with the government guidance provided in PPS1, and would also accord with the draft RSS policy, and waste and recycling SPG policy WSC6, and policy PS8 of the Local Plan. Whilst the concerns of the BFRA are noted regarding this issue, it is considered that a refusal based solely on this issue would be difficult to support.

However, the various sustainable features, including waste and recycling bins, will need to be secure either via suitable conditions, or through a legal agreement where financial contributions are required.

Treatment of Green Lane and footpath no. 11

Green Lane would be crossed at several points, with pedestrian links being formed between two areas of the development. It is envisaged that existing hedging and mature trees would remain unaffected by these crossing points, although at the time of writing, no details or assessment of any such impact have been submitted. The existing surface treatment of Green Lane would remain unaffected by this proposal, apart from where the links are created across it between the development parcels. It is envisaged that these crossing points would be surfaced in a complimentary material, and details of such surfacing is specified in the landscape document.

The footpath route which currently crosses the development site from north to south would be retained, although its treatment and character would obviously dramatically alter. Part of the mature hedging which bounds the path on its western flank would be retained and enhanced where practicable, with the footpath route forming part of the hard surfaced pedestrian route through the scheme.

The scheme has now been redesigned and dwellings re-orientated to provide better surveillance over Green Lane and the retained footpath, whilst at the same time, the future requirement of occupiers to protect their property and privacy has been reduced by repositioning private areas and boundaries away from the public right of way where at all possible.

Summary

However, in the absence of a suitably detailed arboricultural scheme, indicating the likely works

needed in and around the root zone of the mature trees, the Council Tree officer has raised concerns regards the impact of the proposed works on the future health and retention of the mature trees. Members will note that these concerns mirror those of the Council's Ecologist. As a result, in the absence of suitable information to mitigate such concerns, it is considered that the scheme has the potential to harm the mature trees and ecological diversity of Green Lane and footpath 11, and a reason for refusal has therefore been suggested.

iii) Country Park and impact on wider historic landscape

Strategic Gap issues

A number of years ago, as part of the initial adoption process of the 2003 Salisbury District Local Plan, the land on which the housing is now proposed was mooted as a Strategic Gap landscape buffer, with the intention to stop the coalescence of the Bishopdown Farm housing with the settlement of Ford. However, as part of the adoption process, this Strategic Gap was deleted by the Local Inspector, and the was not therefore carried forward as an allocation into the 2003 Local Plan, which simply includes the area within the open countryside, and covered by policy C7. The strategic gap as original conceived is there not a material consideration in policy terms.

The indicative plan related to Core Strategy policy 2 (appendix) indicates that some form of "strategic gap" needs to remain between the development and the settlement of Ford, to the north. Members will however note that this area is significantly smaller than that suggested during the 2003 Local Plan adoption process.

The submitted scheme is divided from Ford by part of the Country Park, which is planned to run east/west along the northern edge of the development. At its widest, this area of open land would be of a significant width, and although the area does narrow, it should be noted that there is another area of open land sited to the immediate north of the red line of the application site. Whilst this is not within the applicant's control, this adjacent land is not designated for development, and is in fact included within the "strategic gap" annotation indicated by Core Strategy policy 6. The existence of this land, and its future retention as part of the Strategic Gap, would therefore result in a significant gap between the housing development and the actual built up area of Ford. In officer's opinion, this resultant Gap accords with that indicatively shown as part of draft Core Strategy Policy 2.

Based on the above, officers advise that the scheme would accord with the stated policy aims of the Council as expressed in the current draft Core Strategy, and hence, a refusal solely based on the creation of/the visual impact of 500 dwellings in the open countryside would appear to be difficult to support on appeal, particularly as a scheme for even a significantly reduced number of dwellings is likely to also result in a proportionate visual impact.

Impact on historic landscape, Old Sarum SAM and Conservation Area.

A Landscape Assessment has been submitted with the application, and this indicates that the housing scheme has been designed so that it is situated within the 79 contour line, in an effort to limit any views of the development from Old Sarum Ancient Monument, which is situated some distance to the west. Furthermore, existing mature trees and hedging are to be retained along the northern edge of the scheme, along the boundaries with Green Lane, and along the western side of the retain footpath running through the site. Existing bunding adjacent to Pearce Way would also be retained and planted. The landscape details also indicate that

significant new planting would also occur throughout the housing development, and the proposed Country park. Furthermore, a lighting design scheme has been submitted in support of the application, and this indicates that the proposed street lighting would “..minimise sky glow, light trespass and glare”. The lamps suggested are those now routinely used on more housing developments. Whilst “sky glow” is therefore likely to be caused by the development, it is unlikely that it would be any more significant or harmful than adjacent housing development.

However, the scheme would be of a significant scale, and could harm the character of the wider countryside. Many of the objections, including English Heritage, have questioned how fully such an assessment of this impact has been carried out. Whilst a number of annotated photographs have been submitted as part of the application, no detailed visualisation of how the scheme may appear in the wider landscape and in relation to the Old Sarum Ancient Monument have been submitted. As a result, in the absence of such graphical material, the actual likely impact of the proposal is difficult to judge and assess, and hence, at the time of writing, it is considered that the proposal may not have a positive impact on the historic wider countryside.

Summary of visual impacts

The Council’s Urban Design officer is now happier with the detailed design of the scheme, although he has however indicated that there are issues with regard to further details of the strategic landscaping which need to be resolved. Wiltshire Police’s Design officer has also indicated that in her opinion, the detailed design of the dwellings (from a crime perspective) has been improved, she has however indicated that there are a number of issues which need to be resolved which centre around additional details regarding boundary and other treatments of the housing layout.

