

## AGENDA

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**Meeting:** Southern Area Planning Committee  
**Place:** The Guildhall, Market Place, Salisbury, Wiltshire, SP1 1JH  
**Date:** Thursday 25 September 2014  
**Time:** 6.00 pm

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Please direct any enquiries on this Agenda to David Parkes, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718220 or email [david.parkes@wiltshire.gov.uk](mailto:david.parkes@wiltshire.gov.uk)

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

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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### Membership:

Cllr Richard Britton	Cllr George Jeans
Cllr Richard Clewer	Cllr Julian Johnson
Cllr Brian Dalton	Cllr Ian McLennan
Cllr Christopher Devine (Vice Chairman)	Cllr Ian Tomes
Cllr Jose Green	Cllr Fred Westmoreland (Chairman)
Cllr Mike Hewitt	Cllr Ian West

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### Substitutes:

Cllr Trevor Carbin	Cllr Helena McKeown
Cllr Terry Chivers	Cllr Leo Randall
Cllr Ernie Clark	Cllr Ricky Rogers
Cllr Tony Deane	Cllr John Smale
Cllr Dennis Drewett	Cllr John Walsh
Cllr Peter Edge	Cllr Bridget Wayman
Cllr Magnus Macdonald	Cllr Graham Wright

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# AGENDA

## Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes** (*Pages 1 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 14 August 2014.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

### Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. 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.

### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate

Director) no later than 5pm on **18 September 2014**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals** (*Pages 11 - 12*)

To receive details of completed and pending appeals.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **14/02043/FUL - 50 Winterslow Road,(Land to rear of Chalk House), Porton, Salisbury. SP4 0LF)**

A site visit for this application has been arranged for the day of the Committee meeting.

7b **14/05616/FUL - Land at the former Local Authority depot site, Blandford Road, Coombe Bissett, Wiltshire** (*Pages 45 - 60*)

7c **14/06478/FUL - 143 & 145 Rampart Road, Salisbury. SP1 1JA**

A site visit for this application has been arranged for the day of the Committee meeting.

8 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

**Part II**

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

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## **SOUTHERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING  
HELD ON 14 AUGUST 2014 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE  
LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Richard Britton, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

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**83 Apologies for Absence**

Apologies were received from Cllr Richard Clewer.

**84 Minutes**

The minutes of the meeting held on 03 July 2014 were presented.

**Resolved:**

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

**85 Declarations of Interest**

There were no declarations.

**86 Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

**87 Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

## 88 Planning Appeals

The committee received details of the appeal decisions as detailed in the agenda.

## 89 Planning Applications

### 89a WITHDRAWN - 14/04682/FUL - Land at the Junction of Church Street and the road leading to Woodyates, Bowerchalke, Salisbury, Wiltshire, SP5 5DA

This item was withdrawn after the agenda was published.

### 89b WITHDRAWN - 14/02043/FUL - 50 Winterslow Road, Land to rear of Chalk House, Porton, Salisbury, SP4 0LF

This item was withdrawn after the agenda was published.

### 89c 14/04255/FUL - 27 Tollgate Road and 1 & 2 Fowlers Hill, Salisbury, Wiltshire, SP1 2JF

#### Public Participation

Mr Maidment spoke in objection to the application.

Mr Jonathan Ross spoke in support of the application.

Mr Matthew Airey spoke in support of the application.

Mr Matthew Holmes spoke in support of the application.

The Planning Officer presented his report to the Committee which recommended that permission be **granted** subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the officer. Members asked about staffing levels at the site.

An item of late correspondence was circulated at the meeting.

The Local Member, Cllr Ian Tomes, spoke in objection to the application. Cllr Tomes discussed the scale of development, the visual impact upon the surround area, the relationship to adjoining properties and the design of the property. Cllr Tomes stated that he had high regard for Wessex Care and his concern is with the potential overdevelopment of the site. Cllr Tomes stated that this development was commercial in scale and would change the nature of the street. It was stated that this development would be too large for the

site and that there was a need to conserve the area. It was explained that there had been serious erosion of this conservation area and that there was a need to protect the heritage of these Victorian properties. Cllr Tomes stated that this application should be refused due to the importance of the property being proposed for demolition.

Members discussed the requirement to balance the need for modernisation and the need to protect this conservation area. The proposed design of the development was discussed and its future impact on the surrounding properties. Debate continued to the role of this development as a 'community resource' and the need to provide accommodation for an aging demographic.

The local economy and the quality of life for those living in the proposed development were discussed.

The Chairman stated the need to ask if this property was appropriate for the site and discussed the history of the site. The need to convert these large Victorian properties into care homes or hotels was raised and also the numbering of Fowler's Hill properties. The need to physically enhance the streetscene was raised and the scale of the potential developments relative to those properties was discussed. The Chairman stated that these were not domestic developments and therefore the site did not require the same scale of amenity that a family home or a hotel would require.

The conditions proposed by the Planning Officer were raised with particular focus on the landscaping and positioning of the property in relation to the highway was discussed. The need for a construction scheme was raised due to concerns for the neighbours. The Planning Officer discussed 'condition 14' which was recommended by the Highway's Officer.

Concern was raised at the number of beds available for the elderly in the community area and previous applications that were similar in purpose were discussed. The development of a local 6<sup>th</sup> Form College and that development's parking requirements were debated.

Debate continued to the need to preserve the 'iconic building' on the corner of Fowler's Hill and the potential domination of the site on the surrounding properties. The fragility of the conservation area and the current use of the Victorian properties were debated.

The quality of care for those residents and staff who would work at the site was discussed and the local geography of the area was raised.

It was voted on that condition 19 be amended so that construction work would start half an hour later in the morning.

The Local Member, Cllr Tomes, concluded by stating "CN8, CN9 and CN10"

as reasons for refusal.

**Resolved:**

**Planning Permission be GRANTED 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 shall only be undertaken in accordance with the following approved plans:

Plan Ref....13-1871-100...	Dated....22.04.14....
Plan Ref....13-1871-101...	Dated....22.04.14....
Plan Ref....13-1871-102...	Dated....22.04.14....
Plan Ref....13-1871-103...	Dated....22.04.14....
Plan Ref....13-1871-104...	Dated....22.04.14....
Plan Ref....13-1871-105...	Dated....22.04.14....
Plan Ref....13-1871-106...	Dated....22.04.14....
Plan Ref....13-1871-107...	Dated....22.04.14....
Plan Ref....496 lp 01...	Dated....22.04.14....

Reason: For the avoidance of doubt.

- 3) The site shall be used as a residential care home / nursing home for the elderly and for no other purpose (including any other purpose in Class C2 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 Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 4) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development 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: To secure a harmonious form of development.

- 5) No development to face the external walls of the care homes hereby permitted shall commence on site until a sample brickwork wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 6) No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers, entrances and decorative elements have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

- (a) details of trees and hedgerows to be retained, together with measures for their protection in the course of development;
- (b) details of new trees and hedgerows to be planted, including species;
- (c) means of enclosure;
- (d) car park layouts;
- (e) hard surfacing materials;
- (f) minor artefacts and structures (e.g. refuse and other storage units, oil tanks);

Reason: To ensure a satisfactory landscaped setting for the development.

- 8) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning

authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development.

- 9) No development shall commence on site until details of the proposed access alterations to the Tollgate Road site frontage have been submitted to, and approved in writing by the local planning authority. The development hereby permitted shall not be fully brought into use until the access alterations, drop off area and realigned paved footway, including all associated highway works, have been provided in accordance with the approved details.

Reason: In the interests of highway safety.

- 10) The development hereby approved shall not be fully brought into use until the cycle/car parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. These areas shall be maintained and remain available for these uses at all times thereafter.

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

- 11) The development hereby permitted shall not be fully brought into use until the first five metres of the new Tollgate Road site access, measured from the back of the realigned paved footway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

- 12) The gradient of the new Tollgate Road access shall not at any point exceed 1 in 15 for a distance of five metres from the back of the realigned paved footway.

Reason: In the interests of highway safety.

- 13) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway area), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be fully brought into use until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained.

- 14) No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety.

- 15) Before the development hereby permitted commences a scheme for the discharge and control of fumes and/or odours from the proposed cooking operations on the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

Reason: In the interests of neighbouring amenity.

- 16) Before the development hereby permitted commences a scheme of acoustic insulation shall be submitted to and approved in writing by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise from externally mounted plant, equipment and ventilation systems. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

Reason: In the interests of neighbouring amenity.

- 17) The en-suite windows in the north-east elevations shall be glazed with obscure glass only and permanently fixed with a ventilation stay restricting the opening of the window, in accordance with details to be submitted to and agreed in writing by the local planning authority, prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

Reason: In the interests of residential amenity and privacy.

- 18) No development shall commence within the area indicated (proposed development site) until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

19) No demolition or construction works shall take place outside the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays or at any time on Sundays & Banks Holidays.

Reason: In the interests of neighbouring amenity.

## **INFORMATIVES:**

### Bats

There is a low risk that bats may occur at the development site. Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website

### Highways adoption

It is anticipated that the realigned paved footway will be adopted by the council under a legal agreement.

## **90 Urgent Items**

Members thanked Senior Planning Officers Stephen Llewellyn and Charlie Bruce-White for their hard work as they would be leaving their posts.

Cllr Devine raised the need for the Planning Officer's reports to be circulated to Members before the meeting for ease of viewing.

Members requested a site visit for 14/06478/FUL - 143 & 145 Rampart Road, Salisbury, SP1 1JA.

(Duration of meeting: 6.00 - 7.00 pm)

The Officer who has produced these minutes is David Parkes, of Democratic Services, direct line (01225) 718220, e-mail [david.parkes@wiltshire.gov.uk](mailto:david.parkes@wiltshire.gov.uk)

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

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## APPEALS

### Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Overturn	Costs
13/05286/FUL	YHA, Milford Hill House Milford Hill	H	DEL	DISMISSED		

### Outstanding Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overturn
13/01493/FUL	44 Fisherton Street, Salisbury	WR	DEL	
13/02724/FUL	Woodford, Middle Woodford, Salisbury	WR	COMMITTEE	O/T
13/02243/FUL	Land at Rear of the Plaza, Durrington	WR	DEL	
13/05532/OUT	Land adj Coombe Road, Salisbury	WR	DEL	
13/05117/FUL	72 Shaftesbury Road, Wilton	WR	DEL	
13/04330/ADV	Partridge Hill, Giles Lane, Landford	WR	DEL	
14/02238/FUL	Land at Paddock View, The Street, Teffont	WR	COMMITTEE	O/T

### New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overturn
13/04200/FUL	Lyvers Farm, East Grimstead	Hearing	COM	O/T
14/03436/ADV	Richmond Farm, Brickworth Road, Whiteparish	WR	DEL	
14/04518/FUL	5 Beech Close, Porton	HH	DEL	

WR Written Representations  
 HH Fastrack Householder Appeal  
 H Hearing  
 LI Local Inquiry  
 ENF Enforcement Appeal

15 September 2014

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## REPORT TO THE AREA PLANNING COMMITTEE

Report No. 1

<b>Date of Meeting</b>	25 <sup>th</sup> September 2014
<b>Application Number</b>	14/02043/FUL
<b>Site Address</b>	50 Winterslow Road,(Land to rear of Chalk House), Porton, Salisbury. SP4 0LF
<b>Proposal</b>	Residential development comprising 20 dwellings (of which 12 market units and 6 affordable units), public open space and landscaping, and new access from Winterslow Road
<b>Applicant</b>	Mr Mark Carrington
<b>Town/Parish Council</b>	IDMISTON
<b>Ward</b>	BOURNE AND WOODFORD VALLEY
<b>Grid Ref</b>	418987 136476
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Andrew Bidwell

### **Reason for the application being considered by Committee:**

The Division Member has called in the application due to the current state of play with the emerging Wiltshire Core Strategy and how it impacts on such proposals for development.

### **1. Background**

The application was due to be considered by the Committee at its meeting on 14 August 2014 but was deferred by officers. The reason for the deferral was because of late correspondence from the applicant's agent setting out the applicant's desire to continue discussions in relation to the provision of community infrastructure. Such provision is a material consideration to be taken into account in the consideration of development proposals as a whole.

Correspondence from the applicant's agent setting out the community benefits stemming from the proposal follows:

"We have now prepared a draft Section 106 Heads of Terms document to set out the expected developer contributions, in light of consultation responses and recent discussions with Wiltshire Council. This document encompasses:

- Affordable housing: on-site provision of 6 dwellings (that is, 30% of the total);
- Off Site Equipped Play Space: a financial contribution of £33,968.16;
- Youth & Adult Sports Provision: a financial contribution of £18,135;
- Primary school education: a financial contribution of £83,840 towards school places;
- Secondary school education: a financial contribution of £57,252 towards school places;

- Fire and rescue: a financial contribution of £1,600 towards fire and rescue infrastructure.
- Waste and recycling: a financial contribution to be determined.
- Community Facilities: See separate section below.

As regards on-site open space, there will be no need for a commuted sum for maintenance because these areas of land will be transferred by Linden to a management company.

### Financial contribution towards Community Facilities

#### *Policy considerations*

The principle of contributing to community facilities finds support in a range of planning policy documents, including:

- Core Policy 1 of the emerging Wiltshire Core Strategy (WCS), which states that *‘Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.’;*
- Core Policy 49 of the emerging WCS, Saved Policy PS1 of the Salisbury District Local Plan, and Core Policy 21 of the South Wiltshire Core Strategy which facilities like the IMPH;
- Paragraph 28 of the National Planning Policy Framework (NPPF), which seeks to *‘promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship’;*
- Wiltshire Council’s Position Statement on Community Infrastructure Levy (June 2014) through which developer contributions would be pooled towards infrastructure including multi-use community facilities.

#### *Proposed contribution*

Since this application was submitted it has become clear from discussions with officers, members, Idmiston Parish Council and others that there is a need for substantial improvements to the Idmiston Parish Memorial Hall (IMPH). This is the main public hall in the village, and is in almost continuous use by a diverse range of clubs and societies. The Parish Council website notes that the hall opened in 1959 and the building is now over 50 years old, well beyond its design life. In the absence of comprehensive refurbishment and investment, it is now in substantial decline. Savills and Linden have been in contact with the Treasurer for the IMPH who has provided a review of the history of the building, and the problems that it now suffers.

In addition, we are aware that there are other community facilities within the Parish that could justify a contribution under s106. In the absence of an adopted CIL policy we have considered s106 contributions as a whole and following detailed consideration, we have proposed a contribution for Community Facilities of £130,000. In total the s106 liability is equivalent to that would be payable in this application under Community Infrastructure Levy (CIL), based on the authority’s emerging rate. Combined with the delivery of

affordable housing, this is considered an appropriate figure. It is at the upper limit of what is deliverable bearing in mind the scale of the development which is only 14 market units.

#### *'Tests' for planning obligations*

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

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

With regards to (1), the test is fulfilled on the basis of Core Policy 1 of the emerging WCS, as identified in the passage quoted above, which envisages that development in villages should be used to improve services and facilities. Other policies quoted above indicate the need for such contributions. With regards to (2), the test is fulfilled because of the direct relationship between population increase in the village and the demand for and amount of use which will be made of the hall, as well as its proximity to the application site. With regards to (3), the contribution is reasonably related in scale and kind because of its relationship with the Council's intended approach to CIL, as outlined above".

