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Deadline	13th May 2010		
Application Number:	S/2010/0173		
Site Address:	FORMER PEMBROKE PARK SCHOOL PENRUDDOCK CLOSE SALISBURY SP2 9HH		
Proposal:	REDEVELOPMENT FOR 65 NEW DWELLINGS INCLUSIVE OF NEW VEHICULAR ACCESS TO PEMBROKE ROAD AND EMERGENCY ACCESS TO PENRUDDOCK CLOSE AND ASSOCIATED GROUND MODELLING AND DRAINAGE WORKS		
Applicant/ Agent:	BOVIS HOMES LTD		
Parish:	SALISBURY CITY COUNCIL - BEMERTON		
Grid Reference:	412273.7	131073.7	
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr A MADGE	Contact Number:	01722 434541

Reason for the application being considered by Committee

Councillor Rogers has requested that this item be determined by Committee due to:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- Environmental/highway impact

In addition the proposal is for a major development on council owned land.

1. Purpose of Report

To consider the above application and the applicant be invited to enter a S106 Agreement in respect of the following matters:

- (i) The provision of 40 per cent affordable housing
- (ii) A minimum provision on site of 0.2 hectares of formal open space (excluding the wooded area)
- (iii) A contribution towards off site open space
- (iv) Waste and recycle scheme provision
- (v) Sustainable urban drainage system maintenance
- (vi) The achievement of an environmentally-friendly sustainable scheme, including at least a code three code for sustainable homes rating and where practicable, a percentage of power generation being from on site sources.
- (vii) The provision of a maintenance scheme for the retained woodland area on the Eastern boundary.
- (viii) The provision of off site highway improvement works along Pembroke Road
- (ix) A financial contribution towards sustainable highway measures

Following completion of which and within three months of the date of the committee the Area Team Manager (Development Control and Heritage) be authorised to **GRANT** Planning

Permission subject to conditions.

Neighbourhood Responses

22 letters/emails objecting to the proposal

No Letters of support received

No letters commenting on the application received

City Council Response

None received

2. Main Issues

The main issues to consider are :

- 9.1 Principle of development including open space issues and the previous use of the site as a school
- 9.2 Layout and design of proposal including architecture
- 9.3 Affordable Housing provision
- 9.4 Ecology
- 9.5 Archaeology
- 9.6 Flooding and drainage
- 9.7 Highways and transport issues
- 9.8 Amenity issues including overlooking and light issues
- 9.9 Other issues

3. Site Description

The site is that of the former Pembroke Park school. The school has been demolished as far as it's foundations and the site has now lain vacant for some time such that natural vegetation and regeneration on the site is now taking place. The site is located on the southern edge of Bemerton Heath and is now surrounded on three sides by housing and on the fourth by a road (Pembroke road). On the Eastern edge of the site the land slopes steeply upwards from the site to the South East where it is edged by a wooded area and backs onto some interwar properties on Queen Alexandra road. Further to the North a number of new properties have recently been built in Sassoon Close, which also back onto the site. To the North of the site are older houses built in a modern style which form part of the original Bemerton Heath estate and are situated in Penruddock Close. Closer to the site is the former caretakers dwelling which is single storey and faces into the site (south). Finally on the Western boundary are properties situated in Jubilee Close and Old Dairy Close, which are relatively modern in their appearance and mainly consist of three storey properties.

4. Planning History

A651 O/L – 118 dwellings (70 houses, 48 maisonettes), 108 garages Approved 07.02.67

Southern Area Planning Committee 18/11/2010

& estate roads.

D902	Stage II housing residential development (Taylor's Estate)	Approved	12.08.71
G963	Amendments to houses types, plots 36-51 to form a 3 – bed Dwellings (Taylor's Estate)	Approved	27.02.74
75/577	Erection of 10 dwellings, plots 23-32 (Taylor's Estate)	Approved	23.07.75
96/0717	Erection of a double mobile classroom with toilets.	NOBJ	14.06.96
01/1114	Retention of a double mobile with toilets.	NOBJ	25.07.01
03/1862	Retrospective application for school playing field embankment work.	Approved	21.10.03
04/0808	Retention of double mobile with toilets.	NOBJ	04.05.04
06/1169	O/L - Redevelopment for 57 residential units to include a new access to Pembroke Road and the realignment of existing foul and surface water drainage, and including public open space.	Refused	18.08.06

Reason for refusal:

The application in its current form is considered premature, as in the absence of a Development Brief, a detailed analysis of housing need in the area, or a detailed consultation with the local community to ascertain the requirements of local people, the application fails to adequately address a number of major issues including affordable housing need, the likely impacts on local educational establishments, the likely impacts of the proposed access arrangements on highway safety and traffic management, and the replacement of suitable and safe public open space. As a result, the proposal in its current form is considered to be contrary to the aims of policies G1, G2, D1, D7, H25, R2, R5, TR12, and TR13 of the Salisbury District Local Plan 2003, policies DP1, DP2, DP7, DP8 of the adopted Wiltshire Structure Plan, and also contrary to the aims of central government guidance given in PPS1 which encourages development which would meet the needs of the local community.

30.03.07	Appeal	WD	
07/1152	O/L - Redevelopment for 65 residential units to include a vehicular access at Pembroke Road and emergency access onto Penruddock Close and assorted drainage works.	NO DEC	11.12.09
08/0581	O/L consent for demolition of garages and construction of 2 dwellings and access at land at Penruddock Close.	AC	15.08.08

5. The Proposal

The proposal is for the erection of 65 new dwellings, car parking, open space and landscaping. The proposed access to the site will be from Pembroke Road. The access from Penruddock road will be shut off to vehicular traffic and will be for emergency and pedestrian/cycle traffic only except initially when it will be used to build the councils affordable element of the scheme. It is proposed to erect 65 new dwellings in the form of 31, 3 bed houses 32, 2 bed dwellings

and 2, 1 bed flats. It is proposed to erect 22 rented affordable properties, 4 shared equity dwellings and 39 open market properties. The properties will be built with the affordable and shared equity properties at the Northern end of the site, whilst the open market properties will be at the Southern end of the site. There is an area of open space of approximately 0.18 hectares in the middle of the development, laid out with trees, pathways and a seating area. It is intended that the existing area of woodland is retained as it is and if planning permission were granted a condition imposed to secure a management plan for the future management of this woodland area.