Given the modern design and character which typifies the area surrounding the development site, it is considered that it would be difficult to defend a reason for refusal based solely on the modern architectural treatment of the dwellings, particularly as many of the features and the materials are similar to those of surrounding dwellings. Similarly, a refusal based solely on the suggestion that the development is cramped and congested may also be difficult to support at the appeal, given that the actual harm of any cramped design would have to be demonstrated by officers. From the layout as revised, there would appear to be sufficient garden area and open space to serve the dwellings, as well as including areas of tree planting and landscaping. It may therefore be difficult to pinpoint at appeal the exact nature of the objection.

However, given the current concerns of the Council’s Housing officer and Highways officer, it would appear that the overall layout and design of the housing area needs to be adjusted. Furthermore, at this time, there are outstanding concerns expressed by Wiltshire Police Design officer regarding the appropriateness of some of the infrastructure and its location, and WC Archaeology has also expressed some concerns regarding the likely impact of the proposed works on potential heritage assets. English Heritage has also requested that additional graphical material is submitted to prove that the development would not have an impact on the wider landscape.

As a result, as additional information and adjustments to the design appear to be required, it is considered that the impacts of the scheme as currently presented are unclear, and that this element of the scheme cannot be recommended positively.

9.3 Impact on surrounding highway system and highway safety

i) Strategic highway system impacts

The applicants Transport documents indicates that the level of expectant traffic flows and likely impacts on the surrounding highway system, particularly the A36/A30 St Marks Roundabout would be negligible. The scheme also suggests a number positive measures:

- Provision of two bus stops on Pearce Way
- Enhance bus service to at least 2 buses per hour
- Provision of free bus passes
- A 20 mph speed limit throughout the development
- Reduction of speed limit along Pearce Way to 30mph
- Encourage the uptake of car sharing and a car club
- Provision of residential travel packs and other local information and advice

However, the Highways Agency served a Direction of Non Approval on the Local Planning Authority as it was concerned at many aspects of the applicant's submitted scheme and traffic data. Since early 2009, negotiations have continued between the Highways Agency and the developer, and although the latest correspondence seems to suggest that negotiations are heading towards an agreeable conclusion, the Direction of Non Approval remains in force. At the time of writing this report, your officer therefore have to report that the scheme as currently proposed is not acceptable to the Highways Agency. On the basis that there are outstanding issues and negotiations to be undertaken, and ultimately a legal agreement securing any transport management scheme, the proposal is objectionable on highway impact grounds.

Notwithstanding the above, as part of the Council Core Strategy, a transport strategy has been developed, which considers the cumulative impact on the strategic highway network of all the Core Strategy strategic housing sites. As part of this model, it is intended that a commuted financial payment is made by the developer of each site towards the mitigation of the impact of the strategic sites. At the time of writing, it is unclear whether the applicant is willing to contribute towards such a system, having apparently previously agreed to such a commuted payment during the Core Strategy EiP process.

Given the lack of certainty, at the time of writing, officers cannot be certain that the traffic impacts of this development would be suitably mitigated.

ii) Localised highway impacts

Following protracted negotiations, the layout of the scheme has been adjusted so that it would now be easier for all types of traffic to flow between the different areas of the scheme, save for the proposed area of housing to the east of Green Lane, where for obvious reasons, vehicular traffic cannot cross the byway. Adjustments have been made to several parking and turning areas, and the parking levels are now indicated as: 1 parking space for 1 bed dwellings, 1.5 spaces for 2 bed properties, 2 spaces for 3 or 4 bed properties, and 5 bed properties have 4 spaces (double garage and driveways). The parking provision is the same for private and the affordable dwellings. There is a total of 930 parking spaces within the scheme, to serve the 500 dwellings. Further adjustments are:

- Provision of two bus stops on Pearce Way
- A 20 mph speed limit throughout the development
- Reduction of speed limit along Pearce Way to 30mph

However, WC Highways retain its objection to the layout of the scheme, and is not satisfied at the present time that the amendments are unsatisfactory in the following areas:-

- traffic speeds cannot be contained to 30mph on Pearce Way and below (or well below) 20mph on the internal road network;
- pedestrian safety is prejudiced by the lack of footways where appropriate and necessary;
- lack of safety margins and substandard road widths;
- some grouped parking areas leading to pedestrian and inter vehicle conflict;
- a lack of clear information on parking levels;
- difficulties for service and emergency vehicles, and utility companies, in gaining access for essential and emergency purposes;
- insufficient detail to ensure that the overall layout does not create significant, avoidable and unsafe level differences between Pearce Way and the development and within the development itself.

It is considered that these matters could be sorted out by way of detailed negotiation with the Council's highway department, and the submission of suitably detailed and agreeable highway plans. However, at this time, no such agreement has apparently been reached between the parties, and as such, the scheme as revised remains objectionable on highway safety terms.

9.31 Highways- Impacts on public rights of way

The site is located in the centre of a public rights of way network, and the development will directly affect three of those rights of way:

- The Bridleway (SALS1) adjacent to the south western boundary of the site would remain largely unaffected by the proposal, save for connections with the currently proposed pathways through the Country Park element.
- The public footpath running north/south (No.11) through the site is to be retained as part of the development , together with the retention of much of the existing hedging which abuts its western edge. Houses and layout have been arranged so that there is some surveillance of the route, and has been designed in a way that ensures that it will a largely pleasant users experience with some softening planting, and not become a long tunnel of fences or walls. The existing rural character of this lane would be lost, and the pathway absorbed into the new housing area, a surfaced with urban materials.
- The route of Green Lane remains unaffected by the proposal, although new linkages would be created between the separated areas of new housing. These would cross Green Lane, and be suitably surfaced.