## **2. Purpose of Report**

To consider the revised recommendation of the Area Development Manager (South) to approve the application as an exception to the usual policy presumption against new residential development outside of housing policy boundaries having regard to the community benefits stemming from this development and the specific circumstances of the site, this subject to the applicant entering into a Section 106 agreement with the Council to ensure delivery of the community benefits and other essential infrastructure made necessary by the development.

## **3. Report Summary**

The application is for a residential development on land previously proposed for such development in the SHLAA but not allocated as such in the emerging Wiltshire Core Strategy.

The land is outside the defined development limits of Porton as defined in the adopted South Wiltshire Core Strategy making development unacceptable in principle. There are, however, material considerations in this case which it is considered 'tip the balance' in favour of the proposal. These are explained later in the report.

## **4. Site Description**

The site comprises 1.28 hectares of mainly agricultural land used mostly for grazing. To its immediate north and east sides is established residential development inside the Porton housing policy boundary. To its west side is a small open paddock with further housing inside the housing policy boundary beyond. To the south is open countryside. The site and its context are illustrated in the following extracts from the Design and Access Statement. The left plan shows the housing policy boundary (red line) and the right plan shows the extent of the application site.



The main part of the site is relatively steep rising away from Winterslow Road to the open countryside to the south. Chalk house is located on the northern edge of the site alongside Winterslow Road, opposite St Nicholas Church.

The site lies within a Countryside Character Area, an Area Susceptible to Surface Water Flooding, and a River Catchment Area (River Bourne); and being mainly outside of a housing policy boundary is within 'open countryside'. Part of the site adjoins the Conservation Area and is of significant archaeological interest.

## 5. Planning History

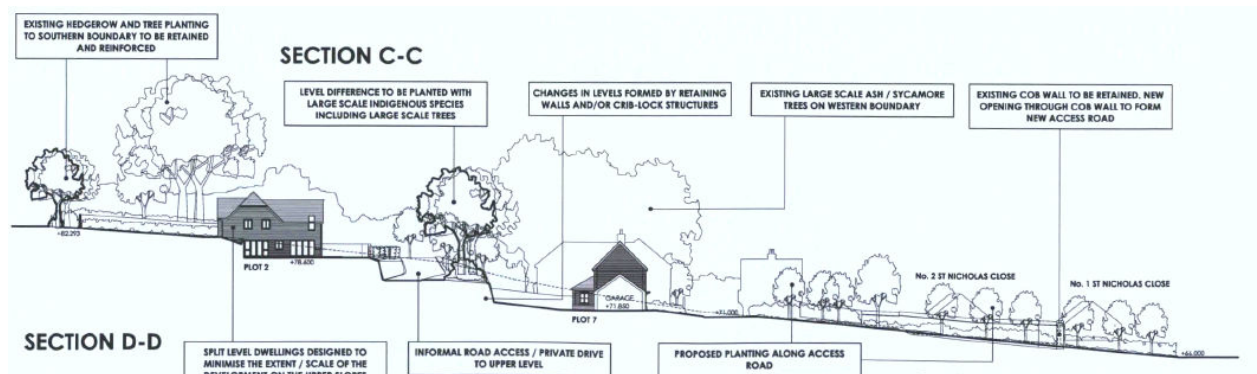
The site has been subject to several planning applications mostly in regard to Chalk House itself. These have included extensions to the house / vehicular access applications and various works to trees. None of these applications are considered to be relevant to this proposal.

## 6. The Proposal

The proposal is to erect 20 dwellings, including 6 affordable dwellings. The proposal also includes public open space and landscaping, and a new vehicular access off Winterslow Road. The layout is shown on the following layout plan.



The housing mix would be 2 x 1 bed units (both affordable), 9 x 2 bed units (inc. 5 affordable), 4 x 3 bed units (inc. 1 affordable) and 5 x 4 bed units (no affordable). In view of the change in levels across the site all the houses would be 2 storey only. Limited cut and fill would be necessary to achieve level plots as illustrated in the following typical section drawing.



## 7. Planning Policy

Salisbury District Local Plan saved policies (listed in Appendix C of the Adopted South Wiltshire Core Strategy):

G1, G2 – General Development Criteria

G3 – Water supplies (abstraction)

G5 – Water supplies and drainage

G9 – Additional infrastructure/facilities directly required and necessary for the development

C2 – Development in the Countryside

C12 – Protected species

C11 – Development affecting Areas of High Ecological Value

C13 – Wildlife habitat  
C15 – Habitat creation  
H23 – Residential development outside housing policy boundaries  
D1 – Design  
D8 – Public Art  
CN21 & CN22 – Archaeology  
CN8, CN10, CN11 – Conservation Areas  
R2 – Recreational Open Space  
PS5 – Education facilities

South Wiltshire Core Strategy:

Core Policy 1 – The Settlement Strategy and distribution of growth in south Wiltshire  
Core Policy 3 – Meeting Local Needs for Affordable Housing  
Core Policy 19 - Water efficiency and River Avon SAC  
Core Policy 20 - Pollution and phosphate Levels in the Water Environment

Waste Core Strategy 2009:

Policy WSC6 – Waste Reduction & Auditing

Emerging Wiltshire Core Strategy:

Core Policy 2 – Delivery Strategy  
Core Policy 44 – Rural Exceptions sites  
Core Policy 41 – Energy Strategy  
Core Policy 50 – Biodiversity & Geodiversity  
Core Policy 52 – Green Infrastructure  
Core Policy 67 – Sustainable drainage  
Core Policy 69 – River Avon SAC

SPG: including -

Councils Adopted Supplementary Planning Document 'Creating Places'.  
Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area

Government Guidance:

National Planning Policy Framework (NPPF) and Guidance (NPPG)  
Town and Country Planning (EIA) Regulations 2011

Other material considerations:

Porton Village Design Statement

## **8. Consultations**

Idmiston Parish Council:

OBJECT for the following reasons;

1. The application site lies outside the Housing Policy Boundary (HPB) for Porton and consequently does not comply with saved Policy H16 of the Salisbury District Local Plan and the South Wiltshire Core Strategy policy for development in Large Villages.
2. The proposal is not for 100% affordable housing or for housing for agricultural/forestry workers and consequently does not comply with saved Policy H23 of the Salisbury District Local Plan which provides for development outside the HPB if it falls into the above categories.
3. The application requires a modification to the settlement boundary (HPB) for Porton outside of the review process outlined in the Wiltshire Core Strategy and requires a development which is double the size of the 10 dwelling definition of a small site. Therefore, it does not comply with the Wiltshire Core Strategy provisions which relate to development in Large Villages.
4. To accord with the mechanisms for the review of the settlement boundaries outlined in the Wiltshire Core Strategy, the process of producing a Neighbourhood Plan for our Parish is underway. Approval of the current application would be prejudicial to the Housing Policy Boundary review and would compromise our community-led Neighbourhood Plan.
5. The application does not comply with Core Policy 18 – Lifetime Homes Standards in the South Wiltshire Core Strategy as the 12 private housing units do not meet the standards required “due especially to the gradient of the site”. (This confirms the unsuitability of the site for housing).
6. The application does not comply with the provisions of DESIGN POLICY 9 of our Village Design Statement by reason of the size of the development and the use of a visually important, elevated pasture which is a key component in the rural setting of the core of our village.
7. The application does not fully comply with DESIGN POLICY 8 of our Village Design Statement by reason of the site’s exposure and the bulk and appearance of the four large dwellings located on the upper part of the site.
8. The application does not fully comply with DESIGN POLICY 16 of our Village Design Statement by reason of the extensive use of uPVC and plastic cladding and the unsympathetic design, appearance and materials of the four large dwellings at the top of the site.

9. The proposed development, by reason of the elevated nature of proposed screen planting relative to adjoining properties in Bonaker Close, would give rise to overshadowing and will impair the amenity of No.5 in particular.
  
10. The new access to the proposed development is located on a tertiary road which is substandard in terms of width and alignment and is at a point where the view of vehicles exiting the junction of traffic travelling towards the A338 is frequently obscured by parked vehicles associated with the Church. The proposed development would endanger public safety by reason of traffic hazard.

Note;

DP9 is designed to ensure that the character and appearance of our villages are not compromised by new development. It requires any new developments to meet four criteria. Of particular note are that it be of modest scale & not generally exceed 10 dwellings in order to protect the rural nature of our village and that it be well related to the existing village envelope.

The proposed development of 20 dwellings breaches the requirement to be of modest scale and it does not relate well to the village envelope because of the elevated nature of the site and its exposure to view to a wider area than would have been the case had the site been less steep.

DP8 requires any new development utilising the gardens/grounds of older properties in the villages to meet three criteria. One of these is to demonstrate how the proposed scheme will positively enhance the appearance of the villages and their Conservation Areas, where these exist.

The 12m level difference between the northern and southern boundary gives the proposed development a tiered effect with the smaller 1½ storey dwellings of traditional appearance hidden from view but with the much larger 2 storey, 4 bed properties of non traditional appearance at the top of the site exposed to view from within the village centre. These are considered to be of unsympathetic design and appearance and out of character when compared to the older buildings in the core of the village and consequently detract from its appearance.

DP16 is designed to ensure that new housing both reflects and enhances the character of our villages. Of particular relevance are the requirements that; building design should involve balanced proportions and complement any well defined features or themes in our historic buildings or in those of merit in the locality. This has not been achieved in regard to the four large dwellings at the top of the site in terms of design, appearance and materials resulting in buildings which fail to harmonise with those in the core of the village.

DP16 also requires building materials to complement existing buildings in both colour and texture, stating that the use of concrete products and applied artificial stone products or plastic cladding will not be supported and that joinery products should be of traditional design and that the use of uPVC windows and doors on elevations exposed to public view should be avoided.



The materials specification suggests otherwise with the use of uPVC products on all elevations and the use of artificial wood cladding on the four large dwellings proposed at the top of the site. Overall the development fails to provide for the use of knapped flint and light coloured render as facing materials, which are a prevalent feature of our older buildings in the core of the village and were used in Byford Gardens to ensure that development harmonised with its surroundings.

Clearly the Parish Council is opposed to the use of this elevated site for housing. However, were the Local Planning Authority minded to approve the application, in its current form, then the Parish Council would wish to see the following conditions applied;

1. No development shall commence until a Section 106 agreement has been entered into with the LPA for a £500,000 contribution towards the purchase of a flat site and the building a new parish hall to include a parish office and ancillary sporting facilities. Reason: to contribute towards the costs of the replacement of outdated and inadequate community facilities.
2. Prior to the commencement of development details of a mechanism to secure the ongoing maintenance and management of the proposed landscaping scheme together with those areas which are to be in the public realm shall be submitted to and approved in writing by the LPA. Reason; to ensure the trees and hedgerows on the site will achieve the considerable visual screening envisaged for now and the lifetime of the development and that no public maintenance liability is incurred for the landscaping or those areas in the public realm.
3. Prior to the commencement of development a detailed lighting scheme comprising low level louvered bollards for the illumination of all roads and pathways shall be submitted to and approved in writing by the LPA. Reason: to minimise night time light pollution and reduce the visual impact of the development of this elevated site on the village during the hours of darkness.
4. Prior to the commencement of development a revised materials schedule, which provides for the use of knapped flint and light coloured render as facing materials and with timber joinery products used on elevations exposed to public view, be submitted and approved in writing by the LPA. Reason: to ensure new housing both reflects and enhances the character of our village.
5. Hours of work on site preparation and construction (including deliveries) shall be restricted to between 8-00 a.m. to 6-00 p.m. Monday to Friday and between 8-00 a.m. and 1-00pm on Saturdays unless otherwise agreed in writing with the LPA. No work shall be undertaken on Sundays or Bank Holidays. Reason: to safeguard the amenity of the occupiers of the properties that adjoin the site.

WC Highways:

No objections subject to conditions.

WC Archaeology:

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

WC Ecology:

Whilst no overall objections have been raised, further work to determine impact on protected species – bats in particular – is required. Conditions are recommended.

WC Conservation:

No specific objections to the proposal have been received.

WC Public Protection:

No objections subject to conditions.

WC New Housing:

No objection.

WC Open space:

No objections subject to matters to be agreed in the S 106.

Wessex Water:

No objections.

Environment Agency:

No objections subject to conditions and informatives.

Natural England:

Satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.

## **9. Publicity**

The application has been advertised locally in the press and to neighbours. In this case the application has also been advertised as a departure.

34 Neighbour letters have been received to date with 19 clearly objecting to the proposal 14 general comments and 1 clearly in favour of it.

These are summarised as follows:

- Proposal should provide parking for the Church
- Pallet of materials could be more in keeping
- Do not object to the principle as the village needs new housing
- Proposal should provide housing for young people and could attract new people

- Changes to the design following consultations are appreciated
- Contractors Hours of work should be limited and controlled
- Proposal would increase flood risk
- Traffic increase will cause problems
- Village design statement has not been considered
- Visual impact assessment is misleading
- Rural feel of village would be lost
- Privacy for neighbours will be lost
- Development is too dense
- Green space will be destroyed
- Road will become a Rat Run
- Proposed section 106 will not benefit the village
- Construction vehicles / lorries would cause traffic problems

## **10. Planning Considerations**

### Principle

The larger part of the application site lies outside of the housing policy boundary for Porton and so within the countryside. The site is, therefore, not subject to saved Policy H16 of the Salisbury District Local Plan which allows small scale development within the boundaries. Instead it is subject to Policies C2 and H23 which state that development in the countryside will be strictly limited and new housing will only be permitted exceptionally if to provide affordable housing or essential housing for rural workers.

That said, the site is slightly unusual in that it is more or less bounded on three of its sides by established development within the Porton housing policy boundary. The proposal could, therefore, be seen as a rounding-off of the settlement in this area. The site is also located relatively close to the facilities and services Porton provides (Porton is a 'secondary village' in the South Wiltshire Core Strategy, and their role is defined as "less significant but nevertheless important complementary .... to the Local Service Centres", and where "levels of growth proportionate to their size, character and environment will be supported ...") and consequently it is as sustainable as other part of the settlement.

The physical and locational characteristics of the site are such that the proposal has not generated any objections from statutory or technical consultees on amenity, sustainability or other technical grounds (expanded on later in the report). This is a relevant material consideration, notwithstanding the development plan status of the site. Of further relevance as a material consideration are the community benefits which will stem from the proposal if permitted. These are, in particular, the financial contributions towards off-site play space, youth and adult sports provision and the Idmiston Parish Memorial Hall. Planning legislation requires local planning authorities to determine applications in accordance with the development plan, unless material considerations indicate otherwise. In this case it is evident that the proposal is strictly contrary to the development plan; however, the material considerations set out above are considered to outweigh the plan policies and so make the development exceptionally acceptable in any event.

Regarding the scale of the development, at 20 units this is significant in the context of Porton. However, the site is capable of supporting this number of units and anything less would not be making the best use of the land. Within this context development at this scale is, therefore, not considered to be inappropriate or harmful.

