

## REPORT TO STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	11 September 2019
<b>Application Number</b>	19/07427/FUL
<b>Site Address</b>	30 - 36 Fisherton Street, Salisbury, Wiltshire, SP2 7RG
<b>Proposal</b>	Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel
<b>Applicant</b>	Janus Henderson UK Property PIAF
<b>Town/Parish Council</b>	Salisbury City
<b>Electoral Division</b>	Salisbury St. Edmund and Milford ED (Cllr Atiquel Hoque)
<b>Grid Ref</b>	414160 130020
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Andrew Guest

### Reason for the application being considered by Committee

The planning application is before the Strategic Planning Committee because it involves matters of strategic relevance.

Furthermore, the application follows an earlier application for a similar description of development which was refused by the Committee in June, as explained in the 'Background' and 'Relevant history' sections of this report. The new building now proposed is materially different in terms of its scale and design to that refused in the earlier application.

### 1. Background

On 19 June 2019 the Strategic Planning Committee endorsed the Maltings and Central Car Park Masterplan as a material consideration in the determination of relevant planning applications. The Masterplan sets out Wiltshire Council's broad requirements for the redevelopment of The Maltings and Central Car Park sites. As an endorsed material consideration the Masterplan – which in its production followed a process of public consultation and related scrutiny – must now be given significant weight. The Masterplan is attached at annex 1 to this report.

Also on 19 June 2019, the Strategic Planning Committee refused a planning application for the demolition of the existing building at 30-36 Fisherton Street, and the erection of a new building for a library, gym and 86 room hotel in its place. There was a single detailed reason for refusal relating to the unsatisfactory form, bulk and design of that proposed building, this contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.

## 2. Purpose of Report

The report assesses the merits of the proposal against the policies of the Development Plan and other material considerations leading to a recommendation – which is to grant planning permission subject to conditions.

## 3. Report Summary

This is a full planning application to demolish the existing building at 30-36 Fisherton Street, and to erect a new building containing a library, gym and 86 room hotel. The new building now proposed is materially different in terms of its scale and design to that proposed and refused in the earlier planning application.

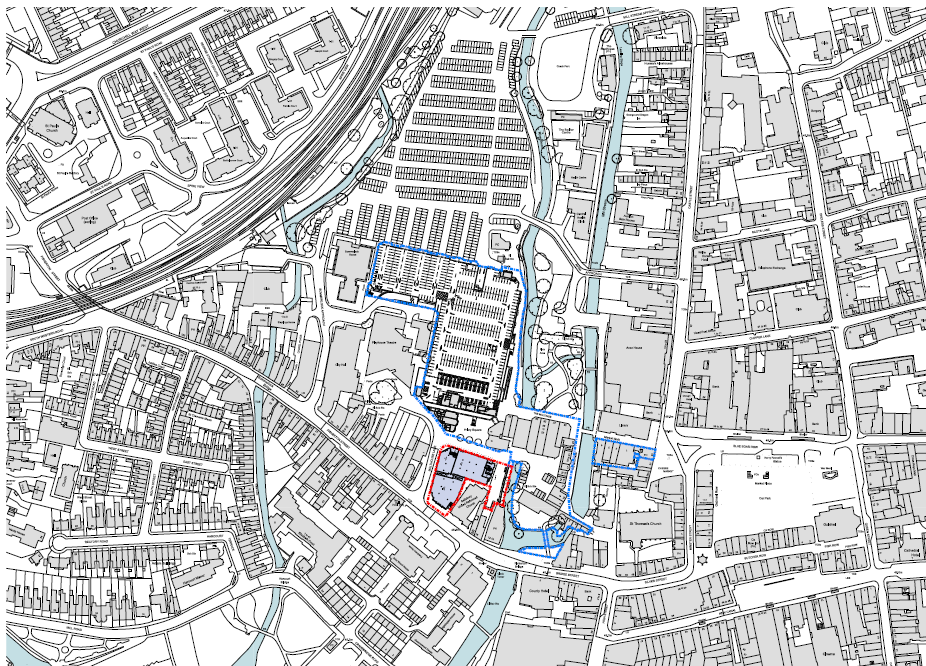
Salisbury City Council supports the application.

The planning application has been publicised by local newspaper advertisement, site notice and letters to neighbours. This has generated (at time of writing of 28 August) 14 representations (9 objection; 3 supports; 2 comments).

The application is recommended for approval, subject to conditions.

## 4. Site Description

The application site is located in a prominent position at the corners of Fisherton Street / Malthouse Lane and Malthouse Lane / Priory Square (with 'front elevations' to all three of these thoroughfares). The site presently supports a part two storey / part single storey brick and tile building split into retail units (all presently vacant) with a small service yard to the rear, all constructed in the late 1970's as part of the wider Maltings development.



*Location Plan*

Fisherton Street is a main traffic route into the city centre. Malthouse Lane is a no-through road providing access principally to the Maltings (Priory Square), City Hall and Salisbury Playhouse.

To the east side of the site is the United Reformed Church (a C19 grade II listed building), and beyond this relatively modest c. C19 buildings in mixed commercial and residential uses (nos. 12-20); the site and its service yard wraps to the rear of these neighbours. Further to the east (beyond nos. 12-20 and the service yard), is the River Avon, with further historic buildings on its opposing bank. To the north side are Priory Square and other elements of the Maltings development. To the west side (on the opposite side of Malthouse Lane) is further, older mixed commercial and residential development; including 38-40 Fisherton Street which are C16 grade II buildings concealed by later (C19) facades. To the south side of the site (on the opposite side of Fisherton Street) is the C18 grade II listed 'General Infirmary' – a sizeable 5 storey building, now in residential use. To either side of the General Infirmary are other, more modest, provincial-scale buildings of mixed age and in mixed uses (again, some listed).

In planning policy terms the application site is located within a 'Principal Settlement' as defined in the Wiltshire Core Strategy. It is also within the 'Salisbury City Centre' and the 'Secondary Shopping Area' as defined in saved policies of the Salisbury District Local Plan.

The larger part of the site is within the Salisbury Conservation Area (with Priory Square to the north lying mainly outside of the Conservation Area). Nearby listed buildings are as referenced above.

The larger part of the site lies within Flood Zone 2 (with a small part alongside the river within Flood Zone 3).

The River Avon is an ecological Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI).