No objections have been made by the Council's Rights of Way/Highways officer to these changes. As a result, officers advise that subject to the usual conditions related to treatment, protection, and surfacing etc, the proposal would not have such a significant impact on the rights of way as to warrant refusal.

9.4 Impact on river system SSSI/SAC/ecology

The scheme is located adjacent to the River Bourne which is part of the River Avon system, which runs to the east of the site. The river system is designated as a Special Area of Conservation, and a Site of Special Scientific Interest. Three European protected sites could potentially be affected by the development:

- River Avon SAC (designated for species living mostly in the water)
- Salisbury Plain SAC / SPA (designated for ground nesting birds, habitats and others)
- New Forest SPA/ SAC/ Ramsar (ground nesting birds and habitats and others)

The Habitats Regulations Assessment (HRA) for the South Wiltshire draft Core Strategy identified that strategic allocations could lead to additional recreation pressure on the New Forest and Salisbury Plain causing negative impacts on breeding birds in particular. A formal HRA will therefore be required for this application and this is likely to focus on the ability of the country park to lead to fewer visits to these European sites.

The Council's Ecologist has indicated the following:

Green lane - Ecological surveys found the lane was used by bats for foraging, the sheltered and dark conditions providing particularly suitable conditions for large numbers of insects congregate.

It would appear from the plans that both hedges will become the garden boundaries for those houses backing onto them. If this is the case the hedges can be expected to become seriously fragmented over time as sections are replaced with fencing and gardens are extended further into the lane. In accordance with PPS9, we would expect a development of this scale to bring these hedges into positive management and secure their future rather than hasten their decline.

Further information is also needed to demonstrate how the existing ecological function of the lane will be maintained given that 5 new footpaths will link into it. These will create new gaps and the lighting proposals show that light from the development will extend into the lane at these points. Light levels as low as 0.4lux have been shown to deter bat species which favour dark foraging conditions.

A public footpath - to the west of the Lane is lined by a mature, overgrown hedgerow which has a couple of gaps towards the southern end but otherwise provides a continuous habitat corridor. Other features of interest occur across the site. In the main these are strips of woodland and scrub both planted and naturalised. These create a useful ecological framework for the proposed country park. Surveys suggest that protected and rare species are limited due to the intensive arable management.

Similar questions arise with this hedgerow as for those along Green Lane. If the hedgerow forms the boundaries of private gardens then it is likely to become fragmented and will decline over time.

The River Bourne - The River Bourne and associated flood meadow habitat either side of it is part of the historic landscape of the area and its wildlife interest is undoubtedly greater than

that recorded in one-off surveys conducted for the EIA. The application will bring urban development and human recreation into an area east of Green Lane which is currently secluded and relatively remote. An informal path will be created along the river, although the position of this is not shown on the plans. There is insufficient information to show how vegetation will be used to control people pressure, deter access to sensitive areas and provide a visual barrier for wildlife.

CEMP - A key aspect of the proposals will be the production of a Construction Environment Management Plan (CEMP), which will be overseen by an Environmental Manager. Given the scale of the site and the fact that it will be phased, there is a risk that the document will not be implemented consistently. The applicant should demonstrate how the environmental works will be integrated into the site construction programme and the controls that will be in place to ensure environmental works are implemented to the required standard, in terms of quality and timing.

New Country Park

The ecological potential of a site of this scale is very much welcomed. However, further consideration is needed of the design and layout of the country park and how it will be established by the developer. The council needs to be reassured that the proposals are fully costed and achievable, in particular the reversion of arable to chalk grassland. Further consideration also needs to be given as to how the country park will be managed by mowing or grazing since this will affect the layout and establishment of the site. The objectives for each area need to be defined so that potential conflicts can be identified and rationalised. The locations of footpaths, lighting and areas for dog walking have particular implications for ecology and these need to be carefully planned from the outset.

The Environment Agency has raised no objections, subject however to numerous conditions and the completion of a long term management plan, aimed at mitigating the likely impacts on drainage and the river system, which would also cover the issue related to phosphate impact. However, whilst the suggested conditions can be imposed at appeal stage, the long term management plan needs to be secured via a legal agreement.

However, Natural England has raised concern regarding the impact of phosphates on the river system. It has indicated that the development may constitute a likely significant effect on the important interest features of the River Avon SAC and the SSSI. It goes on to say that the development may add to an existing significant threat to integrity of the SAC. Secondly, NE has also indicated that development close to the river carries the risk of damage to the river ecosystem through pollution during construction, and it states that the risks should be assessed and a Construction Working Method Statement should be submitted.

The Council has received advice from Natural England that all planning applications leading to additional sewage volumes in the River Avon catchment will require a full appropriate assessment by the council. In NE's opinion all additional phosphate inputs into the SAC (via

sewage treatment works or off mains) will lead to loss of site integrity if mitigation is not provided. NE believes that developer contributions to a phosphate management plan for the River Avon would allow the council to conclude no loss of site integrity / likely significant effects.