6. Planning Policy

The following policies are considered relevant to this proposal Including PPS's

National planning guidance

PPG13	Transport
PPG16	Archaeology and Planning
PPG17	Planning for recreational open space sport and recreation & the companion guide
PPS1	Delivering sustainable development & the supplement to planning policy one entitled planning and climate change
PPS4	Planning for sustainable economic growth
PPS3	Housing
PPS10	Planning for sustainable waste management & the companion guide
PPS9	Biodiversity and geological conservation
PPS25	Planning and flood risk

Other national guidance:

Manual for streets

Department of transport and Department of communities and local government

Wiltshire and Swindon Structure Plan 2016

DP1	General aims of the plan
DP2	Infrastructure and services provision
DP3	Areas for development
DP4	Provision of housing and employment facilities
DP7	Housing developments in main settlements
DP8	Affordable Housing
DP9	Reuse of land within the countryside
T5	Incentives to encourage use of cycling and walking
T6	Demand management measures to reduce reliance on the car
C5	The Water environment
RLT1	Recreation Sport and leisure

Wiltshire and Swindon Waste Core Strategy 2006 - 2026

Policy WCS6 Waste reduction and auditing

Saved policy G1

General policy

<p> Saved policy G2 Saved policy G3 Saved policy G5 Saved Policy G8 Saved Policy G9 Saved Policy D1 Saved Policy D2 Saved Policy D7 Saved Policy D8 Saved Policy H1 Saved Policy H8 Saved Policy H22 Saved Policy H23 Saved Policy H25 Saved Policy CN21 Saved Policy CN22 Saved Policy CN23 Saved Policy C2 Saved Policy C8 Saved Policy C9 Saved Policy C14 Saved Policy C13 Saved policy C12 Saved Policy TR1 Saved Policy TR11 Saved Policy TR12 Saved Policy TR14 Saved Policy R2 Saved Policy R5 Saved Policy PS3 </p>	<p> General policies Water resources Water resources Groundwater source protection areas Requirements for additional infrastructure and facilities Extensive development Infill development Site Analysis Public Art Housing provision Development within the housing policy boundary Land outside the housing policy boundary Undeveloped land outside the housing policy boundary Affordable housing Archaeology Archaeological remains Archaeological remains (prior to determination) Development in the countryside Trees and hedges in the countryside Trees Features of geological or geomorphological importance Wildlife habitats Protected species Transport strategy The provision of off street car parking spaces Sustainable transport provision in major developments Secure bicycle parking provision Provision of open space in new development Loss of Public or private sports fields </p>
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Supplementary Planning Guidance

Affordable Housing SPG

Creating Places

Achieving sustainable development

Adopted September 2004

Design guide adopted (Adopted April 2006)

Adopted April 2005

7. Consultations

City Council

No response

Highways Agency

No objection

Environment Agency

No objections to the proposed development subject to conditions and informatives regarding Southern Area Planning Committee 18/11/2010

the following matters being applied to any consent issued:

- 1) Detailed design of the relevant surface water drainage scheme
- 2) Development only to be carried out in accordance with the approved flood risk assessment.
- 3) A scheme for water efficiency to be submitted to the council.
- 4) Informatives to be applied to the permission in respect of water efficiency, sustainable construction, pollution prevention during construction, Waste management

Environmental Health

No objections - subject to conditions covering building works carried out on site.

Wessex Water

Foul Water

There are public foul sewers crossing the site.

The public foul sewers will need to be diverted to accommodate the development layout. Any diversion would be subject to formal approval by Wessex Water.

The foul sewerage system should have adequate capacity to serve the development

Flow calculations will need to be submitted in due course.

No trees/large shrubs to be planted within 6 metres of any public sewers.

Surface Water

There are public surface water sewers crossing the site.

The public surface water sewers will need to be diverted to accommodate the development layout. Any diversion would be subject to formal approval by Wessex Water.

No surface water is to be discharged into the public foul sewers.

The use of a soakaway/ SUDS system should be investigated for the disposal of surface water flows.

If a discharge to the public surface water sewer is requested, it is likely that the discharge rate to the public surface water sewer will be restricted. On site attenuation storage and flow control will be required.

Flow calculations will need to be submitted in due course.

No trees/large shrubs to be planted within 6 metres of any public sewers.

Terminal Foul Pumping Station

Adequate capacity is available

Sport England

No objection

Wiltshire Council Ecology

Initially objected however following the carrying out of further surveys including for badgers, no objection subject to conditions. (see ecology below)

Spatial Planning

No objection

Southern Area Planning Committee 18/11/2010

Housing

Support the proposal

Wiltshire Highways

I confirm that, whilst I am wholly satisfied with the principle and layout of this development, I have noted that there is a slight deficiency in the parking provision for the affordable and Council properties: however, this deficiency is only four to five spaces and there is more than sufficient space to provide my minimum recommended additional parking of 4 spaces (without this extra provision, incidental parking could only take place near the entrance to the estate or in and around the turning head where obstruction would occur).

I therefore recommend that additional drawings be submitted showing four spaces in the following places:

1) Additional space o/s plots 36 and 37, ditto outside plots 40 and 41, ditto o/s plots 48 and 49, additional space o/s plot 45. I consider this requirement reasonable and necessary. I also note that the private parking provision is met and slightly exceeded for the flats plots 14-23.