Most of Salisbury city centre is within an Air Quality Management Area (AQMA).

More specifically, the site forms part of the 'Central Car Park' proposed area for development, and so is subject to Core Policy 21 of the Wiltshire Core Strategy. The site also lies within the Salisbury Skyline policy area and so is subject to Core Policy 22; and as already explained in the Background section of this report, the site now lies within the Maltings and Central Car Park Masterplan area, this recently endorsed by the Strategic Planning Committee as a significant material consideration in the determination of relevant planning applications. These policies / documents are also considered in more detail later in the report.

## **5. Relevant Planning History**

18/11957/FUL – Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel – refused 19/06/19

There was a single detailed reason for refusal relating principally to the scale and design of the proposed building, as follows:

*The proposed development, by reason of its form, bulk and design, would detract from the character and appearance of established development in the locality, notably in Fisherton Street, neither conserving nor enhancing its status as a conservation area and neither conserving nor enhancing the setting of nearby listed buildings. In particular, the bulk and design of the proposal, which is effectively two joined 'blocks' with limited roof articulation and with large and principally uniform / flat facades of considerable size, does not reflect the human scale and rich architectural detail which is otherwise a characteristic of Fisherton Street and Salisbury in general. This is particularly apparent in important contextual conservation area views of the site - along Fisherton Street and Malthouse Lane. The design, and notably the bulk of the proposal, would also result in a development which would insensitively compete with nearby listed public and former public buildings - notably the United Reformed Church and the General Infirmary, to the detriment of their significance and settings.*

*The proposal is, therefore, contrary to Core Policy 57 (Ensuring high quality design and place shaping) and Policy 58 (Ensuring the conservation of the historic environment) of the Wiltshire Core Strategy.*

According to recent heritage records, the site included a listed building. However, this was actually demolished in the 1970's. The heritage records have now been updated to reflect this – meaning there is now no listed building recorded at the site.

## **6. Proposal**

### **6.1 The Proposal**

The proposal is to demolish the existing building on the site and erect in its place a new building containing, at ground floor level, a library (with potential inter-connected café) and separate gym (but also adaptable space); and on the first and second floors, an 86 room hotel. A service yard would be provided at the rear (more or less on the site of the existing service yard), with 5 parking spaces (for the hotel).

The building would be sited effectively 'back of pavement' on its Priory Square and Malthouse Lane sides, but further back on its Fisherton Street side, so allowing for a 'café terrace' to the front. The three stories would have a maximum height (at roof ridge) of mainly 12.4m; two relatively modest lift over-runs would increase this slightly by a further 2.1m towards the rear of the building.

The design approach is essentially contemporary, although with one or two nods to the past. To all intents and purposes the single building would 'read' as terrace rows of standalone buildings – two such 'buildings' (including a corner unit) fronting Fisherton Street, four (including the corner unit) fronting Malthouse Lane, and three (including two further corner units) fronting Priory Square. Each 'building' would subtly contrast with its neighbour/s in terms of their detailed designs and materials; and each would have subtly different articulation and relief relative to its neighbour/s (notably in terms of the building lines, eaves lines, and fenestration detailing). The nod to the past is apparent in the Fisherton Street / Malthouse Lane corner building where a grey framed building is proposed with white plaster pargetting panels and more traditional gable-ended roofs, albeit presented in a modern form. All of the 'buildings' within the overall building would have vertical emphasis and a human scale, this reflecting the character of most established and historic development hereabouts (notably in Fisherton Street).



Ground Floor Plan

1	VM Zinc Pigments Blue (R) (R over rail)	13	Grey timber louvre
2	VM Zinc Pigments Range / Red	14	Library shopfront and signage in white colour coated aluminium frames and panels
3	VM Zinc Pigments Vary / Green	15	Light oak barrier window frames and check lodges
4	Coloured Window moulds orange	16	Traditional cede lead flashing to barrier windows
5	Aluminium window frames - chemical grey	17	Reddish Romanian clay plate roof tiles with Roman Heritage Cast Iron 150x100 cast iron gutters and square downpipes
6	Black glazed brick - Royal Blue	18	Black Linear Stone Cladding (Black) 122 x 102 with double vertical stone block stone (SBS)
7	Loaves to match Pigments Green	19	Black Linear Stone Cladding - Natural white and royal blue glazed brick laid horizontally
8	Steel facade doors to match Pigments Green	20	Black Linear Stone Cladding - Royal blue feature with under pie cast stone coping to match window frames
9	Black linear range Bricks (Clay) 140 x 102 x 110	21	Pre cast stone feature with decorative roof in recessed panel
10	Black Yorkshire Red Matt Black (70%) double wooden course	22	Black Linear Stone Cladding (Black) 122 x 102 with horizontal timber (see strategy)
11	Black Linear Stone Cladding - Natural green glazed vertical as in 150mm above pavement and horizontally in 100mm black wood above	23	<b>Key materials and finishes include white painted brick and natural stone</b> <b>see strategy for stone paving</b>
12	Black Linear Stone Cladding - White and bottle green laid horizontally	24	Painted aluminium cladding (see strategy)

Finishes Schedule (NTS)



1. Proposed Fisherton St - South Elevation (1:100)

Fisherton Street Elevation



2. Proposed Malthouse Lane - West Elevation (1:100)

**Malthouse Lane Elevation**



1	VM Zinc Pigments/Blue Blue (88 over coat)	13	Grey timber louvre
2	VM Zinc Pigments/Orange Red	14	Utility (shopfront) and signage in white (clean) aluminium frames and panels
3	VM Zinc Pigments/Red/Green	15	Light oak shaker window fascias and check sidings
4	Coloured Window reveals orange	16	Traditional cove lead flashing to dormer windows
5	Aluminium window frames - chemical grey	17	Redwood Rosemary clay glass roof tiles with Aluminium Heritage Cast Iron 330x150 white gutters and copper downpipes
6	British glazed brick - Royal Blue	18	British Unisex Sash Window (double) 1227 x 1652 with double sashbar (source: British Heritage 2016)
7	Louvers to match Pigments/Green	19	British Unisex Sashbar - Varnish white and lead blue glazed brick lead horizontal
8	Steel faced doors to match Pigments/Green	20	British Unisex Sashbar/Louvre/Roof/Sash/Frame work under pre-cast stone coping to match sashbar fascias
9	British Unisex Sashbar - Varnish green glazed lead or white lead up to 150mm above pavement and horizontally on the ground brick work above	21	Pre-cast stone feature with decorative metal in recessed panel
10	British Unisex Sashbar - Varnish green glazed lead or white lead up to 150mm above pavement and horizontally on the ground brick work above	22	British Kingston Handmade Light and Heavy (see image)
11	British Unisex Sashbar - Varnish green glazed lead or white lead up to 150mm above pavement and horizontally on the ground brick work above	23	Grey weathered stone cladding with white painted sashbar and lower facade (see image and photos for material)
12	British Unisex Sashbar - White and Baltic green lead horizontally	24	British Kingston Handmade Light and Heavy (see image)

