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| <b>Date of Meeting</b>     | 3 <sup>rd</sup> November 2016   |
| <b>Application Number</b>  | 16/06154/OUT  |
| <b>Site Address</b>        | Land adjacent 1 Longhedge Cottages, Longhedge, Salisbury. SP4 6BP   |
| <b>Proposal</b>            | Outline application for 4 detached dwellings with garages (All matters reserved except access and layout) |
| <b>Applicant</b>           | Mr Tony Cowles  |
| <b>Town/Parish Council</b> | Laverstock  |
| <b>Ward</b>                | Laverstock, Ford & Old Sarum  |
| <b>Grid Ref</b>            | 414477 134066   |
| <b>Type of application</b> | Outline   |
| <b>Case Officer</b>        | Warren Simmonds   |

### Reason for the application being considered by Committee

Previously at the 13<sup>th</sup> October meeting of the Southern Area Planning Committee, the application was deferred for further information/consideration in respect of the provision of a footpath/cycle lane along the Western boundary of the site, extending southwards:

The Unitary Division Member; Councillor Ian McLennan spoke in support of the application, however noted that a contribution to a cycleway would be desirable. He also stated the importance of Longhedge retaining a long hedge along the site, and asked that the screening be maintained once the development was complete.

Councillor McLennan proposed approval in line with Office recommendation, subject to a contribution for a cycle path as far as was currently possible to the south; this was seconded by Councillor Ian Tomes.

The Committee discussed the application, with Cllr Clewer suggested that a working group had identified a route for non-vehicular transport and that it was important to maintain that route.

It was felt that there could be a network of cycle route links around the development, however it was noted that there had been issues in the past with ransom strips for third party land.

The Chairman moved the motion to defer the application to seek further information, as Members wish to see a suitable pathway provided from the site entrance, south to the southern edge of the site along the A345, in order to provide a future linkage to the city.

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Previously at the 11th June 2015 meeting of the Southern Area Planning Committee, Members considered the previous application 15/03272/OUT. Contrary to officers' recommendation, Members decided to refuse the application for reasons explained in the report below. The circumstances in respect of the development of the land to the immediate south and west of the application site have since materially altered and the applicant has now resubmitted a fresh application for consideration. The Area

Development Manager considers it prudent that this application be put before Members in the interests of consistency and public interest.

The development may be considered in policy terms to be contrary to the aims of development plan policies CP1 CP2, CP48, & CP51 in that the dwellings would be located outside of defined development limits. However, taking into consideration the granting of both outline consent and reserved matters approval (and subsequent commencement of development) on adjacent land in respect of the erection of 673 residential units including affordable housing, internal access roads with open space and landscaping under planning reference 15/07253/REM, officers consider that there are significant material considerations that may outweigh the normal policy context in this particular instance.

## **1. Purpose of Report**

To consider the recommendation of the Area Development Manager that planning permission be **Granted, subject to a S106 Legal Agreement and subject to conditions.**

## **2. Report Summary**

1. Principles and policies/previous refusals
2. Design and impact on wider area including heritage assets
3. Impact on Neighbour amenity
4. Highways and parking issues
5. Archaeology
6. Ecology and drainage
7. Aircraft safety
8. S106 heads of terms

The Parish Council: Support the application  
Neighbourhood responses: None

## **3. Site description**

The land subject of the application appears to form part of the curtilage of No.1 Longhedge Cottages, although only part of the land is apparently actual garden area. There is an existing vehicular access off the adjacent A345. The other semi detached cottage (No.2 Longhedge cottages) forming part of this existing grouping does not form part of the application site.

The site is located between the A345 road and the field system to the south east and north east, which is allocated with the adopted South Wiltshire Core Strategy for 450 dwellings and other associated development. The Council has approved the development of 673 dwellings on this adjacent land, with associated community infrastructure. This significant development will also result in a new highway layout to the immediate north of the application site subject of this report, with the provision of a roundabout, new bus stops, and associated footways. At the time of writing, this development has commenced.

A gas pipeline runs through this adjacent Longhedge site, and close to the application site.

To the east of this allocation, the Old Sarum development is continuing to grow, and has permission for some 811 dwellings which are currently being built out. The development will also have associated community infrastructure, including the existing school.