However, this Council is currently taking the view that there is no requirement for it to assess aspects of any development affecting the River Avon SAC that are more appropriate for the Environment Agency to assess when an application is made for an environmental permit. Our procedure covers this in full and, following meetings with NE and the EA, the council is working on a statement to make its position clear.

In conclusion, the developer needs to provide further information to demonstrate how existing features will be protected and enhanced, further details on how the country park will be delivered and further assurances on how the goals of the CEMP will be achieved. Unfortunately, at this stage, no suitable agreement or other scheme has yet been submitted or agreed which would address the above issues. As a result, in the absence of such information and assurances, it is considered that the scheme has the potential to cause harm to the river system.

9.5 Impact on surrounding residential amenities and adjacent commercial hotel use

The application site lies adjacent to the settlement of Ford to the north, is sited to the immediate west of the existing travel accommodation and restaurant use, and to the north of the existing residential development at Bishopdown Farm. Land to the south of Area 1 of the proposed housing also has extant consent for a large retail development.

During construction

In officer's opinion, it is likely that the construction of 500 dwellings and associated infrastructure is likely to have impacts on the adjacent residential and commercial property during the construction process, which could potentially last a number of years. Pearce Way will obviously be utilised by construction vehicles, and traffic will then presumably disperse along London Road, and around the A36 ring road system. Occupiers of dwellings and other property adjacent to London Road are likely to see an increase in heavy lorries, and associated noise and general disturbance. The housing in Bishopdown Farm and the adjacent hotel accommodation are therefore likely to suffer noise, and general disturbance. Similarly, the residents of the adjacent Ford village which lies directly to the north of the application site will suffer disturbance during the build process, although it is unlikely that any vehicular movements would affect this village, or other adjacent settlements, as such construction traffic would be likely to utilise the London Road and the main trunk road system. Common impacts of large development proposals include general noise, light pollution, dust, dirty vehicles and road system, and sometimes vibration issues.

However, it is common practice to mitigate for such impacts by way of the submission of some form of "environmental management plan" as part of a planning application and subsequently controlled and safeguarded by planning conditions. In officer's opinion, it is considered that such an approach can be adopted as part of this application, and as such a document can be secured via a planning condition (or legal agreement), it would be difficult to frame a reason for refusal based around this impact.

Whilst the impact on the adjacent motel and restaurant is likely to be the same as that on the existing housing, the control of working hours would limit the impact on this adjacent use.

Overlooking/privacy/disturbance issues

The majority of the dwellings are located well away from other existing dwellings, and will not, in officers' opinion, have any significant effect on any existing dwellings in terms of general privacy, overshadowing, or general disturbance. Whilst at the western end of the scheme, the new dwellings are located within relatively close proximity to existing dwellings (compared to the existing situation and relationship), it is considered that there is sufficient distance between existing and proposed dwellings such that the impact of the new development would not be so significant to the level of existing amenities enjoyed as to warrant refusal. The open linear strip which is to be left undeveloped between the development site and the existing Bishopdown Farm development further protects and distances the new development and reduces its likely impact.

Notwithstanding the assumptions of the applicants transport assessment and any mitigation measures or modal shift, the development of 500 dwellings will inevitably result in an increase in traffic using Pearce Way on a daily basis, and there is also likely to be an increase in traffic, both vehicular and pedestrian, between the proposed dwellings and the existing Bishopdown Farm estate, due to residents utilising the facilities, the school, and the community centre located on the existing housing estate. It seems likely that there will be an increase in vehicular traffic through the existing estate leading to St Thomas' Way Roundabout, and additional vehicular and pedestrian traffic in and around the central open space area of the existing housing area, with possible increases in parked cars related to the use of the community facilities. To some extent, the increase in this area of vehicular traffic and parked vehicles will alter the level of amenity experienced by existing residents who currently live around the existing community facilities, and some residents will feel that their enjoyment of the space and facilities has been reduced. However, given the ascertainment of the applicants transport assessment regarding modal shift, the level and impact such traffic and any additional parking is likely to have is difficult to measure or quantify, and hence, justifying that harm would be caused by the proposed development would be similarly difficult to justify as part of a reason for refusal at the appeal.

Officers therefore advise that a reason for refusal based on the impacts of additional traffic to existing amenity would be difficult to defend.

Some objectors have raised concerns regarding the impact of the public use of the Country Park on existing dwellings. In particular, some of the pathways shown on the current plans appear to be causing some concern given the apparent proximity to neighbouring gardens. There have also been concerns expressed by antisocial behaviour issues related to the use of the area and the public open spaces shown on the plans. The concerns are noted, and Members will note that the design and layout of the Country Park element of the scheme has not yet been agreed by the various parties, including concern expressed by Wiltshire Police. In the absence of a revised scheme which addresses the various issues, it is considered that the proposal as currently suggested is not acceptable.

Impact on proposed residential amenities of adjacent uses

If or when the extant planning permission for a retail park is enacted, this development will result in general disturbances, particular noise created by additional traffic and the daily

operation of the premises. However, the retail park and associated car parking would be located further away from the proposed housing than existing dwellings along Green Lane. The impact of the retail proposal on these existing dwellings was not considered significant enough to warrant refusal at the time of the consent, and as a result, it would seem unlikely that the proposed new dwellings, situated on the opposite side of Green Lane, would be significantly affected in the long term.

Area 1 of the new housing would be located close to the western boundary with the existing motel and restaurant use. However, this commercial use is relatively low key, and the accommodation part of the use is unlikely to cause any more significant impacts than any other form of residential type use, save for some noise from the commercial parking area late at night. Furthermore, as the restaurant is located some distance away from proposed Area 1, with the motel accommodation block in between. It is therefore unlikely that the new housing would be affected by the adjacent commercial use.