Finishes Schedule (NTS)

3. Proposed Priory Square - North Elevation (1:100)

**Priory Square Elevation**



4. Proposed Service Yard - East Elevation (1:100)

**Service Yard Elevation**

The application is accompanied by a Design and Access Statement, a Heritage Statement, an Archaeological Desk-Based Assessment & Archaeological Watching Brief, a Geotechnical & Geoenvironmental Report, a Surface Water Management Plan, a Flood Risk Assessment, a Transport Statement, a Preliminary Ecological Appraisal, and a Planning Statement.

## 6.2 Comparison with refused application

Although the description of development has not changed between the current application and the earlier refused scheme, this is where the similarities end. In addition to the fundamental changes to the appearance of the building summarised above, the proposed building is also lower than that refused, has three stories (not four), and has re-configured internal space (with more clearly defined entrances to the public elements – notably the library). There is now a potential café element, and improved external space allowing the building to more readily interact with the ‘street’ – in particular, with Fisherton Street where the building’s set-back relationship with the adjoining church ensures that the church remains readily viewable, and dominant, in the street scene.

## **7. Planning Policy and Guidance**

### Wiltshire Core Strategy

Core Policy 1 – Settlement Strategy  
Core Policy 2 – Delivery Strategy  
Core Policy 20 – Spatial Strategy: Salisbury Community Area  
Core Policy 21 – The Maltings / Central Car Park  
Core Policy 22 – Salisbury Skyline  
Core Policy 36 – Economic Regeneration  
Core Policy 39 – Tourist Development  
Core Policy 40 – Hotels, Bed & Breakfasts, Guest Houses and Conference Facilities  
Core Policy 50 – Biodiversity and Geodiversity  
Core Policy 55 – Air Quality  
Core Policy 56 – Contaminated Land  
Core Policy 57 – Ensuring High Quality Design and Place Shaping  
Core Policy 58 – Ensuring the Conservation of the Historic Environment  
Core Policy 60 – Sustainable Transport  
Core Policy 61 – Transport and new development  
Core Policy 64 – Demand management  
Core Policy 67 – Flood Risk

### Salisbury District Local Plan (‘saved’ policies)

Policy S2 – Secondary Shopping Areas in Salisbury and Amesbury

### The Maltings and Central Car Park Masterplan

Referred to in the Planning Issues section of the report.

### National Planning Policy Framework

Relevant paragraphs referred to in the Planning Issues section of the report.

## 8. Consultations

Salisbury City Council: Support

Wiltshire Council Archaeology: Support subject to condition

*The proposed development is located on the edge of the historic core of medieval Salisbury. The site is located within the site of the Dominican Friary, which was founded in 1281, following the move of the friars from Wilton. By 1334 there were 40 friars resident, and even at the Dissolution in 1539, there were 13 friars and a prior present. The friary included religious and domestic buildings and gardens, as well as associated tenements by Fisherton Bridge. There are references to burials at the friary, which raises potential for human remains being present within the proposed development area.*

*The applicant has submitted a desk-based assessment and there has been archaeological monitoring of the geotechnical and site investigation works. The Desk Based Assessment (DBA) described the archaeological potential of the site, which was then confirmed by the archaeological monitoring. During the site investigations, medieval deposits were identified, along with gravels that include potential for Mesolithic and Palaeolithic remains. The archaeological deposits have suffered truncation but it is clear that there is proven potential for the site to retain very significant information about medieval Salisbury and both its population and its religious life. The potential for early Prehistoric remains is also high and, if present, the information to be afforded will be of regional importance.*

Wiltshire Council Arts Service: Comments.

*.... The arts service would expect the integration of public art and design in to this site should planning approval be made, as referred to in Core Policies 3 (Infrastructure Requirements) and 57 (Ensuring high quality design and place shaping) of the Wiltshire Core Strategy. ....*

*Given that this site forms part of the plans for the Cultural Quarter/Maltings development, the integration of public art and design and inclusion of creative practitioners is particularly relevant to the creation of a vibrant well-designed space that will mitigate the impact of the development, engage communities and provide a sense of place. There is currently a consultation taking place on a Cultural Strategy and Cultural Quarter for Salisbury and the outcomes of this should also be taken into consideration for this site. ....*

Wiltshire Council Conservation: Support subject to comments

*From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.*

*The site is at the heart of the Salisbury City Conservation Area and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.*

*The Council's Core Strategy 'Core Policy 21: The Maltings/central Car Park' sets out the Council's aspirations for the redevelopment of this key city centre site in a 'retail led mixed-use development'. The policy requires that the "redevelopment of the Maltings/Central Car Park will be sensitive to Salisbury's skyline and respect the scale and building forms of the historic urban fabric."*



*The Council's Core Strategy 'Core Policy 22: Salisbury Skyline' sets a maximum height for development within the central area of the city in order not only to protect views of the cathedral but also to protect the City's roofscape.*

*The Council's Core Strategy 'Core Policy 57: Ensuring high quality design and place shaping' requires a high standard of design in all new developments. xiii advocates a masterplanning approach for major development sites in order that other objectives are met including: 'i. enhancing local distinctiveness by responding to the value of the natural and historic environment' and 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.*

*The Council's Core Strategy 'Core Policy 58: Ensuring the conservation of the historic environment' notes that development should "protect, conserve and where possible enhance the historic environment".*

*The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Policies place responsibility on both applicants and the Local Planning Authority to take steps to achieve an understanding of the historic environment which can inform the development and assessment of proposals. Paragraph 196 of the NPPF requires a balanced approach towards decision making with any harm which would be caused being weighed against the potential public benefits which might be achieved.*