To the west, there is “Longhedge House”, a Grade 2 listed building located opposite the site on the western side of the A345, and the adjacent “Longhedge Farm”.

The wider environment remains currently characterised by open countryside, and the site forms part of the setting of the adjacent Old Sarum Scheduled Ancient Monument (SAM). The surrounding area has been the subject of a number of archaeological finds, and the adjacent agricultural land is also of some importance in ecological terms, including being within the catchment of the River Avon SSSI.

The site is located some distance from the adjacent Conservation Areas which cover the adjacent historic airfield and its buildings, as well as the Old Sarum SAM. The former toll house located at the roundabout with the Portway is also a listed property, although this is some distance from the site.

The site lies to the north of the established development including a Park and Ride facility, and the land to the south adjacent the airfield has also been allocated for development (See Core Policy 23 of the Wiltshire Core Strategy).

#### **4. Relevant planning history**

Previous outline planning application ref 13/04728/OUT was refused by Members for the following reason:

*“The proposed dwellings would be located on a site which is currently located in the open countryside, and is not specifically allocated for housing development in the South Wiltshire Core Strategy or the draft Wiltshire Core Strategy. The adjacent A345 road onto to which the dwellings would have a vehicular access is a very busy arterial road between Salisbury and Amesbury, where traffic speeds are very high.*

*A large area of land immediately adjacent the site has been allocated for a significant mixed development within the development plan, and planning permission has been granted. A new highway arrangement has been proposed as part of the adjacent development, which will help improve highway safety and reduce traffic speeds.*

*However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the provision of a roundabout. As a result, there is no certainty that the final development will*

*resemble the layout currently envisaged or that the future developments would not conflict.*

*Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP6, C2, C7, H23 & G2 of the adopted South Wiltshire Core Strategy.”*

Furthermore, previous to the above refusal, there have been two applications on this land, both related to the change of use of the land to residential curtilage (applications S/2006/1974 and S/2008/1410) in 2006 & 2008. The reason for refusal was as follows:

*“The proposed change of use from agricultural land to residential curtilage represents an undesirable encroachment into the countryside for which there is no overriding justification. As such, the proposal would be contrary to the desirability to protect the countryside for its own sake and its intrinsic character and beauty, being therefore contrary to saved policies C2 of the adopted Salisbury District Local Plan and PSS7 ‘Sustainable Development in Rural Areas’.”*

The wider area has been the subject of significant changes over recent years, including the development of the Old Sarum community.

In particular, the site adjacent to this application site, known as Longhedge, has been allocated in the South Wiltshire Core Strategy for a development of up to 450 dwellings, including new access arrangements, community facilities, and commercial uses. More recently, in relation to this field system, planning application 13/00673/OUT was approved in 2014 subject to a S106 on the adjacent field system. The application relates to a development of up to 673 dwellings, including community infrastructure, and a new access roundabout of the A345, together with commercial uses.

Planning application 15/03272/OUT for ‘Erection of 4 detached houses with separate double garages, retaining existing access and visibility splays’ was also refused by Members of the Southern Area Committee on 12.06.15 for the following reasons:

*“The proposed dwellings would be located on a site which is currently located in the open countryside, and is not specifically allocated for housing development in the adopted Wiltshire Core Strategy. The adjacent A345 road onto to which the dwellings would have a vehicular access is a very busy arterial road between Salisbury and Amesbury, where traffic speeds are very high.*

*A large area of land immediately adjacent the site has been allocated for a significant mixed development within the development plan, and planning permission has been granted. A new highway arrangement has been proposed as part of the adjacent development, which will help improve highway safety and reduce traffic speeds. However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the provision of a roundabout. As a result, there is no certainty that the final development will*

*resemble the layout currently envisaged or that the future developments would not conflict.*

*Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP1, CP2, CP45, CP48, CP51 & CP57 of the adopted Wiltshire Core Strategy.”*

Planning application 15/07253/REM was approved on 14.01.16 and granted Reserved Matters consent for ‘*appearance, landscaping, layout and scale pursuant to outline permission 13/00673/OUT (Option A) for the erection of 673 residential units comprising 1, 2, 3, 4 and 5 bedroom units including affordable housing, internal access roads with open space and landscaping*’. This consent has since been commenced with works physically started on site and the construction of the roundabout to the north of the application site on the A345.