#### Strategic Housing Land Availability Assessment

It is acknowledged that this site was submitted as part of the Strategic Housing Land Availability Assessment (SHLAA) and has been identified as a potential site for development as a result of this process. However, the SHLAA states that “the inclusion of sites within this study should not be taken to imply that the Council would automatically consider planning applications favorably. Although it will inform housing allocations, it will not determine the allocation of land for housing development ... All future planning applications will be considered individually, taking other material considerations into account, and will be assessed through policies in the most up-to-date development plan”. It follows that the SHLAA is not an overriding consideration in assessing the principle of development, although its acceptance of the potential of this site can be given limited weight in the context of all other considerations.

#### Five year land supply & Neighbourhood Plans

The NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5% (paragraph 47). The NPPF also states that there must be a presumption in favour of sustainable development if a local planning authority cannot demonstrate a 5 year housing supply (paragraphs 15 and 49).

The South Wiltshire Core Strategy provides for 8,621 deliverable houses (completions, commitments and deliverable allocations) that provides some 17.5 years of available housing land supply during the plan period (2006-2026) across South Wiltshire and allocates 5,250 dwellings that provides over 10 years deliverable housing land supply. Core Policy 4 of the emerging Core Strategy also identifies that ‘Amesbury, Bulford and Durrington have sufficient commitments to exceed the requirement.’ Consequently, there is no immediate need for the development of non-allocated sites.

The South Wiltshire Core Strategy does however, indicate that within the Amesbury Community Area ‘housing may also be delivered through locally produced Neighbourhood Plans or community Right to Build schemes ...’. Such plans or scheme would need to be community led and in this regard, local consultation would be required in order to establish whether or not there is genuine local support for the proposals and whether the detail of the application (including the number of houses and the housing mix) meet the desires of the community.

This community led planning process is also emphasised in the emerging Wiltshire Core Strategy - Core Policy 2 of the emerging Core Strategy states ‘Development outside the limits of development will only be permitted where it has been identified through community led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development’.

The policy preference is, therefore, for proposals outside of the defined settlements to be delivered through local policy documents such as neighbourhood plans. That said, such an

approach does not, and cannot, preclude planning applications from being made and considered outside of the plan process. Such applications must be considered on their merits at the time they are made. In this case, as set out already, it is considered that the merits of this particular proposals are such that it can be accepted having regard to material considerations which outweigh the policy objection. An objection to the application on the grounds that a neighbourhood plan may be produced at some point in the future would be difficult to sustain in any event.

#### The emerging Wiltshire Core Strategy & land supply issues – Wiltshire Council’s evidence base

The applicant’s agent has set out an argument which has suggested that the council’s method of determining housing numbers is flawed. The agent states that the council’s model to determine numbers – the Liverpool model – is not the most appropriate and is the reason for an undersupply in terms of housing numbers. The agent argues that the appropriate model should be the Sedgefield Model.

However, members should note that the evidence base presented for the emerging Wiltshire Core Strategy uses the Liverpool Model. Extensive debate on this matter has taken place and the council does not agree that the agent’s reasoning is sound.

The key points 1 – 5, in favour of the council’s approach are set out as follows:

1. The NPPG (planning guidance) does identify that “LPAs should aim to deal with any undersupply within the first five years of the plan period where possible.” The only rational reading of this is that; LPAs should aim to deal with any undersupply relative to a previous development target within the first five years of the new plan, as no undersupply can have arisen against the current plan. In contrast the Sedgefield approach requires that LPAs should aim to deal with any undersupply relative to the current (or emerging) development target within the immediate five year period. This in effect requires that a longstanding undersupply should be met forthwith but that undersupply across the current plan period may be appropriately picked up across that plan period. Indeed, the definition of undersupply relating to that arising against previous development plan targets is set out in PAS guidance. This misreading has been made at a previous appeal, and once the sentence has been read rationally, the appellant conceded this point.
2. In all previous appeal decisions in Wiltshire, the Liverpool approach has been used in the calculations used by the various Inspectors although this has not been directly referenced.
3. There are a number of recent appeal decisions nationally which have supported the Liverpool approach over the Sedgefield approach, such as Barwell, Leicestershire.
4. The eWCS Inspector in his tenth procedural letter has calculated that the Council would be able to demonstrate a five year land supply relative to a requirement of circa 42,000 homes. The Inspector has made this calculation independently, and his conclusion only works if he was using the Liverpool approach.
5. If the Sedgefield approach is adopted, this results in a significant boost to housing

supply in the short-term at the expense of sustained longer term housing supply, as the same number of houses is simply frontloaded. It is considered that this negatively impacts on both sustained economic growth and the continuous supply of housing towards the end of the plan period.

The impact on the character and appearance of the conservation area / open countryside / special landscape area / setting of adjacent listed buildings

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

In considering planning applications for new development in or adjacent to conservation areas, local planning authorities are required to ensure that the form, scale, design and materials of new development is in character and to protect the character and appearance of an area from unsympathetic changes and inappropriate development.

The larger part of the site is within the open countryside from a planning policy point of view.

The site itself is currently in agricultural use and the proposed development will significantly alter the character and appearance of the site. Whilst overall it is considered that the proposal would result in an intrusion of built development into the countryside, due to the particular position of this site – in affect rounding-off an area of land between existing residential development, it is not considered that the resultant impact on the rural character and appearance of the area would be adverse, and likewise, in relation to the adjacent conservation area.

The applicant has set out the design approach adopted in the Design & Access Statement. The approach includes the following:

**Layout:** The layout of the proposed development has had regard to the character of the site and its surroundings and has been informed by the technical assessments and consultations carried out. General factors leading to the proposed layout include:

**Topography:** with an average gradient of 1 in 9, the design sets out dwellings principally on an east west axis with three rows, each row occupying a similar level on the hillside. This stepped approach contributes to a harmonious form which respects the natural contours of the site.

**Planting and Trees:** Substantial provision of open space and landscaping has been made to ensure that the dwellings would integrate into the area. All significant vegetation on the boundary of the site would be maintained and enhanced. Internal plots would be divided by new hedges and tree planting.

**Density:** A key priority in the design of the proposals has been to ensure that the verdant, informal village character would be respected. The submitted proposal are to a density of 15.5 units per hectare, which is consistent with much of the village ensuring that the site is not overdeveloped and does not become unacceptably urban in character. This low density is also a natural consequence of maintaining and enhancing mature vegetation on the site, site levels and a range of house types and sizes.

Neighbour amenity: Care had been taken in the positioning and orientation of the dwellings to ensure appropriate boundary separation distances and to prevent unsatisfactory direct window to window relationships.

Scale: Given the changing levels on the site, scale and building heights are a significant consideration. Specifically to minimise landscape impacts and overlooking there is a need to limit overall building heights. In response to these objectives a number of measures have been taken:

Dwellings are two storey in height maximum; smaller scale 1.5 storey dwelling are proposed for the lower part of the site adjoining St Nicholas Close and Bonaker Close. Plots at the upper part of the site are split level.

In terms of materials, the proposal is considered to be appropriate for this site and the immediate area. Consultations had been carried out at pre-application stage and the conservation officers did not raise concerns in this respect. However, the comments of the Parish Council are acknowledged and it is considered acceptable to impose a planning condition requiring final agreement of the range of materials prior to their use.

#### Village Design Statement issues.

Concern has been expressed that the proposals do not give due regard to the village design statement. The VDS is an important material planning consideration that forms a significant context against which to assess proposal for development in the village. The VDS is however a form of adopted guidance setting out design aspirations forming a useful template to guide developments. That said, the VDS cannot and should not be applied to the letter in all cases and there are ever present and increasing “other material considerations” that must be taken into account. In this case the report explains how the design approach adopted has been carefully considered and how with some further improvements through conditions, the proposal is not unacceptable in its context.

The VDS expects development to be in keeping with village character and overall through the detailed design and materials, scale and good use of the slope of the site, it is considered that this has been achieved.

Whilst the site itself is identified as a visually important elevated pasture - and thus is where development would not normally be expected and is outside the housing policy boundary- it has a very distinct and unusual characteristic in that it is enclosed on three sides by existing residential development. As stated previously, the proposal will result in a rounding off of this part of the village in fact continuing its established character which includes existing development that is very similar in this way.

Furthermore significant weight must be given to the community benefits aspects of the proposal. These are set out in the report as the Section 106 terms. Most significantly these include the financial offer aimed at dealing with the issues regarding the village Hall. This itself goes well beyond what can normally be expected from a development such as this and is a very weighty material consideration.

For these reasons the proposal in terms of design and location outside the housing policy boundary - in an open area referred to in the VDS - is not considered to be at odds with the overall aims of the VDS. As such a need to adhere to the letter of the VDS is outweighed by the combination of the development as a whole and the community benefits that will come from it.

### Highways

At pre-application stage, the WC Highways indicated that subject to details regarding access, road layout, footpath linkage etc, the scheme would be supported.

A Transport Statement has been submitted with the application. The statement confirms that the design of the internal road layout will ensure low traffic speeds. The main carriageway width will be 4.8 metres with a footway on the eastern side of the bell-mouth. The road then becomes a shared surface with local narrowing.

The access off Porton Road has been designed to have minimal impact overall and specifically to avoid any unreasonable impacts on the existing boundary (Cob Wall) of Chalk House.

The layout of the access road has been designed to minimize its impact and reduce traffic speed in a controlled manner and in order to assist pedestrians it is proposed to provide a 1.8 metre wide footway along the site frontage.

As stated previously, the site lies outside of the housing policy boundary for Porton and as such would generally attract an adverse highway recommendation on sustainability grounds. It is acknowledged, however, that whilst the site is located just outside of the settlement framework it is within walking distance of the local facilities which include shops, schools and public transport linkages. For these reasons it is considered that a recommendation for refusal on this ground alone would be difficult to sustain.

However, whilst there are no clear objections to the proposal on highways grounds, the highways officer has set out areas where details would benefit from further negotiation. These are as follows:

1. Visibility splays of 2.4m by 43m at or above a height of 600mm in line with the advice given in Manual for Streets. The full sight lines need to be shown on a drawing to be checked and approved.
2. Priority for vehicles entering the site over those leaving.
3. On the western side of the access the footway should continue into the site to a point opposite the entrance to Chalk House.
4. The access road into the site measures 4.8m. As this is a shared surface arrangement with no separate footways the carriageway should be widened to 5.5m. This will allow the free flow of vehicles and extra width for pedestrians and/or occasional visitor parking.
5. The parking is considered acceptable given that the garages are all over-sized with an internal dimension of 3m by 6m.
6. Turning facilities need to be provided to allow delivery and bin lorries to turn; swept paths are required to demonstrate the ability to turn



7. The buff coloured surfacing (block paving) is acceptable although with edgings to conservation kerbs.

On balance it is considered that the matters raised above are not overriding nor do they represent highways objections. Therefore subject to conditions that will seek further improvements to the proposal as suggested above, there is no overall objection to the proposal on highways grounds.

#### Archaeology

The site has moderate to high potential for heritage assets with an archaeological interest, particularly with regard to the Iron Age and Roman periods.

The National Planning and Policy Framework (NPPF), which has superseded PPS5, contain the following Policy:

*“128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

In light of this, and in line with NPPF (2012), the applicants were advised that an archaeological field evaluation will need to be carried out prior to the determination of the application. This information should reveal the impact of the proposed development on any buried archaeology. These works should be conducted by a professional, qualified archaeologist, in line with a Written Scheme of Investigation agreed by the council. The application includes an Archaeological planning statement which proposes trial trenching for the site. This is considered to be an appropriate form of field evaluation for this proposal.

Archaeological field evaluation works were carried out on the site in the second week of June. Having inspected the site the archaeologist reported back that some archaeological features were found including a ditch and possible quarry pit. However the council has not received the report to date. It is likely that the archaeologist will require further work by condition.

The Archaeology officer has confirmed that the results have been positive, and as such it is necessary to recommend a further programme of archaeological works as an appropriate planning condition to be carried out prior to or during the development, or to recommend preservation *in situ* of the remains. The costs of the archaeological works will of course fall to the applicant.

Appropriate planning conditions have been imposed (see conditions)

### The impact on the living conditions of proposed and nearby properties

It is considered that overall the application has demonstrated that the living conditions of both existing and proposed dwellings will be satisfactory. In particular, elevations and dwelling orientation and layout is designed so there is not likely to be any unreasonable overlooking between properties. Therefore, there are no objections to the proposal in terms of impact on neighbour amenity.

### Ecology - Nature Conservation

This application is supported by the following documents: Ecological Assessment Report (Hampshire Ecological Survives Ltd, Jan 2014) and Reptile Survey and Mitigation Strategy Report (Hampshire Ecological Survives Ltd, Feb 2014). Both reports are of a high standard and demonstrate that it would be possible for the development to lead to a small but reasonable net gain for biodiversity provided the recommendations are followed.

### Habitats Regulations

There are two matters that need to be considered under the Habitats Regulations 2010.

The first is in relation to stone curlews which are a special feature of the Porton Down SPA. The site is in the Bourne valley and surrounded by built development. The general area is therefore not particularly suitable for stone curlew which is very sensitive to human activity and prefers large open fields. Retention and enhancement of the hedgerows as screens, and absence of footpaths through large fields to the south also leads to the conclusion that the development is unlikely to lead to significant effects (disturbance) on this species.

The second is in relation to the felling of the group of trees labelled as 5, 6, 7, 8, 9 in the ecological assessment and G22 in the arboriculture report. Tree number 9 (southernmost tree in the group) is known to be a bat roost as a result of surveys by Hampshire Ecological Services and will require a licence (under the Habitats Regulations) before it can be felled. It is noted that the arboriculture report states that trees in G22 do not need to be felled to allow the development to proceed but "Trees G22 are in such poor condition, they have been advised for removal in the interest of good management". Before the council grants permission to a development that will lead to a breach of the Habitats Regulations 2010, it is required to consider whether it is possible for a derogation licence to be issued by Natural England. The tests for such a licence are:

1. The work is required for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature..." (para 53 2 (e))
2. "There is no satisfactory alternative" (para 53 (9) (a))
3. The work "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" (para 53 (9) (b))

Given the wording of the arboriculture report it is unclear as to whether tests 1 and 2 above are met for tree number 9. If evidence can be provided to demonstrate that the tests are met, then the information contained in section 5.6 of the ecological assessment will be sufficient to satisfy test 3 and the council will be able to conclude that a licence may be forthcoming from Natural England. The other trees in this group were also assessed as having high potential for bats even though bats were not recorded using them during the surveys.

Further consideration should therefore be given to the possibility of retaining these trees. The application should not be determined until this matter is resolved.

Members will be updated of progress in this respect at the meeting.

#### Hedgerows and trees

It is noted that although the report provides recommendations to maintain and enhance the site for foraging and commuting bats, not all of these have been incorporated onto the Proposed Site Plan. In particular the recommendation for the double hedge with central pathway on the southern boundary is not evident. This was intended to offset impacts on rarer bats requiring dark conditions but also to screen the development from wildlife such as stone curlew using adjacent fields. It would also provide good foraging habitat to replace the grassland and mature trees that would (subject to comments above) be lost in the middle of the site.