*Local policy documents including the South Wiltshire Design Code 2006, the Salisbury Vision and the Salisbury Conservation Appraisal and Management Plan are relevant.*

*Supporting information: Paragraph 189 requires that applicants should describe the significance of heritage assets affected, including the contribution made by their setting. Government guidance and the Council's Core Policies require a holistic treatment of the wider site, informed by a master-planning approach to ensure that aspirations are achieved. Design advice within the National Planning Practice Guidance and documents such as the South Wiltshire Design Guide place emphasis on the need for full and detailed analysis of the wider setting of sites to inform design which responds to its local context and reinforces local distinctiveness.*

*The submission is accompanied by a Heritage Statement, Planning Statement and Design and Access Statement.*

*The Heritage Statement appears to have been completed after the development of the proposals rather than being carried out in advance to provide a full understanding of the context and inform the development of proposals as envisaged by the NPPF and Council policy. However, it is adequate in identifying the affected heritage assets, describing their significance and providing some assessment of the context.*

*The Planning and Design and Access Statements have been updated to provide a greater level of reference to the Maltings Masterplan, which has now been adopted and provides an overview of aspirations for the city centre central Maltings and car park area. This provides context for the development and explains how it fits within proposals for the wider area.*

*The statement also explains the development of the current scheme and the attempts that have been made to respond to the criticisms of the previous proposals. There is also an*

*explanation of the intended construction and use of materials, which is welcomed in giving greater confidence in the appearance and quality of the final scheme although close control will be required in order to ensure that this translates into construction.*

*Principle of demolition and replacement: the existing building was constructed in the late 1970s following the incremental demolition of the historic buildings across the site, including the listed Nos. 30-32 Fisherton Street. Although there was confirmation that the historic building was demolished with consent in the late 1970s and that no fabric remains extant within the current structure the process to remove reference to these buildings from the statutory List had never been pursued and the site remained 'listed'. However, since the previous submission, this formal process has been completed and the building has been delisted.*

*Whilst it is open to accusations of pastiche, the main frontage of the 1970s building was relatively carefully designed with well executed brickwork and scale and window proportions etc. which reflect the character of the immediately surrounding townscape. The remainder is in a more modern 'vernacular' style which the Heritage Statement plausibly suggests was intended to reflect the malthouses which occupied the land to the rear, themselves also demolished by the late 1970s. Taking into account the curve of Fisherton Street which limits the visual impact from this key thoroughfare, the overall impact of the building can be considered as largely neutral. There is no objection in principle to the demolition of the current building however policy requires that a replacement should be of high quality design and construction in order to preserve or, ideally, enhance the character and appearance of the conservation area and the settings of neighbouring listed buildings.*

*Assessment: the review of requirements which has resulted in the removal of a floor of development is welcomed. However, this remains a very large building in its context and it is difficult to understand how the removal of a floor of accommodation has translated into only very slightly lowered overall eaves and ridge heights. The need for the maintenance of a raised slab level (at the level of the previous building plus a new slab) to meet EA requirements in respect of flood risk is understood but the remainder of the increase in the height of the three floors is largely due to the extremely high ground to ceiling height at ground floor level and a very large ceiling void between first and second floors.*

*The high ground floor was queried at pre-app but the only explanation provided within the D&AS is that it is "important due to the anticipated open plan nature of the volume". However, even taking this into account, the proposed 4.7m height appears overly generous to the point of potential impracticality and it is anticipated that there will be a desire for suspended ceilings throughout much of the area to create more humanly scaled spaces. Externally, the decision has regrettably impacted adversely on the proportions of the elevations of particular elements of the building from their initial depiction in pre-app sketches and I am concerned that the inflated ground floor height of the development risks appearing incongruous in the local context.*

*However, I am mindful that elected Members did not object to the overall height but to the apparent bulk of the building and the rather flat and bland elevational treatments which contributed to a metropolitan character to the development which was felt to be out of step with the area. From this point of view there is much to welcome in the evolution of the scheme.*

*The increased articulation of the elevations is more in character with the rhythm of the street and the adoption of a more eclectic style and palette of materials has resulted in a scheme which is less austere and metropolitan than the previous designs, with a sense of fun which has potential to deliver a development which can add to and enhance this vibrant and characterful area. Overall the scheme offers a better 'fit' with Fisherton Street and the*

*approach to a newly emphasised 'cultural quarter' which is an aspiration of the Maltings Masterplan.*

*I have some concerns about the 'corner' building into Fisherton Street but materials and elevational treatment have been amended since pre-app and have alleviated the previously rather overt references to an architecture which is alien to Salisbury, although the pargetting remains a slight oddity in this area. Otherwise there are many positives in the details, including:*

- *Increased legibility with dedicated and visible entrances for both the library and hotel and increased presence, including an entrance, for the library on Fisherton Street.*
- *resolution of the previously 'left-over' space in front of the building at this location, although final details of materials etc will be required*
- *the design approach to be carried around the eastern elevation facing onto the R Avon, an area which is earmarked in the Masterplan for greater prominence within the public realm as a 'green route' through the area*
- *firm commitment to some interesting and high quality materials – it will be essential that these cannot be 'cheapened' in the translation to construction phase*

*Some details, however, remain to be resolved including some discrepancies between materials shown on various documents/plans. Details including the following will be required:*

- *details of materials and architectural treatment for building returns between the different units*
- *details of the proposed cladding and roofing to the rear library entrance*
- *Building B notes stall riser to be 'white painted brick' but image depicts glazed bricks*
- *confirmation of materials for the proposed window surrounds to the upper floors, Building A - noted variously as reconstituted stone or pre-cast concrete. Details of the decorative feature panels.*
- *details of materials including surfacing and wall facing for the raised platform to Fisherton Street, details of the proposed balustrades.*
- *rainwater disposal not resolved in all areas – for example, it is not immediately clear how the proposed cast iron guttering will be drained between the windows in Building B or from the central valley between the west elevation gables of Building A? Downpipes on Building F appear to drain from a flat step rather than a gutter?*
- *details of proposed lighting*
- *details of signage and additional details of shop fascias and surrounds etc*
- *constructional details, including pointing in particular (colour, texture and technique) will be critical to the final appearance of the development. Approval of details of the pointing mortar and sample panels to allow control of technique will need to be conditioned.*