## **5. Proposal**

This proposal is in outline form, with only access and layout being in detailed form. The submitted plan shows the redevelopment of the land to the immediate south of the existing cottages for four detached dwellings, arranged in a linear fashion, with associated parking and garages. The existing vehicular access to the existing cottage is reutilised, and the proposed dwellings then accessed via a linear driveway, running between the dwellings and the boundary of the site.

## **6. Relevant Planning Policy**

NPPF, NPPG

Wiltshire Core strategy policies:

CP1, CP2, CP3, CP20, CP23, CP24, CP41, CP43, CP45, CP48, CP50, CP51, CP52, CP57, CP58, CP60, CP61, CP62, CP67, CP68, and also the development template for the Longhedge site at appendix A.

Adopted Supplementary Planning Guidance “Creating Places”

## **7. Consultation responses**

WC Highways – Supports the application, subject to Conditions and a legal agreement

Highways England – No response received

Ecology – No response received

Public protection – No objection, subject to Conditions

Spatial planning – Maintain a policy objection

Archaeology – Support, subject to Conditions

ROW – No response received

Drainage – Request for additional information

MOD – No safeguarding concerns  
Wessex Water – No response received  
Laverstock & Ford parish council – Support the application

## **8.Third Parties/Publicity**

No responses have been received

## **9.Planning Considerations**

### **9.1 Principle and policy**

As the application site has recently been the subject of a similar application and a refusal in 2015, the LPA needs to reconsider its previous decision in the light of any current planning guidance and policies, as well as any subsequent changes to the surrounding physical environment or the local or national policy regime.

The land subject of the current application does not form part of the adjacent Longhedge allocation, and consequently, the site is not allocated for future development as part of the WCS, and is therefore for the purposes of planning, located within the open countryside, where the development of land for dwellings not associated with agriculture, forestry, or similar rural enterprises, is strictly controlled by planning policy. As a consequence, this application scheme is contrary to the aims of policy CP1, CP2, CP45, CP48 & CP51 of the Wiltshire Core Strategy in that the site falls outside the Longhedge application.

The NPPF clearly indicates (at para 12) that development which conflicts with development plan policies should be refused unless material considerations indicate otherwise.

On pure policy grounds, as set out in the consultation response from the Spatial Planning officer, it is recommended (by the Spatial Planning officer) that the scheme should be refused based on these development plan policies and the general national presumption in favour of conserving and enhancing the natural environment.

However, in officers opinion, with the approval and subsequent commencement of a major new development on the neighbouring site, this is now a rather unusual and unique case, and there are material considerations which may outweigh the local plan policies in this case. These are outlined below:

#### **i) Previous refusal reason**

Members previous refusal reason (15/03272/OUT) seems clear that the scheme was not simply unacceptable because it was in the open countryside but states that the development is not acceptable largely as it would precede the creation of the road system and development planned and approved at the Longhedge site, and indicates that:

“.....However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the

provision of a roundabout. As a result, there is no certainty that the final development will resemble the layout currently envisaged or that the future developments would not conflict.

Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP6, C2, C7, H23 & G2 of the adopted South Wiltshire Core Strategy.”

The circumstances surrounding the application site have materially changed since the previous application was refused, in the following main respects:

1. The adoption of the Wiltshire Core Strategy in 2015 providing an allocation for the neighbouring land (since the first refusal)
2. The granting of both outline and RM approval of the surrounding development and associated highway works earlier this year
3. The construction of the roundabout to the north of the site on the A345
4. A new speed limit imposed in this section of the A345
5. The commencement of the approved housing/mixed use development on the neighbouring site

In terms of the site's location, it is considered that recent approvals have resulted in significant development within the immediate vicinity of the site and, when fully developed, the area will contain a new primary school and neighbourhood centre together with a significant area of public open space. It is considered that these new features will result in the application site being located within a sustainable location with good access to services and other facilities including public transport.

Consequently, in the opinion of officers a refusal now based solely on an in principle objection to housing in the countryside may be difficult to justify.