9.6 Impact on heritage assets

The site is located close to Old Sarum Scheduled Ancient Monument, and the conservation area boundary around the SAM, as well as located within an historic landscape. The area is therefore rich in “heritage assets”, as defined by PPS5.

English Heritage has raised concerns about the premature consideration of this application, and has highlighted that not enough consideration and assessment has been undertaken in order to allow an assessment of the impacts on the wider historic landscape and assets.

WC Archaeology has been consulted on the application, and has indicated that the area is likely to have the potential to be rich in archaeological deposits, including in particular the areas covered by the proposed Country Park. They have indicated that the ES chapter on Cultural Heritage (Chapter 9) is lacking in detail, especially in relation to the proposed mitigation. There is also a need for a detailed mitigation strategy to be agreed prior to determination. Moreover, the ES only appears to cover the area of the proposed new housing and not the country park to the south and west, making it difficult to assess the impact of the proposed country park development on the archaeological resource.

At the time of writing, the Council’s Archaeologist does not consider that there is sufficient detailed information on the proposed archaeological mitigation strategy, or about the archaeological remains in the proposed country park area, to determine the application.

Unfortunately, at the current time, no such additional information has been supplied. Therefore, the proposal may have an impact on features of historic importance and affect heritage assets. As a result, a reason for refusal has been suggested.

9.7 Section 106 matters and Without prejudice conditions

As part of any large application, there are usually matters which are required to be secured via a legal agreement, in order to mitigate the impact of the development. Officers had begun to discuss such matters with the developer, but not to an advanced stage of agreement. Now that an appeal has been lodged, the Local Planning Authority is no longer able to determine this application.

The developer should now supply under the appeal process a draft section 106 obligation for agreement or a unilateral obligation which the Council will comment on. As part of the appeals process, the Council will also have to provide Without Prejudice conditions, which will be discussed at the subsequent appeal inquiry, and imposed on any approve scheme should the Inspector be so minded. Members are therefore asked for their comments regarding these two matters, and the following sections outline some of the major issues:

9.71 Provision of Country park

The provision of a country park is one of the key requirements of the Core Strategy as drafted, and this proposal involves the creation of some 51 ha of Country Park. The land is currently in the ownership of a local private land owner, and the intention would be to transfer the land to this Council. It would also be the intention to undertake certain works to the land, to facilitate its use as a Country Park. The current plans show:

- Picnic areas
- Turf Maze
- Allotments
- Pedestrian and cycle network
- Play areas
- Community Orchard
- Flower meadow
- Chalk grassland
- New planting of native vegetation

Some negotiations have occurred between the Council's Parks department and the applicant with respect to the ownership and future maintenance of the land, and the various development works to be placed on the land. It is understood that local groups may wish to take on part of the site, and operate the community orchard and the allotment site. It is also understood that local groups may wish to operate a community farm on the site, and there have been suggestions that a wildlife group may wish to provide a wildlife habitat on part of the site. Laverstock PC has expressed an interest, as has the City Council.

The scheme therefore has the potential to achieve the aims of the draft Core Strategy, and provide a significant public benefit in terms of open space provision and improved leisure environment.

9.72 Provision of additional community centre facilities

The Council's parks officers have also highlighted to need for the development to contribute towards the enhancement of the existing community centre which is located on the green in the centre of the existing Bishopdown Farm housing estate, located to the immediate south of the site subject of this application. A suitable financial contribution would be required, in order to enhance the existing facilities.

9.73 Provision of public open space and play areas

A number of areas of open space/play areas are shown on the submitted plans in and around the housing development. The applicants intend to operate these spaces using a private

management company.

The Council's Parks officer has raised concerns regarding the lack of information provided on the overall area of the Equipped Play Space, Specification and Health and Safety Concerns.

It would be the Council 's Parks Officer's preference that these spaces are within local authority ownership. However if these spaces are to be managed by a developer/management company we would require a management plan. The S106 would need to secure public access to these areas at all times.

9.74 Provision of new school facilities

The development generates the need for a new one form entry primary school site, and a financial contribution towards primary and secondary places. A site for the new school has been indicated to the western end of the proposed housing, and this land would be transferred to the Council. The financial contributions requested by WC Education add up to £2, 597, 616.

WC Education has stipulated that in the case of the total payment required, these will be that 50% is payable upon commencement of development on site whilst the remainder is payable upon completion of the midway point of the development, i.e. in this case, prior to commencement of construction of the 251st housing unit.

9.75 Provision of Affordable Housing

The proposal would generate the requirement for 40 percent affordable housing provision as part of the development. Whilst the submitted scheme indicates that such provision would be made, the Council's Housing officer still has some issues regarding the size and type of some of the units and their location in respect of other affordable and private housing (see design section of report).

9.76 Provision of Public Art/waste and recycling/ emergency services, healthcare, water or drainage.

The Council's Public Art officer has indicated that the scheme would be suitable to provide some for of public art, in accordance with current local plan policy, and in accordance with emerging Wiltshire Council public art guidance. Members should also note that public art was also secured as part of the adjacent London Road retail park scheme, and also as part of recent developments in Old Sarum and Amesbury.