*Summary: there is no objection in principle to the demolition and replacement of the existing building which is of limited design quality and has a largely neutral impact within the conservation area. Current policy requires that a replacement should be of high quality design and construction.*

*Since the previous submission the Maltings Masterplan has been adopted and the Design and Access Statement has been updated to provide greater explanation of the context of the development in terms of wider aspirations for the area. This greater consideration of context has been carried through into a significant re-working of the scheme. A whole floor level of the development has been omitted and the building height now lies largely within the Council's policy limit for Salisbury (CP22) and although this remains a very large building in this context it is noted that elected Members did not object to scale in refusing the previous scheme. I have reservations about the high ground floor and impact within the street scene and would suggest that further explanation is required. However, on the whole, significant reductions in the apparent bulk have been achieved via the re-evaluation of the design treatment. Greater articulation of the elevations and consideration of detail and the introduction of a more varied palette of materials which are more reflective of the area have improved the relationship of the development with neighbouring buildings and the conservation area and assist in off-setting the tendency for an overbearing impact.*

*Overall I consider that the revised scheme is successful in reducing the perceived impact of the scale and bulk of the development on the surrounding buildings and area such that policy requirements relating to the character and appearance of the conservation area and to the settings of nearby listed buildings can be considered to be met. Subject to the details and suggested conditions noted above, therefore, I have no objection to a recommendation for approval.*

Wiltshire Council Drainage: Recommend conditions

Wiltshire Council Highways: No objection

Wiltshire Council Public Protection: No objection subject to conditions relating to the AQMA, noise controls, odours controls, contamination and a Construction Environmental Management Plan (CEMP).

Wiltshire Council Urban Design: Support, subject to clarification of some matters of detail

*The submitted DAS explains in its chapter 6 the reason for the changes since the previous application, and I agree with that description. There has clearly been an attempt to respond to a range of different concerns from both committee and officers and I recognise the difficulty of interpreting every concern accurately, and responding with a design that pleases everyone.*

*In terms of urban design, this step change in the appearance is welcome, and the applicant's explanation, through the DAS, of form and function is encouraging; this new concept has the potential to generate a level of excitement and better realise a vision for a bespoke, interesting and contextual mixed use development, with a greater degree of 'wow' factor. This approach could simultaneously fulfil the requirements of the Maltings Masterplan for this pivotal site.*

*The rationale for the concept for each section of elevation has been explained in the submitted DAS; there is a clear desire to take cues from the local context and national exemplars, and an effort to enhance the sense of place in a dynamic way.*

However, there is some ambiguity in the detailing of these elevations, and some deviation in the technical drawings from the initial concept drawings, which appears to have weakened the sense of proportion across some facades. My concern is that these may be the result of haste and not intentional design decisions. Some clarification from the designer is recommended.

Environment Agency: No objection, subject to conditions

*Flood Risk - The majority of the site lies within Flood Zone 2 as shown on the published Flood Map; part of the site lies within Flood Zone 1. The applicants' Flood Risk Assessment (FRA prepared by Campbell Reith Consulting Engineers, Revision D3, July 2019) acknowledges the presence of the flood zones, and hence the fluvial flood risk to the site, and includes some modelled fluvial flood levels based on the outputs of river hydraulic modelling carried out by us some years ago. It states that the levels are for the 'undefended' scenario. However, in fact, the levels quoted are for the 'defended' scenario, although it is appreciated that there is very little difference between the two scenarios at the site of the proposed development. The outputs of the river modelling were used to inform the current published Flood Map.*

*The FRA also notes that updated fluvial flood modelling is at present being finalised by us and some draft results, specifically indicative modelled flood depths, are included in the report to ensure the best, most up-to-date, fluvial flood risk data is taken into account for this proposal. We have also supplied the applicant with draft flood outlines for 3 design flood events, namely the 1% AEP, 1% plus climate change AEP, and 0.1% AEP, but these outlines have not been included within the applicant's FRA. It's possible the applicant submitted the application to the LPA before receiving the draft flood outlines. Nevertheless, the draft flood outlines show increased fluvial flood risk in the vicinity of the site of the proposed development when compared against the published Flood Map; Flood Zone 3 extends into Fisherton Street adjacent the site, and Flood Zone 2 covers the entire site.*

*The conclusion reached .... is that, based on the draft fluvial flood depth data supplied by us, the design fluvial flood level (the 1% AEP plus an appropriate allowance for climate change) is around 46.9 metres AOD. Based on all the information we have, and the applicants' FRA and supporting site topographic survey, we've no objection to using this figure as the design fluvial flood level for the site.*

*The proposal is for a library, gym and restaurant at ground floor level, with the hotel (the 'more vulnerable' flood risk use) at first floor level and above. The FRA proposes a 300mm freeboard allowance for setting minimum finished floor levels. This allowance should be considered the absolute minimum. A larger freeboard allowance, closer to 600mm, is recommended. However, mindful of the proposed 'less vulnerable' use at ground floor level, and the applicants' use of the most up-to-date, improved, fluvial hydraulic modelling data we have no objection to the proposed finished floor levels as set out in the FRA. Specifically, the library, fronting Fisherton Street, set no lower than 47.2 metres AOD. We note the gym, restaurant, and hotel entrance to the rear of the site will be set a little higher at 47.375 metres AOD by virtue of higher ground level in Malthouse Lane/Priory Square.*

Conditions recommended for slab level, ecology protection, and construction environment protection (CEMP).

Historic England: Support

*We are pleased to see this revised scheme, which in our view better responds to the delicate urban grain and variance in building heights that are a characteristic of the surrounding conservation area. Our concerns with regards to the Fisherton Street corner and Priory*

*Square elevation of the previous proposals are addressed by this amended scheme, which achieves better integration with its historic surroundings.*

*We applaud the stance of your development control committee in refusing the previous proposals on design grounds; Salisbury is an outstanding urban environment which demands high quality and contextual new development.*

*The situation regarding the previous listed building on the site, lost to demolition in the 1980s, has now been regularised and the address is no longer recorded as containing a listed building.*

*I repeat our previous advice in respect of the current building on the site, is of some architectural merit as representative example of 1980s vernacular revival architecture which interprets the maltings which once stood here to a degree, but it is not of such quality to merit its preservation. It should however be recorded prior to demolition, and the results deposited with the local Historic Environment Record.*

Natural England: No objection.