In order to secure many of the mitigation requirements of this development, it will be essential to ensure that the southern boundary in particular but also other areas of existing planting, are retained under a single ownership and not conveyed with individual plots. This was assumed to be the case in the Ecological Assessment Report. However the ownership situation for hedgerows is unclear from the Proposed Site Plan and this must be resolved before the application is determined. Over the next 20 to 30 years the value of these features for bats, reptiles, birds and other wildlife will deteriorate significantly if sections of hedging are removed and replaced by fencing and if trees are felled but not replaced. There is a considerable risk of this happening if there are multiple ownerships especially since the southern hedgerow is currently in poor condition.

#### Long Term Site Management

The long term management arrangements for landscape and ecological planting are unclear – they do not seem to be covered by the Landscape Maintenance Plan (Jan 2014). A plan needs to be prepared which clearly explains the responsibilities of the management company in terms of long term retention and management of ecological features. It is suggested that the Landscape Maintenance Plan forms the basis of this and the ecological consultants have an input to ensure the works they recommended are delivered. These issues could be addressed by condition.

#### Construction phase

The developer should have regard to the consultant's comments in relation to the risk of low numbers of bats using the tiled roof on the Cob wall. Also appropriate measures should be taken to ensure that montbretia is not caused to spread further following site clearance works. Works to the reptile translocation site will need to be in place before translocation begins. In addition there is currently insufficient information on the initial works that will be necessary to bring the southern boundary hedgerow into a condition that is suitable for regular long term management. These matters as well as procedures for bats and reptiles during construction can be covered by condition.

#### Lighting

Permanent lighting of the development should be designed to ensure that none of the perimeter hedgerows and none of the trees on the site are illuminated. The lighting plan should be conditioned.

Conditions:

Once the above matters are resolved it is recommended that conditions are included if permission is granted. In addition, it will be necessary to secure by S106 agreement, the long term retention of the reptile translocation site in the south west corner of the development and the southern hedgerow as mitigation for the loss of reptile habitat and other ecological features.

#### Water Environment and Drainage

The nature conservation importance of the river system arises from the range and diversity of riparian habitats and associated species.

Given the constraints of the water environment, it is evident that there are a number of potential effects, both during the construction and post-construction stages, associated with the proposed development that could pose a threat to groundwater and surface water quality if left unmitigated. In turn, this could adversely affect the water quality of the nearby River Bourne System, particularly given that the river and its ecosystem are sensitive to change. The potential effects on the water environment could arise as a result of pollution of groundwater and surface water during construction, potential contamination from surface water run-off, increased rate of surface water run-off, reduced groundwater recharge through reduced infiltration, as well as a result of increased demand for water supply and sewage treatment.

A mitigation strategy for pollution prevention measures would be required to ensure that any potential effects on the water environment are minimised and include adequate information to enable the Local Planning Authority, as the competent authority, to conclude that the development would not give rise to significant effects when undertaking an Appropriate Assessment in accordance with the Habitat Regulations. Suitable conditions can be imposed in this regard.

#### Public Open Space

Community Infrastructure Levy Regulations 2010 – Regulation 122 states that planning obligations must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

In order to make the development acceptable in planning terms, the standards for the provision of public open space in association with new residential developments are set out in Clause 2 of the adopted local plan – Appendix IV.

With regards to Clause 6 of the adopted local plan – Appendix IV, South Wiltshire is deficient in the provision of both children's and adults facilities throughout, therefore

Wiltshire Council has adopted the upper target figures for the provision of both children's equipped play facilities and youth and adult facilities.

Clause 7 of the adopted local plan – Appendix IV details how the population level is calculated on any new development. Therefore the calculation and the proposed population level is as follows:

	Number of Bedrooms	Occupants per Dwelling	Number of Dwellings	Population
	1	2	2	$2 \times 2 = 4$
	2	3	9	$9 \times 3 = 27$
	3	4	4	$4 \times 4 = 16$
	4	5	5	$5 \times 5 = 25$
<b>Total</b>			<b>20</b>	<b>72</b>

Provision for on-site Children's Use: Clause 2 of the adopted local plan – Appendix IV, fairly and reasonably relates in scale and kind to the development by calculating the provision of the public open space in accordance with the proposed dwelling mix and population.

Therefore the calculations are as follows:

Population	Calculation	Required Provision Level
72	Equipped Children's Play Grounds 0.3 hectares x 72	0.0216ha
72	Casual or Informal Play Space 0.5 hectares x 72	0.0360ha

In order to directly relate the Equipped Play Space to the development, the requirement is for a minimum 0.0216ha Equipped Children's Play Ground on the site, to be positioned where there is a degree of surveillance from the proposed dwellings.

If it is not possible to include a 0.0216ha Equipped Play Space within the development, an offsite Equipped Play Space contribution to be allocated towards the existing Equipped Play Space, located at Porton Recreation Ground is to be sought in lieu of the on-site deficit. The Off-site Equipped Play Space contribution requested would be £33,968.16.

In this case due to the slope of the site (amongst other things) it is not considered appropriate for this provision to be provided on site. As such a contribution as referred to is sought, and has been agreed by the applicant.

In order to directly relate the Casual Play Space to the development, it is requested to provide a 0.0360ha Casual Play Space on the development. With regards to drawing number PP182/101-00, it has been estimated the proposal provides approximately 0.1642ha of Casual Open Space, and this therefore is adequate for the development.

Youth and Adult Use:

Referring to the adopted local plan, appendix 4, clause 15, Wiltshire Council requires developers to make provision for youth and adult facilities. It is accepted the Youth and Adult provision will be off the development site, and therefore the developer will be

expected to make a commuted payment towards the provision of new or the improvement of existing Youth and Adult facilities within the local area.

Off-site contributions are calculated in accordance with the scale of contributions operated by Wiltshire Council. As identified in Appendix 1 of Policy R2 Guidance Notes and therefore are as follows:

No of Bedrooms	Total Adult R2 Fee Available	Number of Dwellings	Calculation	Contribution Sought
1	£806.00	2	2 x £806.00	£1,612
2	£806.00	9	9 x £806.00	£7,254
3	£806.00	4	4 x £806.00	£3,224
4 +	£1,209.00	5	5 x £1,209.00	£6,045
		20		<b>£18,135</b>

The Commuted Payment will be used towards a Youth and Adult scheme that is directly related to the development, a scheme is currently under consideration with Porton Parish Council.

#### Summary:

As demonstrated above, in order to make the development acceptable in planning terms. The following provision levels are necessary:

- Equipped Children's Play Grounds of 0.0216ha, or an offsite contribution of £33,968.16 towards the existing Equipped Play facilities located at Porton Recreation Ground, in lieu of the deficit.
- Casual/Informal Play Space 0.0360ha.
- Youth and adult Commuted sum of £18,135 towards a Youth and Adult Scheme which is directly related to the development, a scheme of which is currently under consideration by Porton Parish Council.

#### Maintenance Requirements:

Developers will be expected to demonstrate to Wiltshire Council that adequate arrangements for the ongoing maintenance of recreational and amenity space associated with the development have been made. (Clause 19 of the Adopted Local Plan – Appendix IV), such provision may be required in perpetuity. In this case the applicant is proposing maintenance by a management company.

#### Flood Risk / Drainage

A Flood Risk Assessment has been submitted with the application. This assessment concludes that the site is not located within an area considered at risk from flooding from Fluvial/tidal sources, overland flow, existing infrastructure or groundwater.

The Environment agency has been consulted and has confirmed that it has no objection to the proposed development subject to standard conditions and informatives being used.

Wessex Water have been consulted and it also has no objections to the proposal.

Therefore, subject to the measures set out in the flood risk assessment and the recommended conditions being imposed, there are no objections to the proposal on flooding and drainage grounds.

#### Affordable Housing

Sited outside the Settlement Framework Boundary, this site does not meet the requirements of a rural exceptions site which would provide residential development solely for affordable housing. However, if through the planning process the site is considered to be acceptable for general market housing then the following applies:

#### Policy Requirements:

Although the proposals would meet the requirements of Core Policy 3 of the South Wiltshire Core Strategy by providing 40% affordable housing, Policy 43 of the emerging Wiltshire Core Strategy introduces two separate affordable housing zones. This site falls within an area requiring at least 30% affordable housing. In order to meet the requirements of the emerging Core Strategy there would now be a requirement for the provision of 6 affordable homes on a development of 20 homes on this site. It is therefore suggested that amending the affordable housing provision to the following mix is appropriate:

2 x 1 bed flats  
3 x 2 bed houses  
1 x 3 bed house

#### Tenure Mix / Property Mix

The preferred tenure split is as follows:

#### AffordableRented

2 x 1 bed flats  
1 x 2 bed house  
1 x 3 bed house

#### SharedOwnership

2 x 2 bed houses

#### Housing Need

There is a high level of housing need, with 10,755 applicants on the register in immediate housing need for affordable rented accommodation across Wiltshire. Of those 715 are in immediate need for affordable rented housing in the Amesbury Area Board area. There is also a high level of demand for shared ownership homes.

### Minimum Size Standards

All affordable homes would need to be built to at least minimum size standards and Design & Quality Standards set out by the Homes & Communities Agency. The minimum size standards for affordable homes are based on the number of occupants per dwelling, and are as follows:

1 bed / studio	1 person	30m <sup>2</sup>	
1 bed	2 persons	45m <sup>2</sup>	
2 bed	3 persons	57m <sup>2</sup>	
2 bed	4 persons	67m <sup>2</sup>	
3 bed	5 persons	75m <sup>2</sup>	1 storey
3 bed	5 persons	82m <sup>2</sup>	2 storey
4 bed	6 persons	85m <sup>2</sup>	1 storey
4 bed	6 persons	95m <sup>2</sup>	2 storey
5 bed	7 persons	108m <sup>2</sup>	
7+ persons			add 10m <sup>2</sup> per person

### Design Standards

All affordable homes should be built to minimum Code for Sustainable Homes Level 3.

It is noted from the application that the 2 x 1 bed flats (Plots 13 and 14) are located over garages. It may be necessary to change the design, so that the flats are not located over garages, if it becomes difficult to find a Registered Provider to take on these units.

### Transfer to Registered Provider

All affordable homes would need to be transferred to a registered provider approved by the Council, or transferred to the Council, on a nil subsidy basis.

### Nominations

The local Authority would have nomination rights to the affordable homes, secured through a Nominations Agreement which will be signed by the Council and the Registered Provider.

### S106 Developer Contributions

Developer Contributions will be triggered towards infrastructure/facilities, including recreational open space, education, waste and recycling facilities, the stone curlew project and public art.

With regards to open space provision; the provision of recreation facilities are required for all proposals for new residential development to account for increased demand in accordance with saved policy R2. In this regard, Wiltshire Council has adopted the upper National Playing Fields Association (NPFSA) for the provision of both equipped children's play facilities (0.3 hectares per 1,000 population) and youth and adult facilities (1.8 hectares per 1,000 population) and a standard of 0.5 hectares per 1,000 population in relation to casual/informal play space. The level of on-site provision required is calculated by the Council's Open Space Officer using the housing mix (paragraph 7 of Appendix IV of the Salisbury District Local Plan).



Saved Policy PS5 of the SDLP requires new education facilities and/or financial contributions where new residential development would take the local school over its current capacity. The current (and imminently to be updated for 2013/14), cost multipliers are £12,713 per primary and £19,155 per secondary place. It is the education department's policy to make a formal assessment/response as part of the consultation process on a submitted planning application. Priority for "allocation" of spare places at a school is established by the date of such a planning submission. Their assessment is also specific to the site location, housing number and mix, and any changes to these would necessitate a new assessment. Affordable units also attract a standard 30% discount.

The applicable waste and recycling contributions are outlined in the internal consultation responses section above. In addition to these contributions; policy WS6 of the Waste Core Strategy requires any development proposals providing 10 or more dwellings units to include a waste audit and design and provide facilities for occupiers of the development to recycle/compost waste (bring systems) and/or facilities within individual properties for the source separation and storage of different types of waste for recycling and/or composting.

A waste audit is included as part of the application and the council has no objections to it.

A financial contribution may also be sought towards the provision of public art within the development (in accordance with policy D8).

The applicant has offered an additional community contribution for the Idmiston Parish Memeorial Hall. This is an important material consideration to be balanced against the policy objection to development outside of the housing development boundary. It is officers view that such a contribution tips the balance in favour, particularly having regard to the lack of any demonstrable harm arising from the development in other respects.

## **11. Summary and Conclusion**

The SWCS and the emerging WCS seek to build resilient communities and support rural life.

The application site lies largely outside of the housing policy boundary (limits of development) where the presumption is against development with few exceptions. However, in this case it is the opinion of officers that this is, in fact, a well designed scheme that will not adversely affect the character or appearance of the site, the adjacent conservation area, the landscape setting, biodiversity, flood defence, drainage, residential amenity and sustainable development principles. With this in mind, together with the community benefits the development will also deliver, the proposal is considered to be acceptable, these other 'material considerations' outweighing the policy objection. In this instance it is not considered necessary to wait for a neighbourhood plan where it has been demonstrated that the proposal is acceptable in terms of its impacts in any event.

## **RECOMMENDATION**

**That subject to the applicant entering into a Section 106 agreement to ensure delivery of the infrastructure made necessary by the development (including affordable**

**housing, off site equipped open space, youth and adult sport provision, ecology measures, education provision, fire and rescue facilities, waste and recycling facilities, and community facilities), GRANT PLANNING PERMISSION, subject to the conditions set out below.**

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

Reason:

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

3. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason:

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

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:

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

5. Prior to the commencement of development a detailed lighting scheme comprising low level louvered bollards for the illumination of all roads and pathways shall be submitted to and approved in writing by the LPA.

Reason: to minimise night time light pollution and reduce the visual impact of the development of this elevated site on the village during the hours of darkness.

6. Hours of work on site preparation and construction (including deliveries) shall be restricted to between 8-00 a.m. to 6-00 p.m. Monday to Friday and between 8-00 a.m. and 1-00pm on Saturdays unless otherwise agreed in writing with the LPA. No work shall be undertaken on Sundays or Bank Holidays.

Reason:

To safeguard the amenity of the occupiers of the properties that adjoins the site.

7. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.
- b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.
- c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

Reason:

To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

8. Before works commence a Construction Ecology Management Plan will be submitted for planning authority approval covering procedures and measures to be undertaken during the construction period to safeguard reptiles, bats, non-native plants, birds, hedgerows and trees. The plan will demonstrate those works that will require input from a professional ecologist and the works will be undertaken in accordance with the approved plan.

Reason:

In the interest of Ecology

9. Before works commence a Landscape and Ecological Management Plan will be submitted for planning authority approval which will include a drawing distinguishing between proposed landscape works and ecological features together with a schedule of works required to maintain these for the first five years and in the long term. The plan will identify those ecological features that must be retained and managed specifically for their biodiversity interest

Reason:

In the interest of Ecology

10. No development shall commence within the area indicated (proposed development site) until:

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

Reason: To enable the recording of any matters of archaeological interest.

Further Recommendations: The work should be conducted by a professional recognised archaeological contractor in accordance with the written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

11. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason:

In the interests of sustainable development and climate change adaptation.