Members will also note that as part of the Core Strategy policy 2, it is clear that the developer should contribute towards the enhancement of various infrastructure, namely emergency services, healthcare, water and drainage. There is also a need for large scale developments to contribute to the provision of household waste and recycling bins. Whilst waste and recycling bins can be provided via a legal agreement, and the drainage issues (as raised by Wessex water) could be secured by either a condition or a legal agreement, at the time of writing, the Council are not confident that a contribution towards emergency services or health care would conform with the guidance in Circular 5/05, given that there is a limited evidence base for such contribution at the current time.

9.77 S106 Heads of Terms

As the result of the above, and those issues outlined in other sections of the report, any legal agreement should therefore (at least) cover the following matters:

- a) Provision and maintenance in perpetuity of on site public open space
- b) Provision of financial contribution towards the maintenance of Country Park
- c) Provision and transfer of land in perpetuity to the Council or Council nominee for use as a Country Park, and the laying out of the country park.
- d) Financial contribution towards the provision of a new Primary school building, and provision of land for said school
- e) Financial contribution towards the provision of 63 Secondary education places
- f) Financial contribution towards the enhancement of the existing Community centre on Bishopdown farm/Hampton Park estate
- g) Provision of highway improvements along Pearce Way
- h) Provision of financial contribution towards enhancement of local bus service and facilities (including bus vouchers), and a contribution towards the Transport Strategy system
- i) Provision of a long term management plan for the river system, including sustainable urban drainage (SUDS).
- j) The provision of 40 percent affordable housing on the site, of a type agreeable to the Council.
- k) Provision of public art
- l) Provision of household waste and recycling bins
- m) Contributions towards water & drainage (or condition).

Unfortunately, at the time of writing, no legal agreement has been submitted to the Council. As a result, at this time, the above section 106 contributions have not yet been secured. Given the lack of an agreement related to the provision of the above matters, the current application is not considered to mitigate against its various impacts, these matters will have to form part of the reasons for refusal suggested below.

Regarding planning conditions, along with a number of standard conditions (3 year, materials, details etc) , there will be a number of planning conditions which officers will suggest without prejudice to the Inspector, including the submission of an Environmental Management Plan, and Method Statement to protect adjacent trees and the river system, particularly during the build process.

Member's guidance regarding the above is requested.

10. Conclusion and summary

- Principle - In current Local Plan policy terms, the application site is located within the open countryside, where housing development is normally severely restricted. The proposal therefore conflicts with current Local Plan policies. However, at this time, the draft South Wiltshire Core Strategy indicates that the Council's intention would be to allocate the application site for 500 dwellings. Such an allocation not only therefore

accepts the principle of 500 dwellings on the site, but also accepts that the site is sustainably located. As a result, the revised proposal for 500 dwellings would, at this time, accord with the strategic planning objectives of the Council, be in general accordance with the aims of Planning Policy Statement No. 3 in terms of sustainably located housing, and would provide part of the housing required by the draft Regional Spatial Strategy. In officers view the housing scheme is therefore acceptable in principle.

- In general design and layout terms, notwithstanding the wider landscape concerns, the layout of the proposal has been significantly amended and improved, and the number of dwellings reduced by 25. It is now considered that the revised design accords with the aims of Secure by Design guidance, and accords with the aims of the Council's design policies including its supplementary guidance "Creating Places". The reduction to 500 dwellings also accords with the draft Core Strategy, and as such, in officers opinion, it would be difficult to justify a refusal in relation to the design and layout of the scheme, as to a significant degree, the number of dwellings dictates the way in which the scheme is designed and laid out.
- In terms of impact on amenity, it is considered that the proposal would have some short term impacts during construction, which can be mitigated to a certain extent by suitable restrictive conditions. Following development, the proposal will cause limited impact in terms of loss of privacy to existing adjacent uses, other from the disturbances caused by the increase in traffic levels in and around the existing area. However, as such traffic increases and their likely impact are very difficult to quantify, in officers opinion, it would be difficult to justify a reason for refusal based on this issue.

Unresolved matters

However, at the time of writing, a significant number of matters remain unresolved, namely:

- The Highways Agency has yet to withdraw its "Direction of Non Approval", and a transport management scheme has not been agreed or secured.
- The Council's Highways department remain concerned about the layout of the scheme in highway safety terms, and no agreement has been reached regarding the payment of a commuted sum towards the strategic transport model tariff system or other off site highway works or contributions.
- The Council's Archaeologist remains concerned about the likely impacts of the development on heritage assets.
- The lack of supporting information to prove whether the impact of the development on the historic wider landscape and the heritage asset of Old Sarum SAM would be acceptable.
- Concern remains about the likely impact of the scheme on the adjacent river system SAC/SSSI and protected species, further information is required to demonstrate how existing features will be protected and enhanced, and a long term management scheme be submitted and secured via a legal agreement.
- Clarification regards the final design, layout and use of the Country park and the housing area
- A detailed Arboricultural statement and habitat protection plan is needed to ensure the protection and enhancement of trees and hedging along Green Lane and Footpath no.11.
- The lack of a legal agreement securing various contributions to mitigate the impact of

the proposal and to meet policy requirements, (as outlined elsewhere in this report)

As a result of the above unresolved matters, at the time of compiling this report, these matters must form part of reasons for refusal. (It will however be common practice that the applicant will seek to resolve the above matters as the appeal process progresses).