In summary, it is considered the changes of circumstances which have occurred since the previous refusals of permission on the site act to constitute a significant material consideration which outweighs the policy objection of the site is being outside of the defined limits of development. The proposed development is thereby considered to constitute sustainable development.

However, notwithstanding the principle of developing housing outside allocated sites, the potential impacts of the proposed development on the character of the countryside and the setting of the Old Sarum Conservation Area and associated landscape remains a material consideration, as does the potential impact of the development on the highway system, and these matters are considered in the following paragraphs.

## **9.2 Design and landscape impact on wider area including heritage assets**

At the time of the previous refusal, the application site was located within Landscape setting of Salisbury and Wilton subject of previous Local Plan saved policy C7. This policy has now been replaced by WCS policy CP 51. This now indicates that:

*“Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:*

*i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies*

*ii. The locally distinctive character of settlements and their landscape settings*

*iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe*

*iv. Visually sensitive skylines, soils, geological and topographical features*

*v. Landscape features of cultural, historic and heritage value*

*vi. Important views and visual amenity*

*vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion*

*viii. Landscape functions including places to live, work, relax and recreate, and*

*ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.*

*.....Proposals for development outside of an AONB that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area’s special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting”*

The area also contains numerous historical features of interest, including the Old Sarum Ancient Monument and Conservation Area, and the Old Sarum aerodrome and conservation area. There are other listed buildings in the immediate and wider vicinity, including the adjacent Longhedge House. Newly adopted WCS policies CP57 & 58 are therefore now relevant. These indicate that:

*“CP57 A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be*



*accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

- i. Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced*
- ii. The retention and enhancement of existing important landscaping and natural features, (for example trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development*
- iii. Responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines to effectively integrate the building into its setting*
- iv. Being sympathetic to and conserving historic buildings and historic landscapes*
- v. The maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41*
- vi. Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area*
- vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)*
- viii. Incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site*
- ix. Ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible; in accordance with Core Policy 66 – Strategic Transport Network*
- x. The sensitive design of advertisements and signage, which are appropriate*

*and sympathetic to their local setting by means of scale, design, lighting and materials*

- xi. Taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future*
- xii. The use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm*
- xiii. In the case of major developments, ensuring they are accompanied by a detailed design statement and master plan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place.*
- xiv. Meet the requirements of Core Policy 61 – Transport and New Development”*

*“CP58 Development should protect, conserve and where possible enhance the historic environment.*

*Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:*

- i. Nationally significant archaeological remains*
- ii. World Heritage Sites within and adjacent to Wiltshire*
- iii. Buildings and structures of special architectural or historic interest*
- iv. The special character or appearance of conservation areas*
- v. Historic parks and gardens*
- vi. Important landscapes, including registered battlefields and townscapes.*

*Distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57.*

*Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged. The advice of statutory and local consultees will be sought in consideration of such applications.”*

### 9.2.1 Impact on character of countryside

This is an outline application with detailed matters related to detailed design are “reserved” and not for consideration. However, access and layout are for detailed consideration, and the submitted plan shows how the future layout of the scheme would be laid out.

Given the linear and narrow nature of the site, the proposed dwellings are (indicatively) uniformly laid out in a row, accessed via a single access point driveway off the main A345. With the development of the neighbouring Longhedge site, the character surrounding the application site will change significantly and permanently, with more urbanised development located directly adjacent its rear boundary. Consequently it is considered the visual impact of the proposed development for 4 dwellings is unlikely to have any undue visual impacts.

The Council's Public Protection officer has stated in her consultation response:

*'Given that there will be a reduction in the traffic speed along the A345 and that the B1 commercial units will be commensurate with residential and having reviewed our previous response from this department on the outline application (15/03272/OUT) we do not have grounds to support an objection.'*

The Public Protection officer therefore raises no objection to the proposed development, subject to Conditions in respect of the approval of a scheme of acoustic insulation for the proposed dwellings from road traffic noise and from the B1 units to be constructed on the neighbouring Longhedge development.