### **Pollution Prevention During Construction**

12. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason;

To prevent pollution of the water environment

13. The development hereby approved shall be carried out in accordance with the following list of documents plans and specifications:

Documents:

Design and access Statement, received 03/03/14  
Heritage Statement, February 2014, received 21/02/14  
Heritage Desk Based Assessment February 2014, received 21/02/14  
Landscape Maintenance Plan, January 2014, received 21/02/14  
Arboricultural Impact Appraisal and Method Statement January 2014, received 21/02/14  
Waste Audit and Construction Statement February 2014, received 21/02/14  
Ecological Assessment Report January 2014, received 21/02/14  
Reptile Survey and Mitigation Strategy Report February 2014, received 21/02/14  
Flood Risk Assessment January 2014, received 21/02/14  
Summary of Community Involvement February 2014, received 21/02/14  
Transport Statement February 2014, received 03/03/14

Drawings:

Plan ref No: PP1182/ 100-00, Rev P2 Location Plan dated 05/12/13, received 21/02/14  
Plan ref No: PP1182/ 101-00, Rev P2 Proposed Site Layout Plan dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 110-00, Rev P1 Plot 1 elevations Floor Plans and Sections dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 111-00, Rev P1 Plots 2, 3, 4 and 5 Floor Plans and Elevations dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 112-00, Rev P1 Plots 6, 7 and 8 Floor Plans and Elevations dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 113-00, Rev P1, Plots 9 and 10 Floor Plans and Elevations dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 114-00, Rev P1 Affordable Plots 11, 12 & 13, 14 Plans Elevations & Sections dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 115-00, Rev P1 Affordable Plots 15, 16, 17 & 18 Proposed Floor Plans & Elevations dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 116-00, Rev P1 Plots 19 & 20 Proposed Floor Plans & Elevations dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 120-00, Rev P1 Proposed Site Sections Sheet 1 of 2 dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 121-00, Rev P1 Proposed Site Sections Sheet 2 of 2 dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 130-00, Rev P1 Details of Proposed Site Entrance dated 01/11/13, received 21/02/14  
Plan ref No: PP1182/ 130-10, Rev P1 Sketch Elevations of Cob Wall dated 18/12/13, received 21/02/14  
Plan ref No: LIND46-sk2, Rev B Drainage Strategy dated January 14, received 21/02/14

Reason:

In the interest of clarity

INFORMATIVE:

The surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

### **Water Efficiency and Climate Change**

The incorporation of water efficiency measures into this scheme will provide resilience to some of the extremes of weather conditions that climate change brings. It benefits future residents by reducing water bills, and also benefits wider society by allowing more water to go round in times of shortage. The following condition has been supported in principle by the Planning Inspectorate.

#### **INFORMATIVE:**

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a usage level of 105 litres per person per day.

#### **NOTE TO LPA:**

You will not need to consult us on discharging the above condition, simply ensure that the above informative is complied with.

#### **INFORMATIVE:**

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

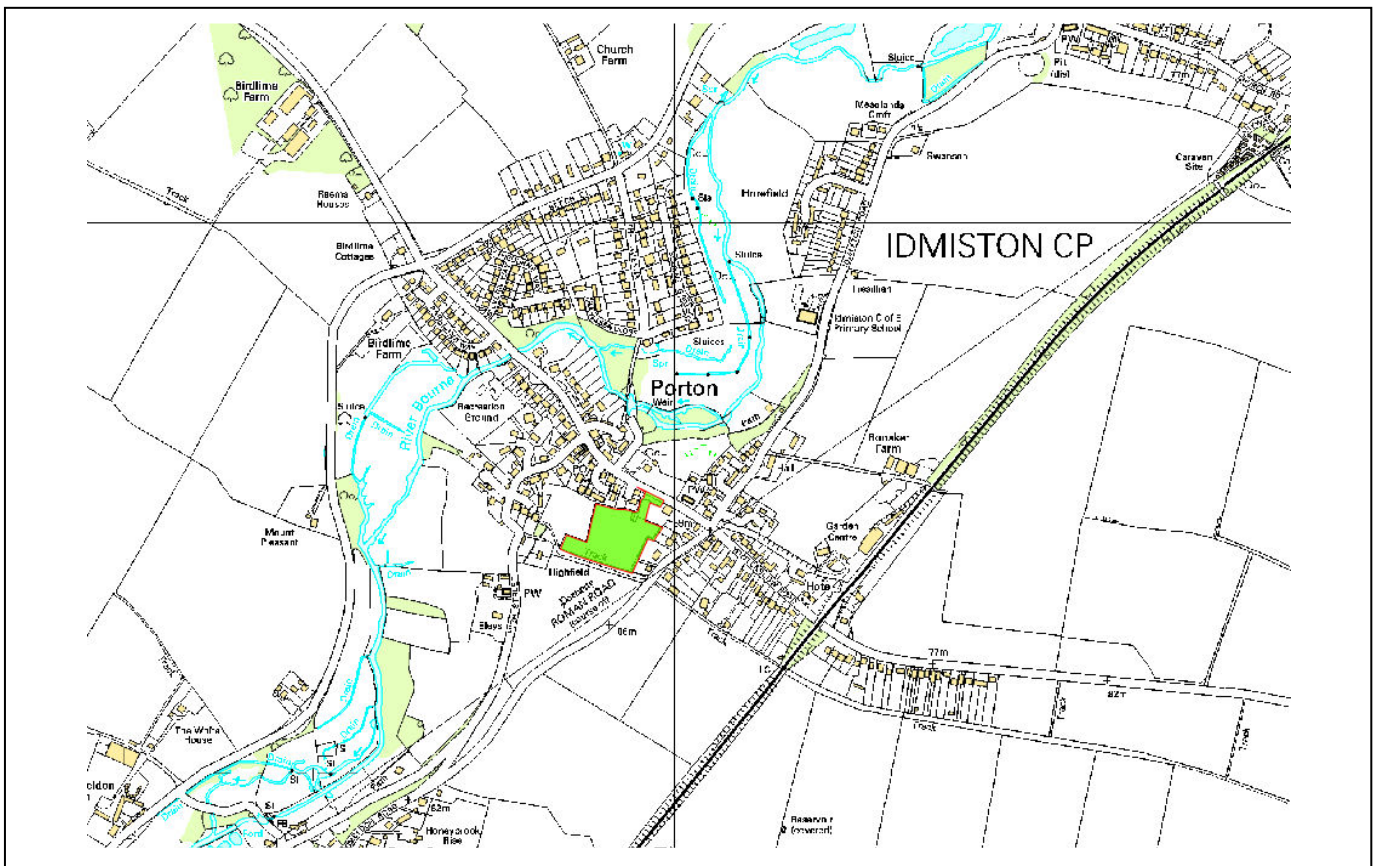
- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

<b>Application Number</b>	14/02043/FUL
<b>Site Address</b>	50 Winterslow Road,(Land to rear of Chalk House), Porton, Salisbury SP4 0LF
<b>Proposal</b>	Residential development comprising 20 dwellings (of which 12 market units and 8 affordable units), public open space and landscaping, and new access from Winterslow Road
<b>Case Officer</b>	Andrew Bidwell

Map 1



Map 2





## REPORT TO THE AREA PLANNING COMMITTEE

Report No. 2

<b>Date of Meeting</b>	25 <sup>th</sup> September 2014
<b>Application Number</b>	14/05616/FUL
<b>Site Address</b>	Land at the former Local Authority depot site, Blandford Road, Coombe Bissett, Wiltshire
<b>Proposal</b>	Erection of a terrace of 2x2 bedroom dwellings and 2x1 bedroom flats with associated on site parking and vehicular turning area.
<b>Applicant</b>	Wiltshire Council
<b>Town/Parish Council</b>	COOMBE BISSETT
<b>Ward</b>	DOWNTON AND EBBLE VALLEY
<b>Grid Ref</b>	
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Becky Jones

### Reason for the application being considered by Committee

The application has been made by Wiltshire Council. The Council's Scheme of Delegation for planning applications states that where there has been at least one objection to an application made by the Council, then it must be determined by a Planning Committee. This is the reason for this application being referred.

#### 1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED subject to conditions.

#### 2. Report Summary

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

1. The principle of the development and change of use of the land
2. Scale, design and the impact of the proposal on the character and appearance of the surrounding area and adjacent Conservation Area
3. The impact that the proposal would have on residential amenity
4. Impact on highway and pedestrian safety
5. Archaeology, trees and ecology
6. Drainage and contamination
7. Slope stability
8. Public Open Space and Affordable housing

#### 3. Site Description

The site is located on the west side of Blandford Road, south of the village centre. The site is clear and there are no buildings on it. A double metal gate opens onto Blandford Road and a decorative brick wall forms the north boundary with Ebbles Edge and Chalk Pit Cottage. The Rookery (1-3 Blandford Road) lies to the south and is separated by a steep bank with a belt of mature trees and a hedge. To the west of the site, the steep banks of the pit are lined with mature trees. The fall across the site north to south is about 5.5m and about 2m to the west boundary from the centre. The rise increases to 10m at the extreme west edge of the site. A number of overhead electricity cables and apparatus require relocation, in discussion with SSE.

The proposal site lies within the Housing Policy Boundary, the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and Area of Special Archaeological Significance. The Conservation Area boundary lies on the east side of Blandford Road, opposite the site. The site does not lie within Flood Zone 2 or 3 but is identified as being susceptible to ground water flooding.

#### 4. Planning History

S/2008/1288                      Change of Use of site from County Council materials depot to residential and erection of 2 detached dwellings and 2 detached garages. **Withdrawn August 2014.**

#### 5. The Proposal

The applicant is seeking to

- Change the use of the land from a depot site to residential
- A terrace comprising four units for social rent: two 2 storey two bed terraced houses with two adjoining 1 bed flats (ground and first floor). Graded rear gardens.
- Provide onsite parking at the front of the development for 7 vehicles.
- Materials include dark grey clay rooftiles and red bricks for the walls. Dark red brick soldier course and random flint rubble. Off white/grey render.
- Timber close board fences are proposed for the rear property boundaries. Cinder coloured block paving is proposed for the hard standing areas.
- Biodigester sewage treatment plants are proposed for sewage disposal.
- A remediation strategy for previous uses on the site has been included with the submission
- Retention of existing trees, hedges and bushes except where excavation works are required to clear space for the dwellings, or where the trees are deemed unsafe. A number of trees on the south side are *currently* identified for removal and trees in the western portion of the site would be retained and protected.
- Bin and cycle store.

#### 6. Planning Policy

##### **National Planning Policy Framework (NPPF) 2012 and National Planning Practice Guidance**

This Framework sets out the Government's planning policies for England. The Framework repeats that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004).

Para 109 and 115 give weight to the conservation of landscape, scenic beauty, wildlife and cultural heritage in AONBs.

The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. (Paragraph 215 at Annex 1). The following policies are relevant to the determination of this application and are considered to align with the principles, aims, objectives and intentions of the NPPF. These policies are therefore considered to carry significant weight.

**Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy):**

G2: General criteria for development, G5 Drainage

G9 Section 106 Agreements and planning obligations

D2 Design of infill development

C5: Small scale development proposals within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty

H16 Housing Policy Boundary

CN11 Views into and out of Conservation Areas

C12 Protected Species

TR11: The provision of off street car parking spaces

**South Wiltshire Core Strategy:**

Core Policy 3 Affordable Housing

Core policy 5 Loss of employment land (Use Class B1, B2, B8 only)

**Emerging Wiltshire Core Strategy:**

*Settlement Strategy for Large Villages Core Policy 1 and Delivery Strategy Core Policy 2*

*Core Policy 24 South Wiltshire Community Area*

*Core Policy 35 Existing Employment Sites*

*Core Policy 51 Landscape (AONB)*

*Core Policy 62 Transport and Development (safe access)*

## **7. Consultations**

**Ecology – No objection** subject to condition requiring construction method statement.

**Public Protection – No objection** subject to conditions, including requirement for remediation statement to deal with any contamination and to control hours of work.

**Trees – no objection** subject to standard landscaping condition.

**Highways – no objection** subject to conditions regarding access, visibility and sustainable drainage.

**Drainage – no objection** on basis of soakaway test results

**Wessex Water – not in a sewered area.** Water supply connections to be agreed with Wessex water.

**Public Open Space – public open space Policy R2** contribution of £4,144 would be required via unilateral undertaking or Section 106 Agreement.

**Housing Team – no objection.** The proposal will help to meet the local housing needs of the Parish and will be secured via a Section 106 Agreement.

**Archaeology – No comments,** given that site is a former chalk pit.

**Environment Agency – no objections** subject to conditions and informatives.

**Parish Council – Support,** but some concerns regarding bank stability and fallen tree, precise site boundary with neighbour, would like a tree planted in parking area.

## 8. Publicity

This application was advertised via site notice and letters of consultation. 2 letters of objection and 1 letter of comment have been received.

In summary, the grounds of objection and comment relate to the following:

- S/2008/1288 has not been determined. **Officer note – this application has now been withdrawn.**
- Cabinet Capital Assets Committee 19/3/2013 stated 3 homes were to be built. **Officer note – this is not a material planning consideration. However, please refer to the housing needs justification and late correspondence with minutes of the 16<sup>th</sup> Sept meeting of CCAC.**
- Site is still in use as a depot, and is not “former.” **Officer note - please refer to planning considerations below.**
- 2008 application included change of use in the description. **Officer note - where development involves the “erection of dwellings,” a change of use of the land is implicit to the application and a material consideration.**
- Highways no longer require lowering of churchyard wall. On what safety grounds? How does the traffic island help the sight lines? **Officer note - please refer to highway considerations below.**
- Dwellings are too small. **Officer note – the 2012 housing need survey identified a need for 7 dwellings, requiring a mix of 1, 2, and 3 bed properties.**
- The car parking is inadequate, double yellow lines required - **Officer note - please refer to highway considerations below.**
- The boundary is disputed to the south. Object to removal of the trees, as these provide a screen. **Officer note - the red line for the application has been checked by the applicant and the trees to be removed are shown to be well within the red line. The trees are not protected and could be removed from the applicant’s land for safety reasons at any time. Please also refer to late correspondence.**
- Retaining wall omitted and tree removal will make land unstable. **Officer note - please refer to Appendix A, planning considerations below and late correspondence regarding trees and stability.**
- How can the housing be guaranteed to meet local needs? **Officer note - a Section 106 Agreement would be required.**

## 9. Planning Considerations

### 9.1 The principle of the development and change of use of the land

The proposal is for the erection of dwellings, and therefore, a change of use of the land to residential use is implicit to the application. The site is used as a depot (some materials can be seen on site) but there are no buildings. The applicant has stated that the employment on the site is zero. A depot falls within a sui generis use class.

South Wiltshire Core Strategy Policy CP5 and emerging Wiltshire Core Strategy Policy CP35 both seek to retain existing B1, B2 and B8 (employment) uses and so these policies are not applicable to the site which is a sui generis use. Therefore, the change of use must be determined in accordance with other development plan policies and the National Planning Policy Framework. The site lies within the Housing Policy Boundary, and the change of use of a sui generis use to housing is acceptable *in principle* under Local Plan Policy saved policy H16, provided:

- i) The proposal will not constitute tandem or inappropriate backland development

- ii) The proposal will not result in the loss of an open area that makes a positive contribution to the character of the settlement, and the
- iii) Proposal will not conflict with the design policies of the plan.

The emerging Wiltshire Core Strategy identifies Coombe Bissett as a large village. Large villages are defined as settlements with a limited range of employment, services and facilities. Development will be limited to that needed to help meet the *housing needs* of settlements and to improve employment, services and facilities (Core Policy 1). Within the limits of development as defined on the policies maps, there is a presumption in favour of sustainable development at large villages (Core Policy 2).