Recommendation: That notwithstanding the appeal against non determination, the Council as Local Planning Authority would have REFUSED the application, for the following reasons:

1. Based on the information submitted to date, and notwithstanding the discussions between the applicants and the Highways Agency, the Agency's Direction of Non Approval remains in place, and it is understood that the applicants have not yet satisfactorily met all of the Agency's requirements. As a result, and in the absence of any mitigation measures being agreed, it is therefore considered that as currently proposed, the scheme would be likely to result in additional car borne traffic using the road systems around the site, thus exacerbating existing congestion problems on the Strategic Road Network, contrary to the sustainable transport and accessibility aims of policies G2, G9 and TR1, & TR12 of the Salisbury District Local Plan, policies DP1, DP2, DP7, T3, T5 & T6 of the Wiltshire Structure Plan, PPG13, and the guidance within Circular 5/05.

2. Based on the information submitted to date, and notwithstanding the discussions between the applicants and the Council's Highways department, an objection on highway safety remains. In the absence of a suitable legal agreement securing off site highway works and a contribution towards the Council's transport strategy, and in the absence of suitably detailed plans of the layout of the housing and surrounding highway system, the scheme as submitted does not in the opinion of the Local Planning Authority adequately facilitate a reduced speed limit of Pearce Way or provide a safe environment for users of the proposed highways system in and around the site. As a consequence, it is considered that the proposal has failed to demonstrate that the development would not adversely affect highway and pedestrian safety, and would not adversely affect the wider highway system around the site. The scheme as currently proposed is therefore considered to be contrary to the aims of draft Core Strategy policy 2 of saved policies G1, G2, G9, and TR1, TR12 of the Salisbury District Local Plan, policy DP1, DP2, DP7, T3, T5, & T6 of the Wiltshire Structure Plan 2006, and Planning Policy Guidance Note 13.

3. The proposal would necessitate the provision and transfer of land for a new school, and a financial contribution towards the provision of a new school building and associated infrastructure. However, in the absence of a suitable legal agreement or similar measure to facilitate the provision of commuted payments towards infrastructure, the proposal fails to mitigate for the impact resulting from the development, as a result, the proposal would be contrary to Core Strategy policy 2, the guidance in Circular 5/05, Salisbury District local plan policy G9, and policies DP2 & DP7 of the Wiltshire Structure Plan.

4. The proposal would necessitate the enhancement of an existing community facility, and would require a financial contribution towards such an enhancement. Similarly, several areas of public open play space are proposed throughout the housing development, which the applicant

has indicated would be privately owned and run. However, in the absence of a suitable legal agreement or similar measure to facilitate the provision of commuted payments towards the enhancement of the community centre, or an agreement securing that play areas would be made freely available to the general public in perpetuity, the proposal fails to mitigate for the impact resulting from the development, as a result, the proposal would be contrary to Core Strategy Policy 2, the guidance in Circular 5/05, and Salisbury District Local Plan policies G9 , R2 & R4 and policies DP2 & DP7 of the Wiltshire Structure Plan.

5. The proposal is located adjacent to the River Bourne; part of the River Avon SAC/SSSI, and would also affect existing hedging and trees along Green Lane, footpath 11, and the ecology of the proposed Country Park area. A long term management plan/construction environmental management plan, is required in order to ensure the proper management of the Country Park area, and to demonstrate that the drainage and river systems are protected. Furthermore, a detailed arboricultural statement and habitat protection plan is needed to ensure the protection and enhancement of trees and hedging along Green Lane and Footpath no.11.

In the absence of information to demonstrate that the proposal would not be likely to have a significant effect on the protected river system, the scheme would be contrary to the aims of policy G9, C11, C12, C13, C15, C17, & C18 of the Salisbury District Local Plan, policies C1, C2, & C3 of the Wiltshire Structure Plan, and the aims of PPS9, Core Strategy policy 2 & 20, and the guidance in Circular 5/05, which aims to ensure that proposal mitigate for their impacts.

6. The proposal would necessitate the provision and transfer of land for a Country Park, and a financial contribution towards future maintenance and associated infrastructure. It is considered that issues related to the overall layout, future use, and maintenance of the Country Park area have not yet been satisfactorily resolved. In particular:

- a suitable plan or scheme has yet to be received which adequately mitigates for the concerns expressed regarding anti-social behaviour; and
- Additional information and assessment is needed regarding the likely impact on archaeological features and other heritage assets within the landscape, including Old Sarum SAM.
- the proposed works and the long term management of those works shown on the submitted plans have not yet been agreed with those parties likely to have future responsibility for the Park, and
- further consideration needs to be given to the future management and establishment of the ecological enhancement of the park area, and
- The retention in perpetuity of the play areas for free public use has not been secured.
- A suitable legal agreement to secure the above, the land transfer, and the future maintenance of the Country Park.

In the absence of the above information, it is therefore considered that the proposals currently indicated on the submitted plans would not achieve the aims of Core Strategy policy 2, policies R2, C1, C2, C7, C8, G9, & CN21-CN23, of the Salisbury District Local Plan, Wiltshire Structure Plan policies DP2, DP7, C1, C2, C3, C10 & RTL2; PPS5, and the aims of Secure by Design.