#### 9.2.2 Impact on Old Sarum Ancient Monument/Conservation Area

The site is located some distance to the north of the SAM, which is surrounded by a Conservation Area. However, whilst the proposed development (in isolation) would be visible from the SAM, the proposal would be seen at some considerable distance, and would be seen in the context of existing development. Once the approved Longhedge development is built out, it is considered the proposed development would not be prominently visible from the SAM, or have any undue impact on the setting or character of the heritage asset.

#### 9.2.3 Impact on Old Sarum Aerodrome Conservation Area

The site is also located to the west of Old Sarum Aerodrome Conservation Area, and is located on higher ground. The existing property and land is currently visible from the lower land to the east (Old Sarum area). The larger Old Sarum development and the Longhedge development (once built) would largely interrupt any views or visual interrelationship with the application site. Furthermore, the Aerodrome conservation area is slightly unusual in that it was designated due to the historic nature of the airfield and its buildings, and not as would normally be the case, because of the attractive historic character of the area in a visual sense.

As a result, and given that the proposal will be located adjacent to a modern housing development, and somewhat divorced from the conservation area, it is considered that the proposal would not have an adverse impact on the existing character of the conservation area, nor would it adversely affect the historic reasons for its designation.

#### 9.2.4 Impact on Longhedge House

This property and its setting is already significantly affected by the construction works associated with the approved Longhedge development, particularly due to the proposed roundabout works, which significantly alter the more rural character of the A345 at this point. The proposed four dwellings suggested by this current application are therefore considered unlikely to have any greater impact on this heritage asset as the approved Longhedge development is constructed.

#### 9.2.5 The Beehive Toll House

This grade 2 listed building is located some distance to the south of the application sites. Its immediate setting and context was altered significantly a number of years ago with the construction of the park and ride complex and the associated roundabout and access junctions. Given this, and the distance from the application site, from which it will be largely screened by mature landscaping and other features, it is considered that the character and setting of the building is unlikely to be adversely affected.

### Summary

It therefore remains officers advice on this matter that a refusal based on a significant landscape or heritage asset harm would be difficult to justify, and the proposed development is acceptable in terms of its impacts on the landscape and associated heritage assets, as outlined above.

### 9.3 Impact on residential amenity

The previous application scheme on this site was not refused on amenity impact grounds. As a result, it would now be difficult to justify a refusal on those grounds, unless aspects of the scheme or its relationship with the surrounding area have altered since 2015, or if adopted WCS policies or national guidance had altered in terms of amenity issues.

In terms of planning policies and advice, it is officers' opinion that the proposed development accords with the requirements of Core Policy 57.

The application site would be located directly adjacent to No. 1 & 2 Longhedge Cottages, opposite Longhedge House, and located to the west of the emerging Old Sarum housing development and Longhedge development. However, the site is divided from Longhedge House by the A345 and tree screening. Furthermore, given the approved layout of the adjacent Longhedge development, only B1 commercial units are to be located directly adjacent to the boundary of the property subject of this application. (With regards these commercial units, restrictive conditions have been imposed upon the operation of these units restricting their use to B1 only, and therefore it is unlikely that their operation would have a significant impact on the amenities of the dwellings suggested by this application).

Given the relatively modest scale of the development, in officers' opinion, the scheme is unlikely to have wider amenity impacts, other than in relation to the amenities experienced by any occupiers of the adjacent Longhedge cottages.

The Public Protection officer has recommended a working hours Condition to safeguard the amenity of adjoining residents.

Following construction, the addition of 4 dwellings on this site are likely to reduce the privacy and isolation currently experienced by existing occupiers of both Longhedge cottages, mainly due to the increased traffic movements and general noise and disturbance. Whilst such a change will be very noticeable compared to the existing situation, it is considered that in terms of overlooking/loss of privacy and overshadowing, the impacts of the new houses would not in officers opinion be so significant as to warrant refusal.

No objections or representations have been received in respect of the application from third parties.

#### **9.4 Highways and parking issues**

The scheme proposes the retention and enhancement of the existing access off the A345, which would then serve four proposed dwellings plus the existing dwelling (number 1 Longhedge Cottages).