Core Policy 3 of the SWCS states that Parish and Town Councils and other parties will be encouraged to identify 100% affordable housing schemes, including on exceptions sites outside settlement boundaries, if a local need has been identified where environmental considerations will not be compromised. Sites should be sensibly and sensitively located within easy access to employment and services. In January 2012 a rural housing needs survey was undertaken with the support of the parish council, the report evidenced a housing need of 7 households requiring a mix of 1,2 and 3 bed properties in Coombe Bissett. This report had to be updated after the subsequent introduction of the Welfare Reform and this identified an increased need for 1 bed accommodation. Therefore, two 1 bed units have been proposed as part of the original 3 unit footprint, to meet this need.

The New Housing Team has been working with the parish and local residents to seek sites for affordable housing, the Old Depot, which is within the framework boundary of Coombe Bissett, was considered the most sustainable / favourable site. The proposal will help to meet the housing needs of the parish, the units are being built to the Homes and Communities Agency Scheme Development Standards and will be owned and managed by Wiltshire Council. Wiltshire Council's Housing Management Team have been fully consulted on the design so as to ensure that the homes are practical and cost effective to maintain. The units will be secured via a s106 agreement. There has been considerable consultation with the Parish Council and local residents leading up to the submission of a planning application and the Parish Council are supportive of the proposals which have been tailored to meet the identified local needs.

The change of use of the depot to residential use (affordable housing) is therefore acceptable in principle, as the development affects a sui generis use within the housing policy boundary, and there would be no loss of employment falling within the B1, B2 or B8 use classes.

## **9.2 Scale, design and the impact of the proposal on the character and appearance of the surrounding area and adjacent Conservation Area**

The proposal seeks planning permission to install a terrace of four affordable homes. The development would be two storeys in height, with brick, flint and clay tile materials. The north, south and west elevations would be rendered.

Policy C5 of the Local Plan sets out the criteria for development within the AONB. Small scale development proposals will only be permitted provided that the siting and scale are sympathetic to the landscape in general and of the particular locality and standards of landscaping and design are high, using materials which are appropriate to the locality and reflect the character of the area. The site is within the settlement boundary and is acceptable in principle under saved Policy H16. Design Policy D2 states:

Proposals for infill development will be permitted where proposals respect or enhance the character of appearance of an area in terms of the following criteria:

- i) The building line, scale, of the area, heights and massing of adjoining buildings, and the characteristic building plot widths;
- ii) The architectural characteristics and the type, colour of the materials of adjoining buildings; and
- iii) The complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings and the new development proposes to replicate such richness.

Properties to the north (Ebbles Edge and Chalk Pit Cottage) are constructed from brick. Ebbles Edge is two storey and faces south towards the site. Chalk Pit Cottage is a bungalow and is sited close to the north boundary of the depot. The Rookery is two storeys, and painted white with red brick detailing and parking at the front. The existing properties are set back from Blandford Road, and have spacious plots.

The proposed terrace is also set back from the road, with parking at the front, and gardens to the rear. The existing open areas of chalk pit (west) and the steep banks (south and west) would be retained and would continue to give the site a spacious appearance with spaces around the terrace. The submitted section shows that the terrace would be taller than Chalk Pit cottage's ridge, but given the level difference, distance and also the offset between the buildings, the new development would not appear unduly tall or dominant within the site.

The proposed materials are likely to appear acceptable within the streetscene, given the existing use of brick and render nearby. Existing roof materials are slate and clay tiles, so the proposed grey clay tiles would be acceptable.

In conclusion, the proposal would comply with Policy D2, CN11 and C5, and would respect the existing character and appearance of the area and preserve existing views into and out of the Conservation Area.

### **9.3 The impact that the proposal would have on residential amenity**

Policy G2 of the Local Plan seeks to ensure that development would avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of the occupiers. Neighbours of properties immediately adjacent to the site have not objected on these grounds.

**Chalk Pit Cottage** - The proposed development would be sited about 4.5 metres south of the boundary with Chalk Pit Cottage. Following a site visit to this property, the elevation plans for the first floor flat were amended, to amend the west facing living room window closest to the north boundary to single casement only, and move it away from the boundary. It was not considered practical to reverse the layout of the properties to have bedrooms at the rear and living areas at the front, as this would require alterations to the entrance arrangements to the detriment of the street elevation.

The first floor flat would not *directly* overlook Chalk Pit Cottage (the north facing landing window would be obscured), but there would be some potential for *oblique* overlooking from the first floor flat towards the rear section of the bungalow across a small patio area. The main garden area for Chalk Pit Cottage is however accessed from the living room by French windows on the east elevation and this area would not be directly overlooked by the first floor flat. Therefore, whilst there would be some impact on Chalk Pit Cottage in terms of oblique overlooking, this is considered to be acceptable on balance, given that the

overlooking is offset towards the back of the bungalow, oblique, and would not affect the main garden for the property. The existing brick boundary wall and difference in levels would ensure a good degree of privacy from the proposed gardens.

**Ebbles Edge** This two storey property has a large garden to the east, but windows face south towards the site. It is separated from the site by the garden for Chalk Pit Cottage and would not be unduly disturbed by the development, given its separation from the site.

**The Rookery** This two storey dwelling faces east, but shares a north boundary with the site. The trees and shrubs on the steep banks of the site currently afford a high degree of privacy and screening for this property. The occupier has stated that ownership of some of the trees and the exact boundary is disputed with the Council. However, the trees shown to be potentially removed are well within the red line of the application, and are not protected, so they could be removed at any time if required for safety reasons. This is considered to be a private matter between The Rookery and the landowner. However, it would be desirable to maintain the screen if possible and replant the bank for amenity and ecological reasons. This property is at a higher level than the site, and the house is separated from the proposed buildings by more than over 30 metres. Therefore, it would not be overlooked by the development or unduly disturbed for these reasons.

In summary no objection is raised under Policy G2, because whilst there would be some impact on Chalk Pit Cottage in terms of *oblique* overlooking, this would not affect the main garden for the property or principle living areas of the bungalow. Therefore, on balance, the development would not unduly disturb existing amenities.

#### **9.4 Impact on highway and pedestrian safety**

Policy G2 (ii) seeks to ensure that development would avoid placing an undue burden on existing or proposed services and facilities, the existing or proposed local road network or other infrastructure.

The highways officer has provided updated commented as follows:

Following the withdrawal of application S/2008/1288, the proposed redevelopment of this site was subsequently considered in the updated context of the Department of Transport's 'Manual for Streets'. It was concluded that the available forward visibility in the vicinity of the site access is now acceptable to serve the development proposed. It is considered that the proposed residential development will not detrimentally affect highway safety and I therefore recommend that no highway objection be raised to it subject to conditions relating to site access, visibility splay provision and disposal of surface water (sustainable drainage). Officers are also satisfied that as each dwelling has a private garden and store, adequate provision has been made for cycle storage. The proposal is therefore in accordance with Policy G2.

#### **9.5 Archaeology, Trees and Ecology**

**Archaeology** - The archaeologist considers that on the available evidence, it is unlikely that significant archaeological remains would be disturbed by the proposed development.

**Trees** - The arboricultural officer has considered the information submitted and does not consider that the trees on the steep south bank are likely to survive indefinitely. He has no objection to the proposal but recommends that the bank is replanted with native hedgerow species to provide cover and screening, via the standard landscaping condition.

**Ecology** - Policy C12 of the Local Plan states that development affecting species protected by law will not be permitted unless it can be subject to conditions which would prevent damaging impacts, either direct or indirect. The planning authority has a duty to ask for bat surveys where there is a reasonable likelihood of a protected species being present. Although protected species are not specifically mentioned in the NPPF, the NPPG sets out guidance and the ODPM circular 06/2005 still applies and is listed under current policy and guidance on the planning portal. Paragraph 99 states "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances....However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted".

The Council's ecologists have considered the Ecological Assessment and commented as follows:

*I visited the site in 2013 and carried out a site survey on behalf of the project team, to identify any habitats or species of conservation value within or immediately adjacent to the site. No evidence of protected species was found and the site is considered to offer only a limited function for biodiversity, mainly in the boundary vegetation. My recommendations were that the boundary trees, hedges and scrub should be retained as far as possible within the development to maintain connectivity, especially along the western edge of the site.*

*I note that the design layout situates all four gardens to the western side of the houses and that the gardens will be bounded by close boarded fence. This will help to retain a wildlife corridor in some seclusion from the residential dwellings, allowing wildlife species a commuting route between different habitat areas in the wider landscape area.*

*I further recommended in my report that a robust construction method statement for clearance of the site should be in place to ensure suitable precautions are implemented that will protect wildlife individuals from harm during construction. This includes timing of vegetation clearance to avoid the bird nesting season and sensitive clearance of stone piles and vegetation from within the site to avoid injury to reptiles. I request that this information is secured by condition, using the following, or closely similar wording:*

*Prior to works commencing on site, an ecological construction method statement will be submitted for approval to the local planning authority, which will address the issues raised in the Ecological Assessment (Fiona Elphick, September 2013). This will set out precautionary processes to ensure wildlife individuals are not harmed during site clearance and the construction process. The works will be undertaken in accordance with the approved statement.*

Both ecologists consider that if this condition is adhered to, the development is unlikely to result in any adverse impact on local biodiversity, in accordance with Policy C12.



## **9.6 Drainage and contamination**

The Public Protection officers and the Environment Agency have considered the Geo Environmental Assessment dated Jan 2014 by Opus, and have no objection to this scheme, subject to conditions and informatives.

Wessex Water has confirmed that the site is not in a sewered area. The National Planning Practice Guidance seeks to ensure that the proposed *means* of drainage for the development is acceptable. Preference is given to treatment plants such as the proposed biodigesters where connection cannot be made to a public sewer. The application satisfies this test and is acceptable under Policy G5.

The site lies within an areas susceptible to groundwater flooding. However, the drainage engineers are satisfied with the soakaway tests that have been undertaken in accordance with BRE Digest 365.

## **9.7 Slope stability**

This issue has been raised by third parties and the Parish Council. Whilst this is an engineering and building control issue and not a planning issue, additional information has been submitted by the applicant's agent to address this concern and is attached in Appendix A. The information concludes that tree removal on the south boundary may not after all be necessary, and the tree consultant has been asked to update the tree report for consideration as late correspondence.

## **9.8 Public Open Space and Affordable Housing**

The developer would be required to contribute £4,144 towards public open space provision under Policy R2, via a Section 106 Agreement. This Agreement would also secure the units as affordable housing under Policy CP3 and Policy G9. However, as the applicant is Wiltshire Council it is understood that in legal terms, it may not be possible for the Council to enter into a legal agreement with itself. In other similar cases, suitable conditions have been imposed, which then require a form of legal agreement to be submitted to the Local Planning Authority (usually via the relevant Housing Association). Thus, suitable conditions related to securing of the open space payment and the provision of affordable housing in perpetuity are suggested below.

## **10. Conclusion**

The development would change the use of an existing depot in sui generis use to provide affordable housing within Coombe Bissett. There is an identified local need for this provision. Whilst the development would change the appearance of the site, it would not adversely affect the visual quality of the landscape or streetscene in this part of the village and AONB and views into and out of the Conservation Area would be preserved.

The potential impact on neighbouring amenities (including the potential for oblique overlooking) is considered to be acceptable on balance, and issues relating to ground contamination, ecology, trees, drainage and highway safety have been considered and the impacts would be acceptable, subject to conditions. There would be no material impact arising from the development on archaeology and the risk to any protected species that may be found on the site is considered to be low provided the ecological construction method statement is adhered. The trees are not of sufficient quality to warrant formal protection. However, the applicant has indicated that it may be possible to retain more trees than originally proposed and officers will update Members at the meeting.

**RECOMMENDATION: APPROVE subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (WA1)

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule. (WM14)

Proposed west and north elevations 16857/G2/EL202/K received 8/9/14

Proposed first floor plan 16857/G2/GA106/M received 8/9/14

Proposed east and south elevations 16857/G2/EL201/G received 9/7/14

Proposed site plan 16857/G2/SI104/F received 9/7/14

Proposed roof plan 16857/G2/GA107/B received 9/7/14

Proposed ground floor plan 16857/G2/GA105/F received 5/9/14

Proposed site sections 16857/G7/SE301/A received 6/6/14

Ecological Assessment of Proposed Site, 17/9/14 by Wiltshire Council Ecologist received 6/6/14

Revised Geo Environmental Report and Appendices received 2/7/14

Design and Access Statement dated 6/6/14 by B3 Architects received 6/6/14

*Tree Protection Plan 595-01 by SJ Stephens Associates received 6/6/14 (NB May change as a result of late correspondence)*

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 roof of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (WB1)

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

4. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. There shall be no burning of waste materials on site during construction or demolition

REASON: In the interests of residential amenity

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

Reason: In the interests of highway safety.

6. The site access shall remain ungated.

Reason: In the interests of highway safety.

7. The development hereby permitted shall not be first occupied until visibility has been provided at the site access with nothing over 1.0 metre in height above the adjoining carriageway level being planted, erected or maintained in front if a line measured 2.0m back from the carriageway edge extending across the whole site frontage in the form of a parallel strip.

Reason: In the interests of highway safety.

8. No development shall commence on site until a scheme for the discharge of surface water from the (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained.

9. (WC1) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities, to include native plant species;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

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

10. (WC2) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

11. No works shall commence on site until an ecological construction method statement has been submitted for approval to the local planning authority, which will address

the issues raised in the Ecological Assessment (Fiona Elphick, September 2013). This will set out precautionary processes to ensure wildlife individuals are not harmed during site clearance and the construction process. The works will be completed in accordance with the approved method statement before there is any occupation of the dwellings and any mitigation measures shall be maintained on site in accordance with the approved details thereafter.

12. The first floor window in the north elevation (Plan 16857/G2/EL202/K) shall be obscured with obscure glazing before there is any occupation of the dwelling, and shall be maintained in that condition thereafter.

Reason: In the interests of neighbouring amenity.

13. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme (that includes all the following components to deal with the risks associated with contamination of the site) has been submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:  
all previous uses  
potential contaminants associated with those uses  
a conceptual model of the site indicating sources, pathways and receptors  
potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved before the development is occupied.

REASON: To protect controlled waters.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect controlled waters.

15. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation.

16. No development shall commence on site until a scheme for the provision and maintenance of off site public open space has been submitted to and agreed in writing by the local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

Reason: In order to secure the provision and maintenance of off site open space in accordance with the aims of saved Policy R2 of the Salisbury District local Plan

17. No development shall commence until a scheme for the provision of 100 per cent Affordable Housing on the application site has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme

Reason: In order to ensure that all the dwellings proposed as part of the approved scheme will be provided as affordable housing.