As the site is directly adjacent to the River Avon SAC, suitable conditions should be attached to ensure no construction related runoff can enter the watercourse.

Wessex Water: No objection.

Separate foul and surface water systems are required.

## **9. Representations**

The planning application has been publicised by local newspaper advertisement, site notice and letters to neighbours.

Salisbury Civic Society gives general support to the proposal, subject to a number of detailed points. Its full response is as follows:

*The Salisbury Civic Society considers that this proposal is a significant improvement on the previous rejected design. It believes that it is important for the city that a scheme goes ahead on this site, to enable redevelopment of the current library site, and the attendant investment of £6.1 million in the Maltings by the Local Enterprise Partnership. It believes that the general approach of the new design justifies it as a replacement for the late 1970s building currently occupying the Fisherton Street/Malthouse Lane site.*

*It has some detailed comments, as below:*

*1) The double height concrete window surrounds on both the Fisherton Street and Malthouse Lane elevations of building A are an unnecessary addition of another windows material, which has no obvious place in this context. The substitution of zinc, copper or timber would be preferable visually, as well as probably having structural advantages in being lighter in weight.*

*Such substitution should be a simple change to make, which need have no impact on the timescale for the application.*

*2) The drawings show some alterations to building B, on the Fisherton Street/Malthouse Lane corner, compared with the pre-application version, but this still seems a rather*

*incongruous incorporation of a structure with neo-historic aspirations, and a radically different roof form to the rest of the scheme, perched up in the air. Some reconsideration of this corner would be advantageous.*

*3) The pulling back of the SE corner of the building, to allow a better view of the United Reform Church, is to be welcomed, as is the provision of a raised café area at this point. There seem to be no elevational details for the eastern part of the building from this point on, until the service yard elevation (H) is reached. More clarity here would answer the question of whether views of the W side of the church will be enabled, from the library or from the hotel (plans do seem to show some windows in hotel bedrooms). It also appears that the N part of the library is a single storey structure, raising the question of whether light levels in the library will be enhanced by the provision of top-lighting.*

*4) In the longer term, the Society hopes that public realm improvements can be facilitated in Malthouse Lane and Priory Square, to enhance the setting of the new building, and meet requirements set out in the adopted Maltings masterplan.*

*5) Another longer term aspiration, contained in the masterplan, is 'if possible, the opening or re-engineering of the culvert on the main River Avon channel at the Maltings', in association with the corridor of green infrastructure which is a very important element within the masterplan. The stretch of river emerging from the culvert runs alongside the eastern boundary of the application site. While enhancing the green corridor at this point, and enabling public access to this stretch of the river, may be problematic, they are factors to be considered. It is certainly to be hoped that no works are carried out which might hinder the eventual achievement of green corridor enhancement.*

*The Civic Society's final point would be a restatement of its long-term hope that independent design review can be restored to the local planning system. The need to press on with this scheme was given as one reason for the original proposals not being subjected to design review, but in fact had such review taken place, and the original design accordingly amended, it is quite likely that the first application would not have been rejected. The failure to go to design review may therefore in fact have delayed the whole process, rather than speeding it up.*

Third party representations have been received (at time of writing on 28 August) from 14 parties – 9 objections; 3 supports and 2 comments.

Summary of objections –

- **Maltings / Central Car Park 'Masterplan'** – re-development should be comprehensive (not piecemeal) covering all issues (access, permeability, parking, bus terminus, cycleways, riverside walks, improvement of wider public realm, post office, police, toilets, etc.); proposal is premature - piecemeal approach will not achieve reimagining of city; insufficient community engagement; failure to follow principles of Salisbury Vision.
- **Economic considerations** – Proposal is developer / profit-driven and not planned with the wider future of Salisbury in mind. No need for a gym (there are others nearby); no need for a hotel;
- **Library relocation** – library should not be relocated – existing location is better-suited; if existing library in poor state, then repair; [or] relocation should be put on hold until final and permanent (and properly planned) site in the Maltings has been agreed; library should not lose its other facilities (galleries, meeting rooms, reference library); library needs to maintain popularity, which this proposal will effect / cause decline;

- **Design / conservation** – proposal is out of keeping with historic character and scale of Fisherton Street and would have detrimental effect on setting of nearby buildings – ‘an ugly contrivance of mimicked architectural styles’; loss of listed building, albeit that this was demolished in the 1970’s [*the anomalous listed building status of the site has now been corrected by Historic England*]; materials not all suitable (more timber and brick required to fit in); form of development and uses unsuited for Fisherton Street – more small units for small niche businesses required (along the lines of Camden);
- **Parking** – provision should be made for cycle parking; no Travel Plan; car parking is not always available in Central Car Park;
- **Air quality** – no Air Quality Assessment with application; contrary to CP55;

Summary of supports –

- **Principle** – support hotel as no suitable accommodation in city – it will bring Salisbury into line with other cathedral cities such as Canterbury and Winchester; Appropriate location with access to established food and drink facilities;
- **Design** – appropriate for location; Fisherton Street would be enhanced with the addition of these new facilities both aesthetically and with increased footfall from visitors and locals.

Summary of comments / advice –

- **Wildlife** – the development should incorporate swift bricks.

Any further representations will be reported verbally to the Committee.

## 10. Planning Issues

The main issues to be considered in this case are, firstly, the principle of the proposal; and, regardless of the conclusions in respect of the principle, the impact of the specific scheme on detailed matters, including design, conservation, highway safety, ecology, drainage and residential amenity. There are also important material considerations in this case to be weighed in the balance.

### 10.1 Principle –

#### 10.1.1 Core Strategy principles

The Wiltshire Core Strategy sets out a ‘Settlement Strategy’ (Core Policy 1) and a ‘Delivery Strategy’ (Core Policy 2) for new development across the county. Proposed development which complies with the Settlement and Delivery Strategies will be sustainable in the overarching context of the Wiltshire Core Strategy.

The Settlement Strategy identifies four tiers of settlement – Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. With the exception of the Small Villages, each settlement has a defined boundary. Inside the boundaries new development which fulfils the defined purposes of the settlement will be acceptable as a matter of principle; outside of the boundaries, and so in the ‘countryside’, there is effectively a presumption against new development which should otherwise be inside.