The existing A345 road is currently unlit along this section, and permitted traffic speeds have been reduced to 40MPH and a large new highway feature has been introduced to the north of the site and indeed overall the neighbouring development would create:

- The construction of the site access roundabout including street lighting of the roundabout.
- Construction of a footway along the A345 frontage of the site.
- Construction of 2 bus laybys on the A345 including shelters and real time bus time information electronic display boards.
- Implementation of a 40 mph speed limit on the A345 between the site access and the Beehive roundabout.

Furthermore, the site itself would cease to be isolated in traffic terms, and would benefit from the sustainable transport initiatives created by the improved works associated with the larger development.

The Highways officer has assessed the proposal and provides the following consultation response:

*'The above proposed development was dependant on the installation of the roundabout on the A345 relating to the adjacent Longhedge residential development, and the associated change to the speed limit. I am aware that this work has now begun and the highway improvements are mainly in place. Given that the speed limit has been reduced to 40mph I am satisfied that sufficient visibility splays can be achieved with 120m to the west and 100m (to the roundabout) to the east.'*

*The proposed car parking is considered to be acceptable together with the visitor parking and the on-site turning facility. I believe it is unlikely that the refuse vehicle will enter the site and therefore a bin store is required at the entrance.'*

*The existing entrance will provide access to the site. It would appear that there is a short gap between the entrance and the existing footway (2 or 3 metres), the footway should be extended to connect with the entrance and to complete the pedestrian link to the adjacent Longhedge site. The entrance should be improved to provide a clearly defined junction with kerbs on the radii. The entire area should be properly surfaced and drained.*

*I wish to support the proposed development and recommend the following conditions are applied' (Conditions as set out at the conclusion of this report).*

Therefore provided the existing footway is extended to connect with the access to the proposed development (thereby creating a pedestrian link between the proposed development to the services and facilities within the adjacent Longhedge development) the proposed development is considered acceptable in terms of access, parking provision and would not be detrimental in terms of Highway safety.

### **9.5 Aircraft safety**

The application site is located a significant distance away from the Old Sarum airfield landing strip, and separated from it by the larger Longhedge development, the Old Sarum site, and a number of larger commercial buildings including hangars. It is therefore considered unlikely in this instance that the proposed development would have an adverse affect of aircraft safety.

The Ministry of Defence has assessed the proposal and confirms there are no safeguarding concerns.

### **9.6 Ecology/drainage**

The site is located within 2km of the River Avon SSSI. Hence the area is generally sensitive in terms of development which may affect the water systems and drainage.

However, the Environmental Statement (ES) which covers the adjacent Longhedge site concludes that there is unlikely to be significant impacts from this larger development, subject to conditions. The EA were consulted on this much smaller scale 4 dwelling scheme, but have previously chosen not to raise any objections in terms of its likely impacts over and above those of the adjacent development. The Council's drainage officer has not previously offered any objections. The Council's ecology officer has offered no objections, subject to standard conditions to protect any natural habitat.

Subject to standard conditions related to these matters, it is therefore considered that the scheme is unlikely to cause any significant harm.

As the scheme remains effectively as refused in 2015, whereby no reference was made in the refusal to ecology or drainage issues, a refusal of this current application would be difficult to justify in officers' opinion.

### **9.7 Archaeology**

The Council archaeology department has indicated that the area may have significant archaeological potential, and has recommended that archaeological evaluation works take place before construction. A Condition is therefore required to ensure an archaeological evaluation takes place before development commences.

As the scheme remains as refused in 2015, and that no reference was made in the refusal to archaeology issues, a refusal of this current application would be difficult to justify in officers opinion.

## **9.8 S106 Heads of Terms**

### **Affordable Housing**

The Council's adopted WCS policy CP43 does not require small scale proposals (ie of 4 dwellings) to make provision or contributions in respect of affordable housing.

### **Open space**

Housing schemes of less than 10 dwellings are no longer subject to a financial contribution. As the CIL charging regime has now come into force, the open space tariff payment would be secured via this process, not through S106.

### **Highway improvements**

The scheme benefits from Highway improvements already secured by immediate neighbouring development schemes. Other than the measures required by the Highways officer by Condition, a small extension to the existing footway (currently terminating in front of number 1 Longhedge Cottages) is required to create a pedestrian link between the proposed development to the services and facilities within the adjacent Longhedge development. As this area of land is outside of the ownership or control of the applicant, it is considered a Section 106 legal agreement will be required to secure the provision of the required footway link.