8. The proposal would generate a requirement for 40 percent affordable housing provision as part of the development. Whilst the submitted scheme indicates that such provision would be made, the locational details and the sizes of the affordable units are not yet considered

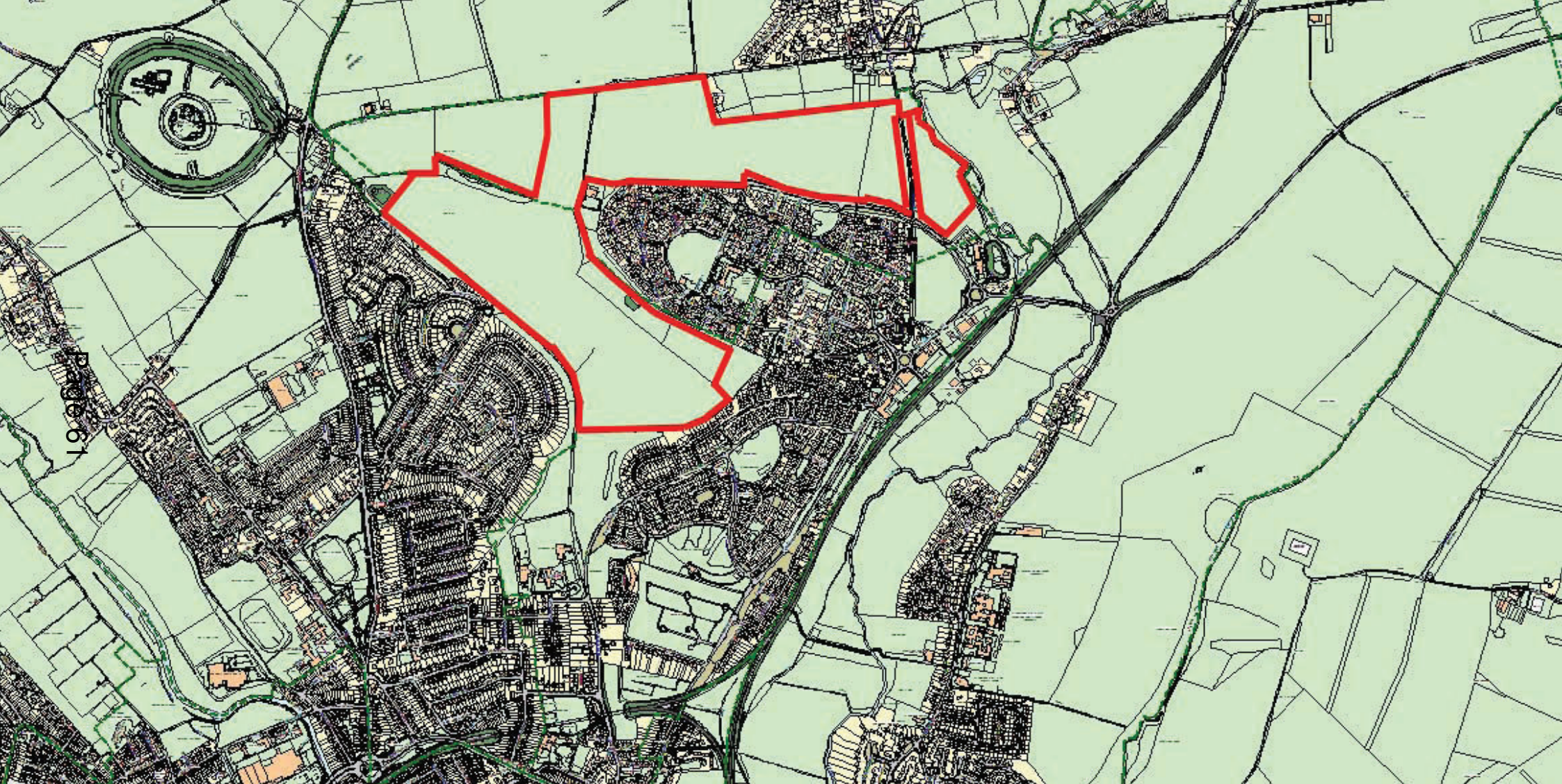
acceptable, and also, in the absence of a suitable legal agreement or similar measure to secure such a facility, the proposal fails to mitigate for the impact resulting from the development, and as a result, the proposal would be contrary to the guidance in PPS3, Salisbury District Local Plan policy G9 & H25 and the Council's adopted Affordable Housing SPG, the emerging draft Core Strategy policy 2, 3 & 6, and the guidance in Circular 5/05, which aims to ensure that proposal mitigate for their impacts.

9. The application site is located close to the Conservation Area surrounding Old Sarum Scheduled Ancient Monument, and is visible from it and the surrounding historic landscape. The site and area is therefore rich in heritage assets and important archaeological deposits.

It is considered that there is a need for more sophisticated graphic information to confirm that views from the surrounding landscape, including to and from Old Sarum SAM have been safeguarded. It is also considered that additional information is required regards the likely impact of the development on archaeological deposits.

In the absence of such additional information, the Local Planning Authority has to conclude that the scheme may not safeguard the character and setting of the heritage assets. It is therefore considered that the policy requirements of PPS 5 have not been satisfied, in particular, the provisions of policies HE6.1, 6.2, 7.4, 7.5, 9.1, 9.2, 9.4, 10.1, 10.2. The proposal would therefore also fail to accord with policies CN11 & CN20 of the Salisbury District Local Plan, and aims of policy HE2 & HE6 of the Wiltshire Structure Plan.

10. In the absence of a suitable legal agreement, a scheme and suitable financial contribution for public art, or the provision of household waste and recycling bins, water and drainage services, cannot be secured. The proposal would therefore fail to accord with policies G2 (ii), G3, G5, G9, & D8 of the Salisbury District Plan, policies DP2 & DP7 of the Wiltshire Structure Plan, and policy WCS6 of the Wiltshire Structure Plan waste and recycling supplementary guidance, and conflict with Core Policy 2 of the SW Core Strategy.



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