You will recall that the previous outline scheme included requirements for a travel plan and traffic calming along Pembroke Road, the terms of which would be contained within a Section 106 Agreement. These requirements have been fully reconsidered in the light of feasibility development work by the Council for traffic calming measures along Pembroke Road and further measures to improve cycle and pedestrian measures in the vicinity of the site. It is now felt appropriate to require an obligation for a one off traffic calming and sustainable transport contribution of £75,000 which will also include a package of personalised travel planning for each dwelling (to be administered by the Council). The contribution should be made before the development proceeds by way of a Section 106 obligation. By way of confirmation, the traffic calming measures will include a mini roundabout at the junction of Pembroke Road and Festival Avenue.

I am satisfied with the details of access in relation geometry and road gradient near the junction with Pembroke Road, but full details will be required via condition. The internal road layout and access points to shared surface areas meet my requirements, save the design of the emergency link which is not fully and accurately shown. The emergency link provides an important sustainable link for pedestrians and cyclists and must be provided in accordance with further details for approval. I also confirm that I have no objection to the temporary use of the existing access via Penrudduck Close for construction traffic but the main access must be available and this access closed to vehicular traffic before first occupation.

Wiltshire Archaeology

Following the carrying out of further archaeological surveys that showed little of archaeological interest. No further comment.

Wiltshire Constabulary - Architectural Liaison Officer

1. Social housing is concentrated in one area, this should ideally be 'pepper potted' throughout the development so as to blend in with market housing and not cause segregation.

Diversity of layout, building form and tenure can contribute to making successful living and working environments. To promote social inclusion, in well-designing places, social housing is

*not distinguishable from private housing by its design, nor is it banished to the least attractive site. **By design – Urban design in the planning system (companion to PPS 1)***

English partnerships/Homes and communities agency quality standards suggests “units should be tenure blind, with a maximum of 6 social units together”

2. There are a number of side and rear alleyways; these must be discouraged as they can provide easy access to vulnerable areas of properties, where crime can be committed unnoticed. Inappropriate rear alleyways can also increase the fear of crime as they often lack surveillance and lighting. Gating these alleys is an alternative, providing access only for those authorised, and ensuring that gates are flush with front/side elevations as to not create any recessed areas.

*Research studying the distribution of burglary in terraced housing with open rear access footpaths has shown that up to 85% of entries occurred at the back of the house. **Section 13.1 New homes guide 2010, Secured by Design***

*Alleyways in particular should not run along the rear or, and provide access to, buildings or garden. **Safer places***

3. A number of the parking courts are either overlooked by end gables, or the rear of buildings. This lack of surveillance makes them vulnerable. The developer should ensure that the parking areas are either overlooked by regularly habitable rooms or front doors, or by ensuring gable ends of buildings have window to maximise visual surveillance.
4. I note that entry to the development from Penruddock Close is for emergency vehicles only. How is the area to be controlled and maintained in the future?

Wiltshire Design Forum

Adam Madge, Principal Planning Officer, presented the application proposals for Wiltshire Council-owned site. Adam explained the nature of the site constraints, which had influenced the proposed layout. Half of the site was proposed to be council housing, and the other half open market housing. The council housing was proposed to be two-storey, and the open market housing was proposed to be three storey houses and a four storey apartment block. The woods to the south were proposed to be retained.

The forum could not see how the scheme related to its context. The context was certainly not apparent from the drawings presented, and there seemed to be minimal information submitted with the application. For example, had a landscape study been carried out? Had any information been provided regarding sustainability? Furthermore the panel queried whether the houses would be ‘Lifetime Homes’. Some concern was expressed that the council housing was in one area of the site, and was different in design to the open market housing. It was felt that the different tenures should be integrated and all of a good quality of design.

The panel acknowledged that the constraints meant that this was a difficult site to develop. While it was recognised that the site constraints had influenced the layout, the panel felt that there did not appear to be any justification for the design approach chosen. It was unclear whether the design concept had been explained in the Design and Access Statement.

There was very little detail on the elevations, and as a result, the panel found it difficult to comment on the designs. The elevations appeared to show standard house types and patterns, and there was no apparent design rationale or concept. The panel felt that the scheme lacked character and flair.

There was a concern regarding the potential for a rat-run to be created through the site if the movable bollards weren't managed properly.

The panel commented on the importance of the roofscape since this would be quite visible. No chimneys were being proposed even though they are prevalent locally.

It was considered that a four storey block could work on the site, but not in the manner that was being proposed. The panel felt that the proposed block was bulky and characterless.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification from the 11th February 2010

Expiry date 18th March 2010 the application was readvertised following amendments received to the plans in September 2010 and this expired in late September.

22 letters of objection have been received. (9 stating the same objections)

Summary of key points raised:

- 1) Considered that the additional amount of traffic generated by the development will impact on the Pembroke and Queen Alexandra Road areas close to the site. With 2 vehicular parking spaces per dwelling this makes a total of 130 vehicles accessing and leaving the site several times on a daily basis. This will lead to high levels of congestion during the morning and evening peak at a junction which is already difficult and dangerous to negotiate. Consider traffic calming measures should be introduced along Pembroke road and Queen Alexandra Road in order to avoid accidents.
- 2) Considers development is not in keeping with other houses particularly in terms of three storey dwellings. Also considers that the four storey blocks set in two towers at the Western end give the development the appearance of a 'prison camp'.
- 3) Earlier plans made clear the intention to retain several mature trees and an area of shrubbery that screens the development from the rear of properties in Jubilee Close. This is now shown to be removed. This provides screening to properties in Jubilee Close and otherwise houses in Jubilee Close would be overlooked.
- 4) Consider that the plans show a developers intention to achieve maximum financial benefit without giving due regard to the developments local impact. Considered that development has no resemblance to the plans shown to residents in November last year during consultation exercise.
- 5) Ask for reassurance that the recent consultation has no part to play in the application. If the reassurance is not forthcoming it would appear council has some hidden agenda in offering consultation and is clouding the issues in the planning application.
- 6) This is the only open green space at this end of the 'estate' that would be available for recreation or other activities. Actionaid 1010 urges local government to become involved in the target of cutting emissions by 10% by 2010. One of the actions is eating better through buying food grown locally and growing more yourself, increasing demand for allotments.
- 7) Proposed access road from Pembroke Road is within 10 meters of 54 Pembroke road and will necessitate some cutting and filling to accommodate the slope. Owner of 54 is concerned that there may be ground movement that would affect his property. Wishes to be reassured that the resulting cutting will result in a completely settled and stabilised slope next to the bungalow and that the Cherry trees will remain in place as a result.
- 8) Numerous accidents have been witnessed over a 25 year period adjacent 54 Pembroke road which occur when impatient drivers leave the Queen Alexandra chicane and

overtake slower cars along Pembroke Road. It requires more than just notices or road bumps to curb the problem.