Within the Settlement Strategy Salisbury is identified as being a Principal Settlement. Core Policy 1 explains that Principal Settlements “.... are strategically important centres and the



*primary focus for development*”; and there purpose is to “.... *provide significant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self-containment*”. The application site lies inside the Principal Settlement boundary. It follows that as a deliverer of jobs, community facilities and infrastructure, the proposal complies with the Settlement Strategy as a matter of principle.

Core Policy 20 of the Wiltshire Core Strategy sets out the specific ‘Spatial Strategy’ for the Salisbury Community Area. In the broadest terms it states that development in the Salisbury Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1. It further states that development proposals in the Community area will need to demonstrate how particular identified issues will be addressed. These include ensuring that Salisbury can maintain its place as an important retail centre in the face of intense sub-regional competition; and achieving significant enhancement to its retail core through development of the Central Car Park site to complement the historic street pattern of the city. As a matter of principle the proposal would contribute to the fulfilment of this Spatial Strategy. The detailed reasons are explained in later sections of the report.

In terms of tourism in general, Core Policy 39 of the Wiltshire Core Strategy, states that within the Principal Settlements [and Market Towns] proposals for tourist development of an appropriate scale (including tourist accommodation) will be supported [subject to a sequential assessment]. Core Policy 40 further confirms that proposals for hotels will be supported within Principal Settlements. The proposal, incorporating a hotel on a site which is sequentially acceptable (being within the City Centre and so preferable to out- or edge-of-centre sites) complies with Core Policies 39 and 40 as a matter of principle.

### **10.1.2 Principle – the changing ‘High Street’ and recent events**

Notwithstanding the clear policy support for sustainable, economic development within the limits of the Salisbury ‘Principal Settlement’ (and, in particular, within its centre), there are also other material considerations to which weight must be given. These include the evolving role of ‘High Streets’ in general, the importance of Salisbury as a tourist and business attraction, and the negative impacts of recent events in the city on its image.

The proposal would address each of these considerations by contributing to the re-defining of Salisbury’s role through the offer of a wider range of uses, and by providing demonstrably needed accommodation for tourism and business (compliant with strategic policy in any event). In terms of broader national planning policy, and as this broader policy requires, this amounts to planning for a strong, competitive economy, and is accordingly fully compliant.

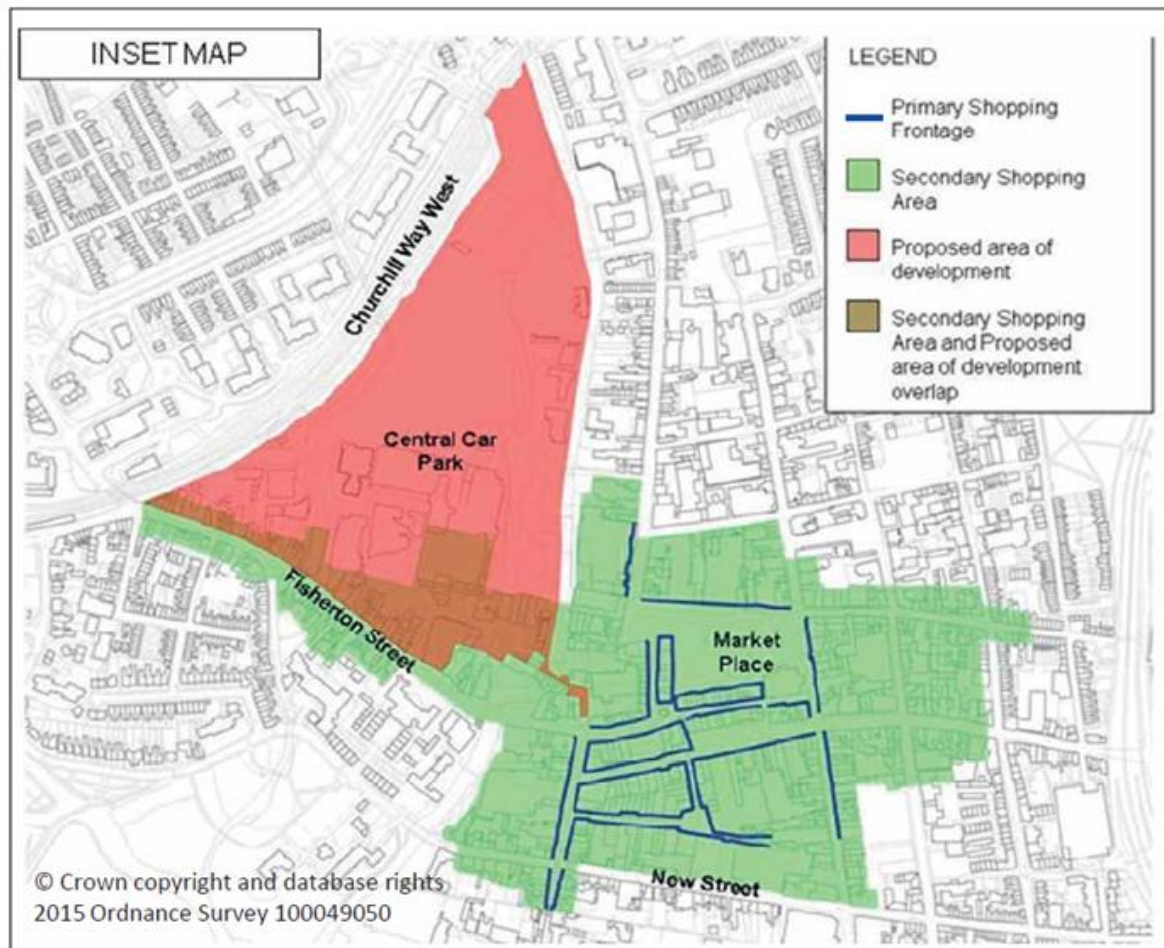
### **10.1.3 The Maltings and Central Car Park Site**

Core Policy 21 of the Wiltshire Core Strategy allocates the area around the Maltings, Central Car Park and Library for a retail led mixed-use development to enhance Salisbury City centre’s position as a sub-regional and cultural centre. The policy states the following:

*The redevelopment of the Maltings / Central Car Park will be sensitive to Salisbury’s skyline and respect the scale and building forms of the historic urban fabric. It will build on the city’s already strong retail offer to create a new quarter specifically designed to meet the demands of the modern shopper, and the modern retailer, with simple, regular shaped interior spaces which can be easily configured to meet a wide variety of needs and shop sizes.*

*The Maltings/Central Car Park will not be an enclosed shopping centre or self-contained mall style development, but a high quality outward looking design, which integrates into the city centre. Retail, residential and leisure areas will be linked by open, pedestrianised streets and*

public spaces, with an improved cultural area around the Playhouse and City Hall, improving legibility from the new development through the cultural area to Fisherton Street. Relocation or remodelling of the library will open up links to the Market Square. This open streetscape will connect the prime retail units and will include retail with an anchor store, residential and leisure areas.