### **Informatives**

1. If non-mains foul drainage is the only feasible option an Environmental Permit may be required. This must be obtained from the Environment Agency before any discharge occurs. This process can take up to four months to complete and it cannot be guaranteed that a Permit will be granted. The applicant should contact the Environment Agency on 03708 506506 for further details on Environmental Permits.
2. The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 105 litres per person per day.
3. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to EA Pollution Prevention Guidelines, which can be found at:  
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>
4. The applicant should consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant requires more specific guidance it is available on <https://www.gov.uk/how-to-classify-different-types-of-waste>

### **Appendices:**

**A – Additional information regarding slope stability by Opus International Consultants.  
APPENDIX A**

**From:** Matthew Cox  
**Sent:** 19 August 2014 14:42  
**To:** Jones, Becky  
**Subject:** FW: 16857-Housing at Coombe Bissett 14/05616/FUL

Becky

Regarding the issue of slope stability mentioned in the attached council comments :

**Site Layout** - The remodelling of the site layout and moving the housing further away from the south boundary has removed the need for any disturbance to the historic status quo of the boundary slope.

**Angle of Repose** - When considering the steepest part of the slope from survey level information this presents an angle of 36°. which is within usual acceptable limits for a natural soil slope.

**Made Ground Considerations** – There is a possibility that the sloping ground consists of made ground and materials related to the previous use of the site and without further investigation we cannot confirm the exact make up. Although, the geotechnical information available from trial pits/borehole elsewhere indicates the depth of any made ground areas from 1.5m deep or shallower. When considering the nature of the materials found and the potential stability of the fill it compares similarly or better to standard soil slope data.

**Vegetation and Trees** – It is reasonable to assume that additional stability is gained by the existence of undergrowth, trees and shrubs being present and we recommend that the existing foliage is retained with no significant reduction.

We have no information related to the fallen tree and bank behind the root as mentioned in the attached and it sounds like some work will need to be done in this area. Any further details / photos if available would be useful for us to enable further comment.

In addition to the comments above we also suggest that the tree survey (copy attached) is updated to reflect the latest housing layout as most trees appear to be designated 'Remove to facilitate construction' and due to the remodelling we believe this this should not now be necessary.

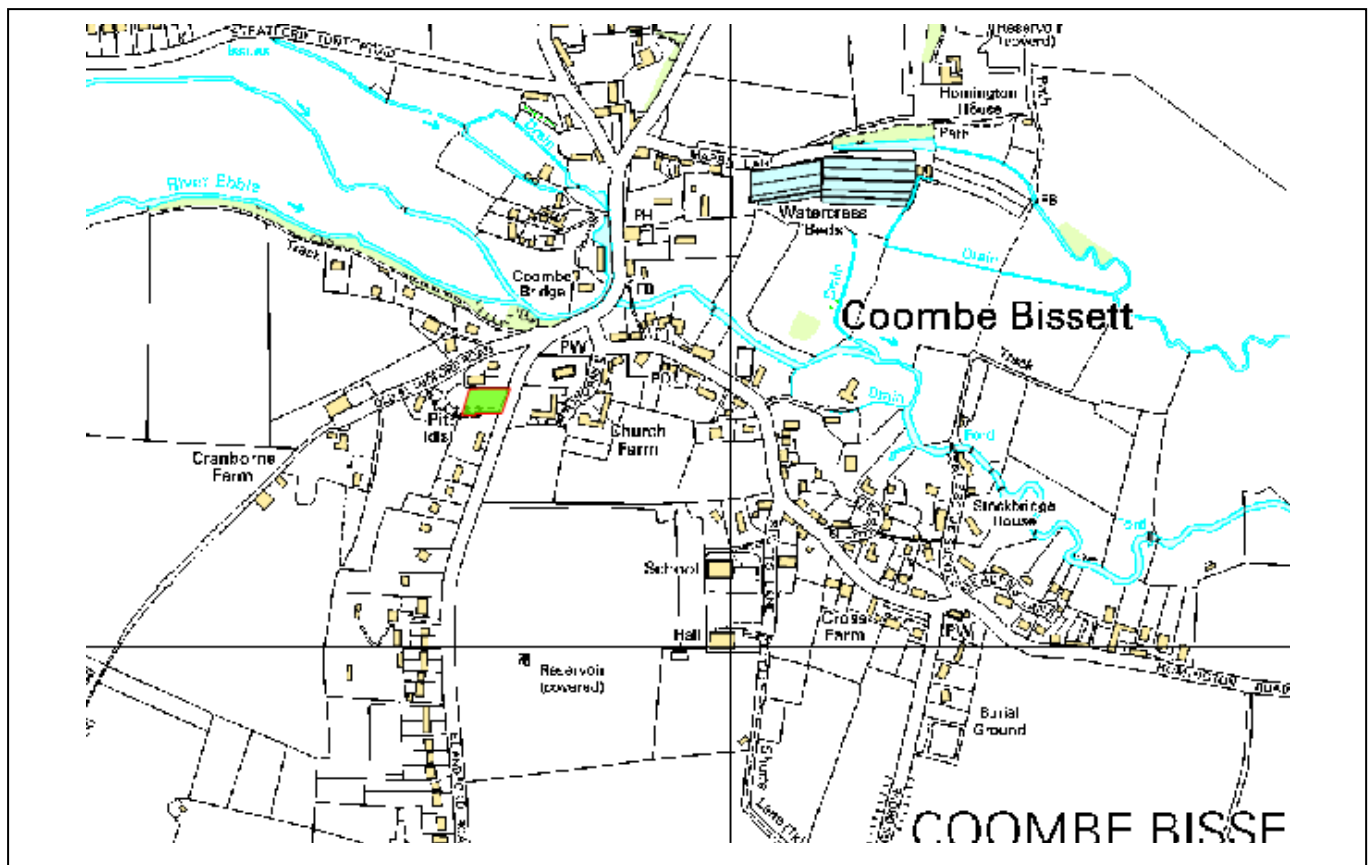
**Overview** – Based on the above points we consider the magnitude of a potential land slip to be small plus the likely risk of occurrence to be low risk.

Regards.

**Matthew Cox** | Project Manager | Opus International Consultants (UK) Ltd

<b>Application Number</b>	14/05616/FUL
<b>Site Address</b>	Land at the Former Local Authority Depot Site, Blandford Road, Coombe Bissett, Wiltshire
<b>Proposal</b>	Erection of a terrace of 2 x 2 bed dwellings and 2 x 1 bed flats with associated on-site parking and vehicular turning area
<b>Case Officer</b>	Becky Jones

Map 1



Map 2





**REPORT TO THE AREA PLANNING COMMITTEE**

**Report No.3**

<b>Date of Meeting</b>	25 September 2014
<b>Application Number</b>	14/06478/FUL
<b>Site Address</b>	143 & 145 Rampart Road, Salisbury. SP1 1JA
<b>Proposal</b>	Erection of three storey rear extensions to both 143 & 145 Rampart Road (at 143 to enlarge existing dwellinghouse and separate basement flat and at 145 to enlarge existing 6 bed house in multiple occupation and to enlarge existing basement flat)
<b>Applicant</b>	Mr I Matthews & Mr P Whitelegg
<b>Town/Parish Council</b>	SALISBURY CITY
<b>Ward</b>	ST MARTINS AND CATHEDRAL
<b>Grid Ref</b>	414857 130143
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Tim Pizzey

**Reason for the application being considered by Committee**

The Division Member, Cllr Ian Tomes has requested the consideration of this planning application at a Planning Committee due to the lack of objection on conservation and neighbour amenity grounds

**1. Purpose of Report**

To consider the above application and the recommendation of the Area Development Manager that planning permission should be REFUSED on the grounds of scale and impact on amenity, as detailed below

**2. Report Summary**

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

1. Principle of the development
2. Scale and design and impact on the conservation area.
3. Residential amenity
4. HMO considerations
5. Highways

### **3. Site Description**

Nos. 143 and 145 are Victorian four storey terraced houses (including basement and converted roof space) fronting Rampart Road and overlooking (on the east side) of the city ring road (Churchill Way East) in Salisbury. The properties are built in red brick with concrete roof tiles (probably originally slate). The majority of the properties in Rampart Road are terraced of varying scale. The properties are located in the Milford Hill Conservation Area. No 143 is a single dwelling house and No. 145 is a house in multiple occupancy and there are basement flats below each.

### **4. Planning History**

S/1998/0348. Convert existing rear house into single residential unit. REFUSED 04/06/98

13/06793/FUL. Remove existing rear conservatory and erection of three storey rear extensions to both 143 & 145 Rampart Road (extension to 143 to form extension to dwelling house, extension to 145 to form 2 new HMO rooms (net gain of one HMO room as internal works undertaken to enlarge communal kitchen) and storage space. REFUSED 18/02/2014.

14/04061/FUL. Erection of three story rear extensions to both 143 & 145 Rampart Road (at 143 to enlarge existing dwellinghouse and separate basement flat and at 145 to enlarge existing 6 bed house in multiple occupation and to enlarge basement flat), WITHDRAWN 19/06/2014.

### **5. The Proposal**

The proposal is for two three storey extensions at the rear of Nos. 143 and 145 Rampart Road, designed together and presented in one application. The extension to No. 143 will be an extension to the private dwelling house, the plans showing a proposed kitchen at ground floor and en suite bedroom at first floor level. The extension to No.145 will be an extension to the house in multiple occupancy, the plans showing a sitting room at ground floor level and en suite bedroom at first floor level. The extension will extend down to basement level, the plans showing a bedroom extension to each of the flats at No. 143 and 145 with a storage room at the rear. External works would involve some excavation to the side, with retaining walls with external steps from basement level up to the main garden level at the rear, together with new brick boundary walls to replace existing to just beyond the depth of the extension. The proposal is discussed further below under the planning considerations.

### **6. Planning Policy**

South Wiltshire Core Strategy: Saved Salisbury District Local Plan policies:

- G1 (General principles for development)
- G2 (General criteria for development)
- D3 (General Townscape – extensions)
- H8 (Housing Policy Boundary – Salisbury)
- CN8 (Development in Conservation Areas)

CN11 (Views into /out of a Conservation Area.

Draft Wiltshire Core Strategy: Core Policies:

CP1 (Settlement strategy)

CP2 (Delivery strategy)

CP57 Ensuring high quality design and place shaping

CP58 (Ensuring the conservation of the historic environment)

National Planning Policy Framework (NPPF) March 2012, in particular paragraphs 14, 17 (core planning principles), Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment).

National Planning Practice Guidance (NPPG), in particular sections relating to determining an application, and conserving and enhancing the historic environment.

Adopted Supplementary Planning Guidance 'Creating Places'

## **7. Consultations**

Highways Officer:

Recommendation is the same as for the 14/04061/FUL application, i.e. the site lies in a sustainable location close to the City centre, within easy walking distance of public transport and other local facilities, thus minimising the need for a private car. Would not wish to raise a highway objection to the level of parking or to the layout generally. Considers that the development proposed will not detrimentally impact on highway safety and therefore recommends that no highway objection be raised to this application.

Conservation Officer:

Comments that the rear of the properties is of very limited visibility and has no concerns about their impact on the character of the conservation area.

New Housing Team:

Comment that it appears that this application relates to the erection of three storey rear extensions to existing dwellings at 143 and 145 Rampart Road and, therefore, under current approaches, would not be seeking an affordable housing contribution.

Salisbury City Council:

Object on the grounds of the dominant, overbearing and poorly conceived design with issues regarding overlooking, loss of privacy parking and sustainability.

## **8. Publicity.**

This application was advertised via press notice, site notice and letters of consultation.

One letter of representation received commenting that concerned that if these dwellinghouses & flats are going to mean that there will be more people living at the address 143 and 145 Rampart Road, there will be not enough parking space in this small length of road for the number of persons in the dwellings. Comments that it is very difficult to find a

space at the moment to park my car, and I have a resident's permit. There are not enough spaces for the amount of residents that already have cars to park on this road.

## **9. Planning Considerations**

### **9.1 Principle of the Development**

The properties are located within the Housing Policy Boundary of Salisbury where the principle of residential development is acceptable, subject to other relevant policies and guidance. The main issues relate to sale, design, effect on residential amenities, impact on the character and appearance of the Conservation Area and highways issues.

This application is for a revised scheme following the withdrawal of a previous application 14/04061/FUL and an earlier application (13/06793/FUL), which was refused for the following reason:

*Due to the combination of the depth of the three storey extensions and the proposed side facing windows, and close relationship with the adjacent properties, the proposed development would result in a dominant, overbearing and poorly integrated form of development with overlooking and a resultant loss of privacy detrimental to the amenities of the occupiers of the adjacent residential properties, contrary to saved Policy G2(vi) and D3 of the Salisbury District Local Plan, as contained in Appendix C of the Adopted South Wiltshire Core Strategy, Supplementary Planning Guidance 'Creating Places', Core Policy CP57 of the Draft Wiltshire Core Strategy and relevant guidance in the National Planning Policy Framework.*

The current application is considered in the light of the above and other relevant material considerations. The proposal still comprises extensions to both Nos. 143 and 145, presented jointly in one application, with some revisions as discussed below. The agent states that it is not practical to separate the proposals as two applications as they are designed as one entity to retain the integrity of the building as an extension and must stand or fall together.

The first application did not annotate the use of the existing basements to both properties in the submitted plans nor mentioned them in the supporting Planning, Heritage, Design and Access Statement. However, this has been acknowledged in the previous and current applications and the proposal now includes extensions to both of these flats and storage rooms to the rear at basement level. The plans show two one bedroom basement apartments with access doors to the front (Rampart Road) and rear of each property. There appears to be no specific planning permission or certificate of lawfulness granted for these flats. However, the agent states that the flats have existed and been in use for well in excess of four years and would be immune from enforcement action.

### **9.2 Scale and design and impact on the conservation area**

The properties are located in the Conservation Area. They are not listed and are architecturally modest but they contribute to the character and appearance of the Conservation Area. No 2 Kelsey Road (in flats) adjacent the site is an attractive and prominent building turning the corner of Kelsey Road and Rampart Road, specifically mentioned in the Milford Hill Conservation Area and Management Plan.

The footprint of the extensions is rectangular in plan form, three storeys high and designed with a gable across the two properties with an internal dividing / party wall, so that the extensions have a unified appearance across the rear of the two properties in terms of form

but with some differences to the windows / fenestration and door openings and floor plans, so that the extensions are not simply handed in relation to one another in this respect. The eaves and ridge height are set below that of the existing properties. The previous application proposed a reduction to the depth of the extension of 0.45m (from 6.975m) whilst the current application has reduced the depth by 1.25m to 5.725m. In addition the fenestration has been revised from the previous scheme and the floor plan is revised.

In order to construct the proposed extension, it would be necessary to demolish a small flat roof rendered extension at the rear of No. 143 and a deeper more traditional older single storey red brick extension with a pitched slate roof at the rear of No. 145. Both are at basement / ground floor level. In principle, it is considered that the demolition of these structures on the rear of the houses in itself would not be objectionable.

The proposed extensions together are significant in scale. The rear gardens are mainly above the basement level with retaining walls, and the gardens slope up to a rear private footpath access from Kelsey Road. At basement level there are small outside wells / spaces at the rear with windows and a door to the rear elevation and steps rising steeply up to the main higher garden level. The ground floor level of the houses currently provides access to the gardens at the same level so that from outside of the site, the bulk of the extension that would be visible would comprise the ground and first floors and roof. There is an external metal staircase leading to / from an external door (shown as a small window on the plans) at first floor level to the side of the flat roof extension to No.143, neither of which is shown on the plans of the existing elevations. Both would have to be removed to facilitate the proposed development.