- 9) Also considers it would be useful to repair and maintain the fencing opposite the new entrance on Pembroke road where cars, cycles and vandals have broken through at times.
- 10) Wish to see the Woodland retained for wildlife and not open to the public.
- 11) The wood is the only green space left after the building of 31 houses further up Queen Alexandra road last year.
- 12) Concern from residents of Pembroke Park bungalow that the proposal will affect their light, air and privacy.
- 13) Concern about planting of trees close to Pembroke Park bungalow which will cut out light. Also concerns about noise and disturbance from vehicles.
- 14) Query how the emergency access will be used?
- 15) Houses backing on to Jubilee Close would block out sunlight and daylight.

9. Planning Considerations

9.1 Principle of development including Open Space issues and the previous use of the site as a School

The site of the former Pembroke Park School is covered by a number of particular designations contained within the saved policies of the adopted Salisbury District Local Plan. In particular the proposal site is located:

- Outside of the housing policy boundary
- Within a groundwater Source protection area
- In an area of archaeological significance
- Part of the site is designated as recreational open space (policy R5)

The site is located outside of the housing policy boundary for the city of Salisbury. Areas of land that are located outside of housing policy boundaries and that are not otherwise designated as housing constraint areas or other areas unrelated to housing are considered to be the countryside for planning purposes. Therefore whilst the proposed development site is located within the built up settlement of Salisbury it is considered for planning purposes as part of the open countryside.

In considering any proposal for development of this site outside of the housing policy boundary policy H22 is relevant here. Policy H22 states that:

In the main settlements of the District, residential development will be permitted on previously developed urban land outside a Housing Policy Boundary provided that the site is:

- (i) not identified for an alternative form of development in this Local Plan;*
- (ii) well related to the existing pattern of development; and*
- (iii) accessible by public transport.*

Proposals which would involve land currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement which does not increase reliance on the private car, or the land and building(s) are unsuitable and not viable for alternative employment uses.

It is considered that the site meets these criteria as the development is not identified for an

alternative form of development and it is well related to the existing pattern of development being surrounded by other built form. In addition the Pulsline bus service runs close to the site providing a bus service every ten minutes in the daytime to Salisbury City Centre and on to the hospital. This service changes to every 30 minutes on Sundays and in the evenings. This is as good a bus service as could be expected for this part of the city and as such therefore it is considered that this application site is accessible by public transport.

Given that the site is located outside of the housing policy boundary but complies with policy H22 of the local plan it is considered that the principal of residential development in this area is acceptable subject to the provisions of policy R5 and PS3 of the saved policies of the Salisbury District Council Local Plan. The Southern part of the site is covered by policy R5

Policy R5 states:

Development which would lead to the loss of public or private sports fields, other recreational open space, or school playing fields, will not be permitted unless:

(i) sports and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site; or

(ii) alternative equivalent provision is made available in the locality; or

(iii) there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision

The current proposal will lead to the loss of a public or private sports field or other open space contrary to policy R5. The proposal will therefore not comply with policy R5 as it does not comply with any of the three criteria set out as exceptions in the loss of open space and playing fields within that policy.

At present the playing fields/open space are fenced off and private and are inaccessible to the public, they are essentially private and not available to people living in the area. They could continue this way for some time. The development before the council shows an area of land in the centre of the development that would be laid out as open space readily available to the public. This represents an improvement on the existing situation.

The previous application S/2007/1152 which was for the development of 65 new dwellings at this site is relevant. This planning permission was never issued as the previous applicant (Wiltshire County Council) chose not to sign the relevant legal agreement. However members of Salisbury District Councils City area committee resolved to grant planning permission for the development. The officers report outlined that Sport England raised no objections at that time to the loss of the open space and that the then Salisbury District Councils forward planning department also raised no objection providing that between 0.2 and 0.25 ha of open space is produced in the new scheme to replace and compensate for the loss.

The previous officer report for S/2007/1152 stated:

Since the previous application was refused, (S/2006/1169) the Council's Recreational Open Space Audit has been published, and indicates that there is some shortfall in open space within the Salisbury Area.

The Council's policy team has indicated that the proposal is generally acceptable in policy terms and indeed provides a relatively rare opportunity for significant housing development in a sustainable location and environmentally acceptable location within the existing urban envelope.

As a result of the suggested shortfall however, our Policy team has suggested that every effort should be made to maximise the usable open space on the site, particularly as the indicative current proposals indicate a significant reduction in open space provision from 0.76ha to only 0.1 hectares. It is their opinion that if the site is developed for 65 dwellings, then there is scope on site to increase this open space to about 0.2 –0.25 ha depending on the final design of any scheme. On this basis, subject to some additional open space being provided on the site, the policy team raise no objections.

In view of the fact that Sport England have raised no objections to the loss of the playing fields, that the councils spatial/forward planning team have no objection to the loss of the playing fields and that at present there is no access to the playing fields and new publicly accessible open space will be available, it is considered that despite being contrary to policy R5, the loss of the existing playing fields is acceptable.

The loss of the existing school site has to be considered in the context of policy PS3 of the saved policies of the Salisbury District Council Local Plan (the existing school building has already been demolished). Policy PS3 states that:

The change of use of premises within settlements that are currently used, or have been used for retailing, as a public house or to provide a community facility central to the economic and/or social life of the settlement, will only be permitted where the applicant can prove that the current or previous use is no longer viable.