## **10. Conclusion**

The development of four new dwellings in the open countryside without justification would normally be contrary to planning policy, particularly policy CP2 and discordant with the established national presumption against isolated and unsustainable housing development in the open countryside.

However, this is considered by officers to be an exceptional and rather unique case, given that a substantial area of land immediately adjacent to this site is allocated in the adopted Wiltshire Core Strategy for 450 dwellings, plus associated facilities and provisions, and that the Council has approved applications for 673 dwellings (for which construction and related Highways improvements have already commenced). The approved neighbouring larger development has been designed to be inherently sustainable, with associated community facilities and transport linkages. Thus, the application site is soon to be well located in respect of services and facilities, with good links via the improved highway works.

It would be therefore officers' opinion that the proposed development of four new dwellings would be particularly difficult to defend where a reason for refusal is based on pure policy grounds relating to the unsustainability or remoteness of the site, particularly given the wording of the Council's previous reasons for refusal under planning reference 15/03272/OUT.

Furthermore, the now commenced development of the neighbouring Longhedge site inevitably has a considerable impact on the character of the area immediately surrounding the application site. For this reason, in officers' opinion it would be difficult to defend a reason for refusal based on the likely visual harm caused by 4 additional dwellings over and above the impact of 673 dwellings. It is considered that the landscape impact of the scheme particularly in terms of the setting of the heritage assets, when weighed against the already developing character of the area; the visual impact of the allocated site being built out, would not be so sufficiently harmful as to warrant refusal of the scheme on the basis of landscape or heritage impacts.

Whilst the addition of 4 dwellings adjacent to the existing Longhedge cottages may potentially alter the level of amenity enjoyed by existing residents, Conditions can be imposed which provide adequate mitigation against undue impacts.

Similarly, whilst the existing vehicular access arrangements serving the site are far from ideal, and 4 additional dwellings would affect traffic safety along this previously fast stretch of road, Highway improvements associated with the adjacent Longhedge developments under construction or already in place, and highway and traffic safety within this locality is improved (with improved lighting and lower traffic speeds).

Should Members consider that the previous reasons for refusal have been overcome, a list of appropriate Conditions has been suggested below:

**RECOMMENDATION: That subject to all parties entering into a S106 legal agreement which secures the following:**

- **A 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, adjacent the A345 road, and to link from the access to the proposed development, to the adjacent pathway network, to allow pedestrian access to adjacent services and facilities.**

**Then delegate to the Head of Development Management to APPROVE subject to the following conditions:**

01. This permission relates to the detailed approval of the access and layout only. Approval of the details of the scale, appearance of the buildings, and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing as per condition 03 below.

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



2004.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the scale, appearance of any building to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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

03. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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

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

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

05. The development shall be carried out in general accordance with the following plan(s):

Drawing 0771/01 Rev S dated September 2013, as deposited with the local planning authority on 23.06.16.

REASON: For the avoidance of doubt

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

REASON: In the interests of highway safety.

07. No part of the development shall be first brought into use until the visibility splays shown on the approved plans (ref: 0771/01 Rev S) have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

08. No development shall commence on site until details of the access including improved junction radii, kerbs, surfacing (not loose stone or gravel), drainage and an extension to the existing footway have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access improvements detailed above have been provided in accordance with the approved details.

Reason: To ensure that the development is served by an adequate means of access.

09. No development shall commence on site until a scheme of acoustic insulation for the purposes of preventing the ingress of road traffic noise and noise from the proposed business park has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of acoustic glazing and ventilation systems. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

10. No development shall commence on site until a scheme of acoustic screening for the purposes of protecting the residential properties and their external amenity space from road traffic noise and the proposed business park has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

11. No construction 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.

REASON: In order to limit the impact of works on residential amenity

12. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In order to limit the impact of works on residential amenity

13. No development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

14. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction

period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

15. 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), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

### **Informatives**

1. With regard to archaeology (Condition 13 above) the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.
2. The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by Wiltshire Council. Should you require further information with regards to CIL please refer to the Council's website.