The plans indicate that the ground to the side of the extension to No. 145 would be excavated to the boundary with No.2 Kelsey Road to provide an outside space access at basement level with new steps at the rear (right angles) of the proposed extension, leading up to the higher ground floor/ garden level. At basement level the proposed extension would include a rear bedroom extension to the basement flat with a two light window at the side and a room annotated for use as storage, with an external door and a two light window in the side wall facing the excavated area. The new external steps would provide access from / to the garden outside to basement level where the proposed elevations show a retained back door to the basement apartment. The extension would block up a window to the basement apartment on the LHS of the door, retaining a basement kitchen door and small window. The treatment of the boundaries was unclear with the first application but the current application plans indicates that a new retaining wall to the side boundary and steps would be constructed together with a 2m high side boundary wall (which the applicant states would be permitted development itself) above this. The submitted plans illustrate the height of the boundary wall in relation to the side elevation of the proposed extension and windows. The wall would partially obscure the view of side windows to / from the adjacent property at the same level. Above basement level at ground floor level, a rear access door would be provided to a sitting room in the rear of the proposed extension with a narrow side light, at ground floor / garden level. In the side elevation at ground floor level, two double light windows are shown to the sitting room in the side elevation. At first floor two high level windows are proposed to the side elevation and a two light en suite bathroom casement to the rear end elevation.

At No.143, the plans indicate a similar arrangement but the excavated ground area would be less wide with external steps parallel / adjacent the boundary wall with No. 141 to provide access to a basement storage room and basement flat. The plans show a new retaining wall and 2m boundary wall above this. As with No. 145, the boundary wall would partially obscure the view of the side windows from / to the adjoining property at the same level. The floor plan for the basement extension is a mirror of that proposed for No.145, i.e. a bedroom extension and store room at the rear with windows and doors in the same arrangement. The plans

show the retention of a separate door / window arrangement to the basement flat (as shown on the existing plans) and blocking of a window by the extension. Above the basement at ground floor level, a rear access door would be provided to a kitchen in the rear of the extension, together with a small window. In the side elevation at ground floor level, one double light and one high level window are shown to the kitchen. At first floor level, there are two high level windows in the side elevation with two roof lights above and a two light en suite bathroom window in the rear end elevation.

The plans indicate a boundary wall between Nos. 143 and 145 to be retained at the rear of the extension. Substantial retaining walls would be required to the side boundaries of No. 143 and No. 145 and rear garden which would involve significant engineering works. The Party Wall Act is likely to be applicable with the nature of the works crossing two properties and close to the adjacent boundaries / boundary walls, and the development would need to comply with appropriate Building Regulations. These are separate matters. The plans indicate the retaining walls would be rendered and the side boundary walls in brick.

It is not uncommon to see rear gables to terraced properties, with a dividing party wall, designed as part of the original houses or added later. The proposal appears to seek to take this general form. The proposed external materials are stated to match existing, which comprise red / orange brick and concrete tiles. It is on the rear of the properties and the eaves / ridge height are set below the existing, although it is noted that there are no other three story extensions of this nature on the rear of this particular terrace. The extensions would be close to the ground and first floor and windows in the rear elevation of these properties either side. The eaves and ridge would cut across the first floor level and roof slope respectively and with different style / size windows which appear somewhat at odds with the existing. The current revisions to the fenestration with high level windows do not improve on this aspect. Nevertheless, keeping the ridge height and eaves height below the existing properties and to approximately half the width, helps maintain some degree of subservience. The current application has a reduced depth to 5.725m but the reduction by 1.25m, whilst an improvement, would not significantly reduce the still considerable depth of the extensions at three storey height nor does it give a comfortable subservient appearance in bulk. It is accepted that the two extensions together are balanced in general form and scale but there still remains a concerns about the overall depth of extensions and the effect on the overall appearance and character of the properties. It is also accepted that the proposed extensions are on the rear of the properties, although they would be clearly visible in the gap between Nos. 2 and 4 Kelsey Road.

Notwithstanding the reduction in the depth of the proposed extension from the previously refused scheme the proposed extensions would result in a significant addition to the rear of these properties and its scale, depth and height is such that it would be clearly visible from Kelsey Road (through the gap between Nos. 2 and 4 Kelsey Road) and from some more distant views from the Greencroft. From this direction the mass of brickwork of the flank wall of the extension would be relieved by two double light bedroom windows at ground floor level and two high level windows at first floor level. In respect of the previously refused scheme, the Conservation Officer commented that the extensions would be visually dominant given their scale and massing but raised no specific objection on grounds of impact on the Conservation Area. Whilst there are still some concerns regarding scale in relation to the existing dwellings, the Conservation Officer has raised no specific objections. Whilst the introduction of high level windows would not match the proposed or existing windows in form, on balance, it is considered that the impact on the character and appearance of the Conservation Area overall would be sufficiently preserved.

### 9.3 Residential Amenity

As stated above, the depth of the proposed extensions are has been reduced n the current

application. Whilst less than the depth of the original terraced houses themselves, the extensions are 5.725m in depth at three storeys high (approx 7.1m to eaves and 9.4m to ridge) and the scale and bulk of the extensions and expanse of the side wall / profile would still be substantial. Notwithstanding the basement level is below the higher ground floor/ garden level at the rear, they would inevitably have a significant impact on the outlook from the adjacent rear windows to habitable rooms for occupiers of the properties themselves and light received to those rooms including the basement apartments. There would be some mitigation afforded in terms of impact by the distance set in from the side boundaries (approx 2.8m) as the side walls are set just inside the rear ground and first floor windows of the properties, but the depth and height of the extensions would still have an impact beyond the application properties on the occupiers of the adjacent properties in terms of outlook and light. The flats in No. 2 Kelsey Road have an open parking area adjacent the application site but also have windows in the east elevation and will potentially experience some loss of light and outlook due to the depth and height of the extension. On the other side, No. 141 would experience less overshadowing, being on the south side but from the rear of that property and its garden, the proposed extension would appear dominant, despite being set in from the boundary and reduction in depth, resulting in some harm to the occupiers of these properties.

The current proposal seeks to overcome the potential overlooking from side windows by the use of high level windows in the side elevations at first floor level and the introduction of roof lights on the southern roof slope. The elevations show that the side boundary walls would partially screen part of the windows in the side elevations at ground floor level to reduce the effect of overlooking to neighbouring properties. It is accepted that there is a degree of existing mutual overlooking over the rear gardens. The windows in the in the side elevation of the proposed extensions would be at right angles to the side boundaries. The revised fenestration as proposed would help reduce overlooking and loss of privacy to adjacent properties, although would result in bedroom windows with little outlook and possible overlooking from adjacent higher level windows. If conditioned as obscure non-opening glazing, this would reduce amenity levels / outlook for occupants and would not totally remove the perception of being overlooked.

A new block of 6 No. flats has been built at No. 4 Kelsey Road. This building includes bedroom windows in the rear (south) elevation. These windows overlook the rear gardens of the application site and at an oblique angle, the rear elevations of the application properties. Although still at an oblique angle, the extension will result in windows in the rear elevation of the extensions being much closer to those in the new block of flats, potentially resulting in some loss privacy for the occupiers of the new block of flats and the occupiers of the extension. It is noted that the two of the windows to in the rear elevations are to en suite bathrooms at first floor level, where it may be possible to condition these be obscure glazed and fixed if necessary. There are proposed doors and windows at ground floor level in the rear elevation of the extensions but the overlooking from these is unlikely to result in a significant loss of privacy. The proposed extensions would result in a substantial building mass closer to the rear of the 4 Kelsey Road but, although, unlikely to result in a significant and overbearing impact for the occupiers of those properties.

The footprint of the proposed extensions would reduce the area of the rear gardens but the loss of outside space would not be significant enough to result in a serious loss of amenity. The revised scheme shows that there would be access to the rear garden from No. 143 and 145 at ground floor level and from the basement flats, via new steps up. There is also a pedestrian access to the rear garden off Kelsey Road.

One of the Core Planning Principles (paragraph 17) of the National Planning Policy Framework states that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*.

An objection has been received from the City Council on the grounds of the dominant, overbearing and poorly conceived design with issues regarding overlooking and loss of privacy. It is considered that the proposed revisions have reduced the depth (and therefore the scale) of the extension and the degree of overlooking but it is considered that the previous reason for refusal has not been sufficiently overcome with regard the scale and resultant dominant and overbearing effect of the extension. It is acknowledged that no objections have been received from the occupiers of adjoining residential properties but lack of such objection is not considered to be a reason to outweigh the above concerns and harm.

#### 9.4 HMO considerations

The supporting Planning Statement refers to No. 143 as a single dwelling and the extension for this property would form a domestic extension to that house. Regarding No.145, the Planning Statement states that this property is in multiple occupancy. If occupied by more than six residents, the use of the property would fall outside of Class C4 of the Use Classes Order 1987 (as amended). The current application does not seek a change of use and the plans show six bedrooms. An Informative is recommended to inform the applicant of the above. Notwithstanding this, the proposal would not create a separate additional independent dwelling. Therefore the Core Policy C3 of the South Wiltshire Core Strategy in respect of affordable housing contributions would not apply. The proposed development would need to comply with relevant Building Regulations. An informative is proposed to advise the applicant of the HMO Use Class.

#### 9.5 Highways

There is no off street parking available for this property, as is common with most terraced properties in the area. On street parking has restrictions and Rampart Road at this point is within a Residents Parking Zone. A representation has been received with concerns regarding lack of on street parking and the City Council has also raised an objection, *inter alia*, on parking grounds. However given No. 143 would remain a single dwelling and the application has not a change of use of No. 145 to for a house in multiple occupancy for use by more than 6 residents, and the basement flats appear to be established, it is not considered that an objection on the grounds of lack of parking provision could be sustained, particularly given the highly sustainable location of the site, which is accessible by modes of transport other than car. The Highway officer has raised no objections on highway safety grounds or other transport or parking grounds.

### **10. Conclusion**

Notwithstanding the reduction in depth of the propose extension and revised fenestration arrangements, following the refusal of the previous application 13/06793/FUL, it is considered that due to the combination of the depth of the three storey extensions and close relationship with the adjacent properties, the proposed development would result in a dominant, overbearing and poorly integrated form of development detrimental to the amenities of the occupiers of the adjacent residential properties and would, therefore, result in an unacceptable form of development.

### **RECOMMENDATION**



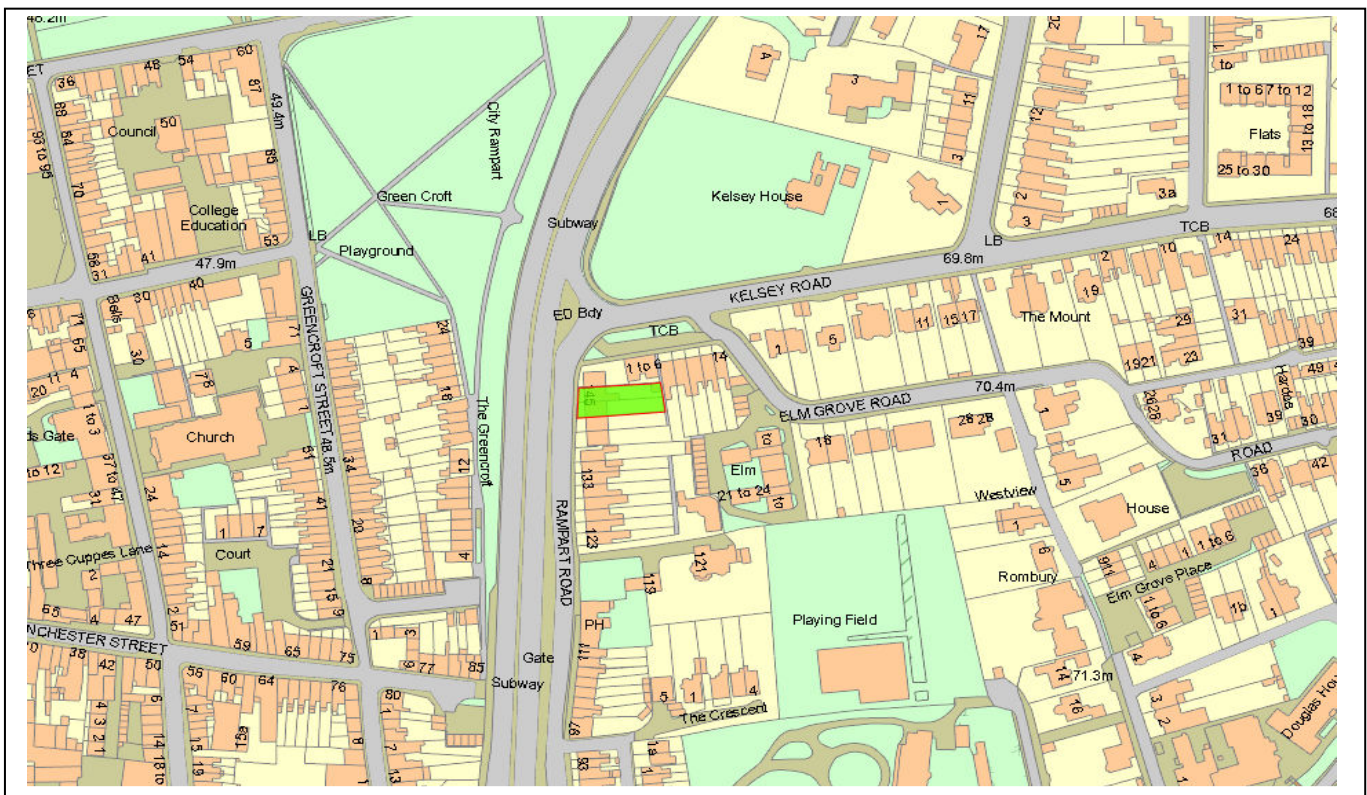
REFUSE permission for the following reason:

- 1 Notwithstanding the reduction in depth and revised fenestration arrangement following the refusal of the previous application 13/06793/FUL, it is considered that due to the combination of the depth of the three storey extensions and close relationship with the adjacent properties, the proposed development would result in a dominant, overbearing and poorly integrated form of development detrimental to the amenities of the occupiers of the adjacent residential properties, contrary to saved Policy G2 and D3 of the Salisbury District Local Plan, as contained in Appendix C of the Adopted South Wiltshire Core Strategy, Supplementary Planning Guidance 'Creating Places', Core Policy CP57 of the Draft Wiltshire Core Strategy and relevant guidance in the National Planning Policy Framework.

INFORMATIVE TO APPLICANT: The applicant is advised that a house in multiple occupancy used by more than six residents would fall outside Class C4 (Houses in Multiple Occupancy) of the Town and County Planning Use Classes (Amendment) (England) Order 2010 and would require planning permission for a change of use.

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<b>Application Number</b>	14/06478/FUL
<b>Site Address</b>	143 & 145 Rampart Road, Salisbury. SP1 1JA
<b>Proposal</b>	Erection of three storey rear extensions to both 143 & 145 Rampart Road (at 143 to enlarge existing dwellinghouse and separate basement flat and at 145 to enlarge existing 6 bed house in multiple occupation and to enlarge existing basement flat))
<b>Case Officer</b>	Tim Pizey



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