Policy PS3 only applies to facilities and services within smaller settlements and Salisbury City is not considered a smaller settlement in the context of this policy and Wiltshire as a whole, therefore it is not considered that policy PS3 can be applied to this development.

As there are no other policies that require the retention of public facilities such as schools within Salisbury City and as the pupils from the school have now been amalgamated at Avon school it is considered that the principle of retaining the site for school use cannot be supported in policy terms.

In conclusion, the principle of retaining the site for playing fields and a school cannot be supported in policy terms and therefore their loss and replacement with housing development is considered acceptable in policy terms and follows both the officer report and the committee resolution for planning application S/2007/1169 (see site history).

9.2 Layout and design of the building including architecture

The layout and urban design of the proposal have largely been dictated by the constraints of the site. The site lies within a 'bowl' where on three sides the site slopes steeply up to houses and the road, therefore all the dwellings have had to be positioned in the bottom of this rather than at the sides. The need to provide a substantive area of open space to compensate for the policy issues and the fact that there is a main pipeline lying where the access road is positioned have all dictated the layout of the site.

The buildings are clad in brick and render not unlike properties elsewhere in Salisbury and properties in neighbouring Jubilee Close are also clad in brick. Plots 25 -29 have been amended to include gable fronts to the properties which has introduced some variation to the buildings similarly rooms have been provided in the roof to these properties rather than being full three storey properties which has further helped the design. Chimneys have been introduced on other buildings to help with the articulation of the roof.

The design forums comments are noted and as stated above the layout has been influenced by its context. The comments regarding the moveable bollards are noted and a condition is proposed covering this aspect of the design. The applicant has since added a number of chimneys to the scheme to break up the roofscape.

In respect of the police architectural liaison officers comments the alleyways which are shown on the plans have now been gated and further windows have been positioned to overlook the parking courts as shown in the amended plans. The comments regarding the affordable housing all being in one place are addressed below under the section entitled affordable housing.

A matter of significance and one that has been raised by objectors to the scheme is the height of the block of flats at one end of the development. These are four storeys in height and will therefore be taller than the surrounding properties and new properties built within the site. The flats will be very prominent when viewed from Pembroke road in particular. The height is enhanced as the ground whilst relatively low at this point at present is to be built up which will mean that the upper storeys of these properties will be visible and prominent from Pembroke Road. This prominence needs to be carefully considered and needs to be weighed against other factors in the scheme when considering its acceptability.

9.2.1 Amended plans

The applicant has submitted amended plans which were received on the 25th October 2010 to overcome some of the previous objections to the scheme. These amended plans include the following changes:

- Further chimneys and porches have been added to create architectural interest to the street scenes.
- Plots 28-31 (three storey properties) have been changed to three storey with gable fronts the applicants have stated that these have been “added to reduce impact to existing neighbouring properties and create further architectural interest to the street scene.”
- Gable profiles have been added to the roof configurations of some of the two storey properties again to create further architectural interest to the street scene.
- Existing and further proposed landscaping on the western boundary has been indicated/added to reduce the impact to existing neighbouring properties.
- Plots 25-29 in the north western corner of the site have been reconfigured in order to move properties away from the boundaries with Jubilee Close and a parking court has been introduced at this point.
- Plots 55-64 have been angled to try and break up the formality of the layout.
- Additional parking spaces have been inserted to address highways concerns.

9.3 Affordable housing provision

The site currently provides for 40% affordable housing which is proposed to consist of 22 rented affordable dwellings to be built by the council and 4 shared equity properties. The 40% affordable housing provision complies with the councils policies for the proportion of affordable housing that should be provided on a site of this size.

Concern has been expressed by the police architectural liaison officer that all the affordable housing is positioned at one end of the site and that this is undesirable in terms of social cohesion normally achieved by spreading such housing through a development. This housing has specifically been put at one end of the development as this needs to be developed first as there is a government grant associated with this aspect of the development which is time sensitive. This end of the site can be accessed off Penruddock Close for building purposes

before the new access off Pembroke Road is created.

Given that the development meets the councils criteria for percentage of housing to be provided and the amount of social housing in one area is no larger than on other recent developments in South Wiltshire (like Old Sarum) it is not considered that this should prevent development taking place.

9.4 Ecology

Relevant guidance on ecology is set out in PPS9 *Biodiversity and Geological Conservation* and its related good practice guide, and administrative guidance on the application of the law relating to planning and nature conservation is given in Circular 06/2005. Among other things, the Circular makes clear (at para. 99) that the presence of protected species, and the extent to which they may be affected by a proposed development, should be established before permission is granted the so-called precautionary principle.

In this case the applicants have submitted with the application an ecology report which was carried out in October 2009. The report has identified the following habitats and animals that may be present on the site-

An area of unimproved neutral grassland

Badgers – potentially in the adjacent woodland

Reptiles- The whole area of development

Bats and trees

Further studies were carried out of the badgers and reptiles on the site. The badger survey found that there was no active badger sett within 20- 30m of building work and therefore the councils ecologist has recommended that a condition be used to demonstrate the measures that will be taken to ensure badgers are not affected by the works.

Slow worms were found to exist on the site in August 2010 and the ecology report recommends moving them before development commences again a condition is proposed to deal with this.

The councils ecologist has also recommended that a survey and report be submitted to the council prior to any trees being removed from the site in order that mitigation can be undertaken for any trees likely to contain bats.

There is a small area present on site of unimproved grassland which the councils ecologist suggests a condition for stripping and relocating this. This is included at the end of this report.

It is intended that the woodland is left unaffected by this proposal and that no further public access is provided to it. A condition is suggested for its future maintenance and management.

It is considered that all the ecology matters can be dealt with adequately by condition as proposed in the council's ecologists response.

9.5 Archaeology

The applicants have instructed archaeologists to carry out trench evaluations to investigate any archaeology on site. The evaluation did not find any significant cut archaeological features. Whilst there are some areas of the site which are of archaeological value the trenching that has

been carried out has sampled and recorded these archaeological features. There is therefore no requirement for any further archaeological work as the proposal complies with policy CN21 of the saved policies of the local plan.

9.6 Flooding and drainage

Flooding and drainage is an important issue on this site as the site is situated at a lower level than the majority of the surrounding land and therefore it is important to ensure that surface water is correctly disposed of. The applicants have carried out a flood risk assessment which assesses the development as being entirely within flood zone 1 which is itself at a low risk of flooding. The Environment Agency have assessed the flood risk assessment and raise no objections to the development on the basis of the flood risk assessment. They do recommend a condition regarding surface water drainage which should be imposed on any development granted.

9.7 Highways and transport issues

The development makes provision for 112 car parking spaces on site (12 of these are for visitor parking) All three bed houses have been provided with two parking spaces whilst smaller 2 bedroom houses have been provided with one parking space as have the majority of the flats. Consultation has taken place with the council's highways officer who has confirmed that whilst the development is acceptable in principle a further four parking spaces are required. Amended plans have been received.

The development proposes the use of Pembroke road as it's main vehicular entrance to the site this utilises the significant visibility splays that will be available down the length of Pembroke road in either direction. The proposed traffic calming measures that are to be secured through the S106 legal agreement will mean that traffic will be travelling slow enough to make this entrance and exit acceptable.

It is intended that the Penruddock Close access to the site will be used initially to build the low cost housing however when this has been completed and a new entrance on to Pembroke road has been developed the Penruddock close entrance will be closed to vehicular traffic (other than for emergency vehicles and pedestrians and bicycles). This is considered acceptable as it will provide permeability to the scheme without taking vehicular traffic past existing properties.

9.8 Amenity issues

Residents in Jubilee Close in particular have raised the issue of overlooking of their properties and overbearing from properties that are proposed to be built close to the boundary with Jubilee Close. The particular area of concern is a number of three storey town houses situated along the boundary which back on to Jubilee Close.

The applicants have amended the plans in this respect to show the existing tree and shrub belt along the boundary as retained between the application site and the houses in jubilee Close. This will help to a limited extent with any perception of overlooking. The houses as proposed are set down by approximately 3-4 metres from those in Jubilee Close and the back to back distance is 20M which is considered acceptable in planning terms. It would not be considered reasonable to refuse the planning application in terms of overlooking or overbearing views from the new to the older properties.

9.9 Other issues

The issue of car movements and traffic calming is considered above in section 9.6 on highways and transport issues. Whilst residents concerns about traffic movements are noted. Officers consider it unlikely that as has been suggested by residents there will be 130 vehicles on the site, as this assumes every house has a minimum of two cars at any one time. Whilst many houses may have two vehicles (and some may have more) it is very unlikely that every property will have two vehicles and that both of these vehicles will leave the site and re enter during the course of the day. It should also be noted that there were considerable vehicular movements associated with the former school (in the region of 90 vehicles in the morning peak). It is proposed as part of the S106 agreement at this site that traffic calming measures along Pembroke road are introduced.

Whether the development is in keeping with other developments in the area is a matter of opinion. It is not correct to say that the numbers of three storey houses is not similar to other developments in the area as it is very similar to the proportions of houses on the former Dairy site where there are a considerable number of three storey dwellings. It is further considered unreasonable to describe the development of the four storey blocks at one end of the site as being like a prison camp, as they appear as four storey blocks of flats and nothing else.

10. Conclusion

The school site is now disused and the council following the removal of the school to another site no longer needs this site to meet its educational needs. However, only some of the area can really be described as previously developed land as defined in PPS3, with the rest forming recreational/playing field type land.

The redevelopment provides for a significant amount of new housing on this brownfield site. Measures are included within the permission to ensure the retention of, and amelioration of effects on, ecology and the Woodland area to the East of the site. It is considered that there is adequate distance between properties to ensure that there will be no overlooking of neighbours from the proposed development. Whilst the height of flats proposed on site at four storeys is significant it is considered on balance that weighing all the relevant planning matters together that the development is acceptable and as such complies with policies G1, G2, H1, H22 and H25 of the saved policies of the adopted local plan.

Recommendation

Subject to the completion of a s106 agreement in respect of:

- (i) The provision of 40 per cent affordable housing
- (ii) A minimum provision on site of 0.2 hectares of formal open space (excluding the wooded area)
- (iii) A contribution towards off site open space
- (iv) Waste and recycling scheme provision
- (v) Sustainable urban drainage system maintenance
- (vi) The achievement of an environmentally-friendly sustainable scheme, including at least a code three code for sustainable homes rating and where practicable, a

percentage of power generation being from on site sources.

- (vii) The provision of a maintenance scheme for the retained woodland area on the Eastern boundary.
- (viii) The provision of off site highway improvement works along Pembroke Road
- (ix) A financial contribution towards sustainable highway measures

It is recommended that planning permission is GRANTED for the following reasons:

It is considered that this application makes maximum use of the available land, providing a substantive proportion of affordable housing on an otherwise vacant site. The proposal therefore complies with policy H1 of the Salisbury District local plan. The area of open space in the centre of the proposed development is considered adequately compensates for the loss of the previous school playing fields.

The design and layout of the proposal is satisfactory and it is considered complies with policies G1 and G2 of the adopted local plan as well as design policies D1 and D7 as it makes maximum use of the site whilst considering the significant constraints imposed by levels and heights.

It is considered that residential amenity would not be significantly harmed by the proposal as houses facing Jubilee Close are at a lower level and set back 20 M and behind existing trees and shrubs as such it is considered that residential amenity to Jubilee Close will be preserved in line with policy G1 and G2 of the adopted local plan.

The proposal is considered to improve highway safety standards in the vicinity of the proposal by providing funding for off site highway improvements along Pembroke road and closing vehicular access to Penrodduck Close as such the proposal complies with policy TR1 of the saved policies of the adopted local plan.

The site will make provision for 40% affordable housing on site of which a substantial proportion is proposed as council built housing. This will help meet the need for affordable housing within the Southern part of Wiltshire and as such complies with policy H25 of the adopted local plan.

In addition it makes provision for the retention and future management of the woodland area to the east of the site.

It is considered that the proposal accords with policies G1, G2, H1, H22 and H25 of the saved policies of the adopted local plan.

And subject to the following conditions:

1. The development hereby approved 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to the

commencement of the dwellings and where so required by the Local Planning Authority sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure a harmonious form of development.

POLICY G2

3. Prior to first occupation of the development details/a plan indicating the positions, design, height, materials and type of boundary treatments to be erected shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and the boundary treatments shall be erected prior to the first occupation of the dwellings hereby approved and shall thereafter be maintained for a period of five years and thereafter retained.

REASON: In the interests of neighbouring residential amenity and the environment of the development.

POLICY G2

4. Prior to the commencement of development an ecological management plan shall be submitted to and approved in writing by the local planning authority such a plan shall include an evaluation of ecological site features; a summary of ecological objectives proposals to protect ecological features, management and maintenance prescriptions, implementation and funding and a 5 year schedule of works including the monitoring and review of the plan. The approved details of the plan shall be implemented in accordance with the timescale set out in the approved plan.

REASON : In the interests of protecting wildlife on the site

POLICY G2

5. Prior to commencement of development a badger protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure badgers are not affected by the construction works. The development shall be carried out in accordance with the details approved.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

6. Prior to the commencement of development a reptile protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure reptiles are not affected by the construction works. The development shall be carried out in accordance with the details approved.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

7. Prior to the first felling of any trees on site a report shall be submitted identifying those trees that are to be felled and any mitigation measures that are required to protect

bats within those trees. Such a report shall be submitted and approved in writing prior to commencement of development any development shall then be carried out in accordance with the details in the report.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

8. The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity and the environment of the development and to ensure that the approved landscaping scheme is carried out at the proper times.

POLICY G2

9. Prior to commencement details for the hard landscaping of the site, including full details of the surfacing materials and colours of all hard surfaces and kerbing, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the site and to secure a well planned development.

POLICY G2

10. Prior to the commencement of development, full details of the road layout and construction shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until that part of the access road which serves it has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

REASON: In the interests of highway safety and to ensure that an adequate means of access is available when the dwellings are occupied.

POLICY G2

11. Prior to the first occupation of any of the dwellings, hereby approved, the garaging/parking, cycle parking and turning space indicated on the approved plan shall be constructed, laid out and made available for use and shall thereafter be retained and kept available for those purposes at all times.

REASON: In the interests of highway safety and to ensure an adequate level of parking provision to serve the development.

POLICY G2

12. No development shall commence until a scheme of water efficiency measures to reduce the water consumption of the dwellings, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the conservation of water resources and to protect the Hampshire Avon River and its habitats.

POLICY G3

13. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme is to be maintained and managed after completion.

REASON: To prevent the increased risk of flooding to improve and protect water quality and to ensure the future maintenance of the surface water drainage system.

POLICY G5

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further development permitted by Classes A, B, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over the development in the interests of the visual amenity.

POLICY G1

15. The development hereby approved shall be undertaken in full accordance with the following approved plans:

Planning Layout dwg no 0064-2-201_Rev D
Location Plan dwg no 0064 -0_101
Topographical survey plan 011-D1 -A

Topographical survey plan 011-D2 – A
Topographical survey plan 011-D3 – A
Affordable housing plan 0064 -2-203
Slab levels and drainage plan 0064-2-206
Street lighting plan 0064 – 5-531
Site sections 0064-2-208-A
Materials Plan 0064-2-300
Street scene elevations 0064-2-301-B
House type A – rev A
House Type B – rev A
House Type C – rev A
House Type D – rev A
House Type E – rev B
House Type F – rev B
House Type F1 – rev A
House Type G
House Type H –rev A
House Type H1 – rev A
House Type H2
House Type J – rev B
House Type J1
House Type K – rev A
Landscape Proposals dwg no 0064-3001 –rev A

REASON: For the avoidance of doubt

16. Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday no work on Sundays and Public Holidays.
This condition does not apply to the internal fitting out of the buildings

REASON: In order to limit the noise and disruption to adjacent neighbours during antisocial hours

17. Before development commences, further details of the emergency link to Penruddock Close shall be submitted and approved in writing by the Local Planning Authority. Such details shall show a 3m width of maintainable public highway for use for pedestrians and cyclists, with suitable measures to prevent access by vehicular traffic other than emergency vehicles: and the emergency link shall be provided before the 50th occupation of the dwellings the subject of this permission.

REASON: In order to limit the use of the northern access by non emergency vehicles in order to reduce the level of traffic using the access to an acceptable level in the interests of amenity.

POLICY G2

18. Prior to the commencement of development, full engineering details of the road layout and construction including longitudinal sections, typical cross sections, road drainage and street lighting shall be submitted for the written approval of the Local Planning Authority; and the road constructed in accordance with these details between each dwelling and the main access junction with Pembroke Road prior to occupation of each dwelling.

Reason In the interests of highway safety

POLICY G2

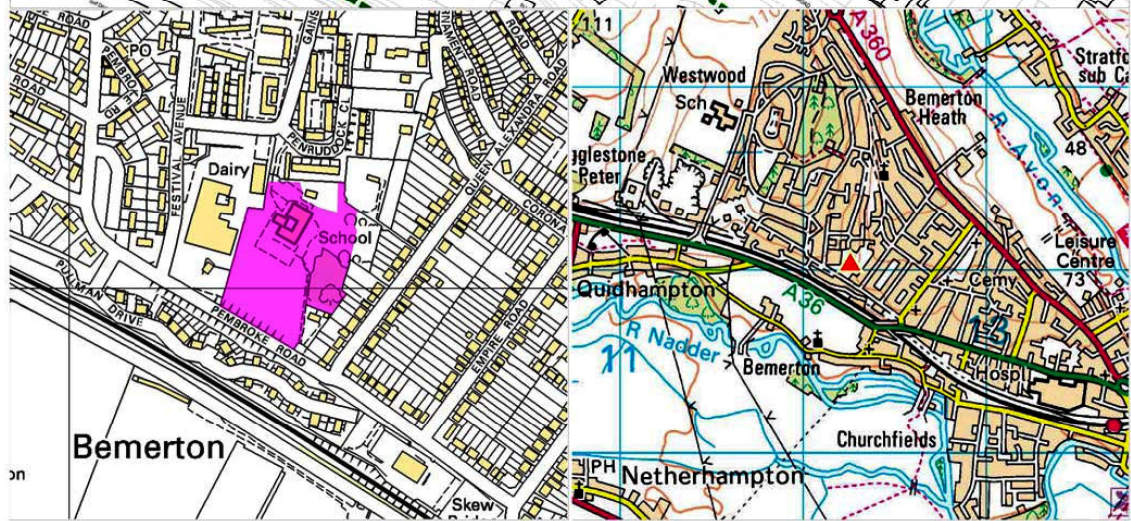
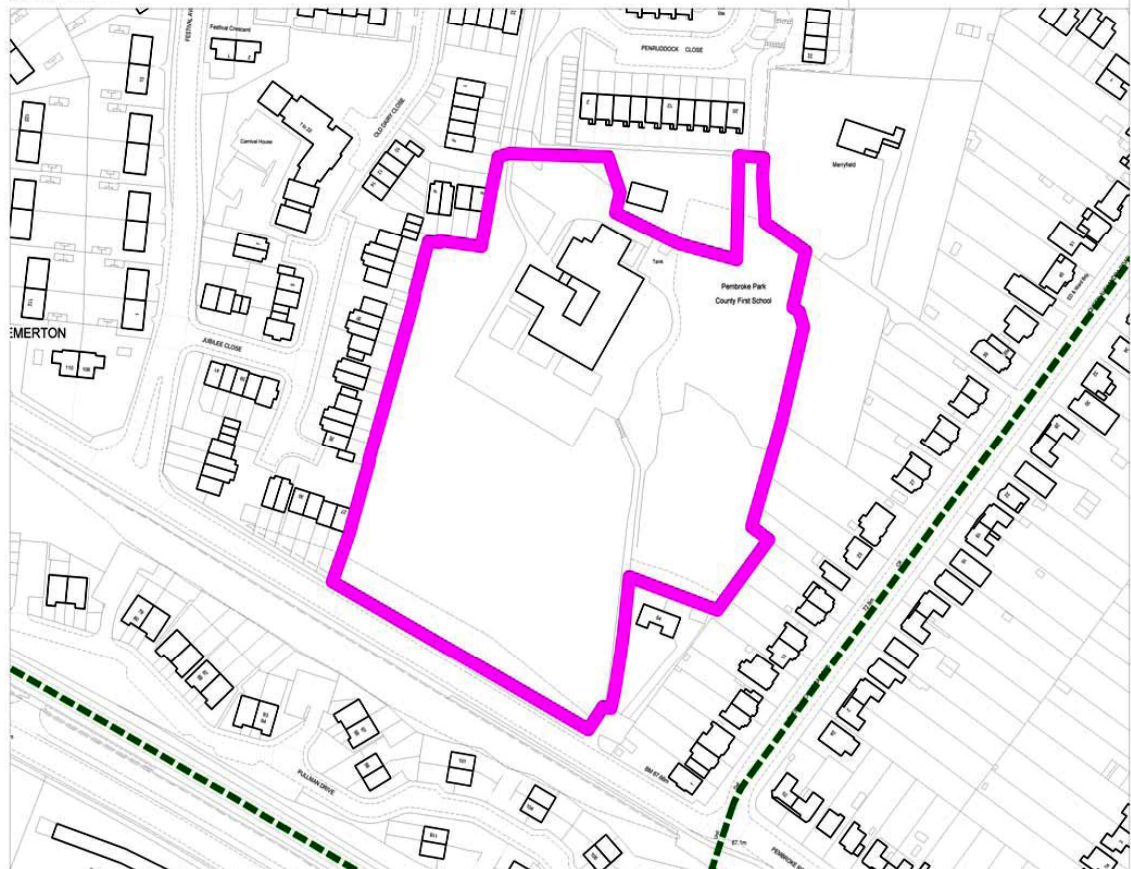
Informative Notes:

1. The applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this decision notice. In this respect, Wessex Water has advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width on either side of its apparatus for the purposes of maintenance and repair and therefore diversion or protection works may need to be agreed.

2. In conjunction with Condition No's 13 and 14 above, the applicant's attention is drawn to the comments of the Environment Agency, a copy of which is attached to this decision notice. For any further advice regarding any of the issues covered by these conditions the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483390 / Fax: 01258 455998.

Appendices:	None
Background documents used in the preparation of this report:	Planning Layout dwg no 0064-2-201_Rev D Location Plan dwg no 0064 -0_101 Topographical survey plan 011-D1 –A Topographical survey plan 011-D2 – A Topographical survey plan 011-D3 – A Affordable housing plan 0064 -2-203 Slab levels and drainage plan 0064-2-206 Street lighting plan 0064 – 5-531 Site sections 0064-2-208-A Materials Plan 0064-2-300 Street scene elevations 0064-2-301-B House type A – rev A House Type B – rev A
	House Type C – rev A House Type D – rev A House Type E – rev B House Type F – rev B House Type F1 – rev A House Type G House Type H –rev A House Type H1 – rev A House Type H2 House Type J – rev B House Type J1 House Type K – rev A Landscape Proposals dwg no 0064-3001 –rev A

S/2010/173



Wiltshire Council
Where everybody matters

FORMER PEMBROKE PARK SCHOOL

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