**Extract from Wiltshire Core Strategy: Inset map accompanying Core Policy 21**

Appendix A to the Core Strategy sets out further requirements for strategic allocations in the form of 'Development Templates'. For the Maltings and Central Car Park site, requirements identified in its template include to ensure the continued viability and vibrancy of the whole of Salisbury city centre and to provide a replacement or remodelled library. In addition to new retail floor space, expected land uses across the site include leisure uses, a replacement or remodelled library, and an improved cultural area around the Playhouse and City Hall.

Appendix A further states that the 'delivery mechanism' for the Maltings and Central Car Park site should be "... a partnership between private and public sector based on frontloading a masterplan to be approved by the local planning authority as part of the planning application process. ...". A masterplan has now been completed, and was endorsed by the Strategic Planning Committee at its meeting on 19 June as a material consideration; the masterplan's relevance, and this planning application's compatibility with it, is considered further below.

At the highest / strategic level the proposal in this planning application complies with Core Policy 21, as it would commence the delivery of the wider Maltings and Central Car Park site

development (albeit in isolation) in accordance with the Design Template. Notably, the proposal would provide leisure uses – the hotel and gym – and a replacement library (these uses complementary to, and so leading to the required improvement of, the cultural area); and would, through the relocation of the library, enable early consideration of improving linkages between the Maltings and Market Square. It is anticipated that the proposal would be a catalyst for the progression of other elements of the Design Template.

#### **10.1.4 The Maltings and Central Car Park Masterplan**

Notwithstanding that the planning application can be considered in isolation and on its own merits (because it proposes a development which can stand alone in any event), in accordance with the Maltings and Central Car Park Site Development Template, a Masterplan has been completed, and has been endorsed – recently – as a material consideration. Accordingly, significant weight must be given to it in the determination of relevant planning applications.

Within the Masterplan five ‘Areas’ are defined where, having regard to their context and particular circumstances, different developments and/or uses are expected. The planning application site lies within Area 2 which is defined as the ‘Cultural Quarter’, principally in view of it including the existing City Hall and Playhouse. The Masterplan states that “*A Cultural Quarter around the Playhouse and City Hall will be delivered, with improved pedestrian access from the Market Square, via the Cultural Quarter, to Fisherton Street. Within the Cultural Quarter will be provision for a replacement library and art gallery*”. The Masterplan further states that within the overall Masterplan area a hotel will also be developed; specifically it states “*The site will also deliver a hotel to make a significant contribution to the city’s tourist economy. ...*”.

Accordingly, the proposal – which incorporates a library and hotel – complies with the Masterplan. The synergies between the existing cultural uses in Area 2, and in Fisherton Street in general, and the proposed uses would ensure that they are all compatible and complimentary. As set out above, significant weight must be given to the Masterplan as a material consideration in the determination of this planning application; the planning application is fully compliant with it.

#### **10.1.5 Relocation of library**

The relocation of the library per se is not a planning consideration; rather, it is a matter for the relevant service of the Council responsible for libraries to determine having regard to other day to day operational considerations. This said, the city centre location of the application site and the compatibility of a library within the ‘Cultural Quarter’ of the Maltings development, *and* the other intended outcomes of the Masterplan relating to improving linkages between the Maltings and the Market Place, mean that relocation of the library as proposed would not raise planning issues in any event.

### **10.2 Matters of detail –**

#### **10.2.1 Heritage and Design**

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the same Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

Core Policy 58 (ensuring the conservation of the historic environment) of the Wiltshire Core Strategy states that new development should protect, conserve and where possible enhance the historic environment.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to the significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 195 states that where a proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss (or unless other specified exceptional circumstances apply). Paragraph 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Historic England defines significance as “*the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*”. Setting is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.

### **10.2.2 Heritage Statement**

The application is accompanied by a Heritage Statement. This ‘scopes-out’ heritage assets affected by the proposal, and then defines the significance of these assets. The assets so scoped are Salisbury City Conservation Area (and in general terms the heritage ‘structures’ therein), the General Infirmary, the United Reformed Church, and nos. 38-40 Fisherton Street.

On the Conservation Area (and by implication, the buildings therein), the Heritage Statement notes the strong Victorian character of Fisherton Street overlaying its medieval origins. The statement says –

*“The architectural styles and local details in the Fisherton Street area span the periods from the late seventeenth century to the late nineteenth century and add to the architectural value of the Conservation Area, offering good and fine examples of the period housing stock ... and which is nationally a finite resource. All of this contributes to the architectural value of the Conservation Area”.*

The statement confirms that the Conservation Area is of considerable architectural and historical value, as is its setting.

On specific assets, the United Reformed Church (adjoining the planning application site) is noted to be of considerable historic and architectural value. Within its context of the Conservation Area the Heritage Statement says the following –

*“By far the most prominent feature within the Site [that is, the Conservation Area], and visible along the majority of Fisherton Street, is the spire of the Congregational Church, located adjacent to the Site. The spire is complimented and forms a symmetry with the lower, but similar linear form of the Grade II Listed Clock Tower (and former jail) located to the south. The retention of this skyline, with its linear structural forms with the prominence of the Church spire and flanked by the clock tower, is of key interest for any proposals at the Site”.*

In isolation the statement refers to the church as being “.... of considerable historic and architectural value”; with its setting “... making a moderate contribution to its setting”.

The General Infirmary (opposite the application site) is noted to have “considerable historical” and “some architectural value, largely reflecting the structure being a good example of a nationally rare building type”. Its setting makes a “moderate contribution” to its significance. Similar conclusions are drawn in relation to 38-40 Fisherton Street.

Regarding the existing building on the application site, the Heritage Statement considers its loss through re-development to be not necessarily harmful to other heritage assets, including the conservation area, but this dependent on the quality of the replacement. The Statement says –

*“The current structure located at the site, whilst not a negative contribution to the character of the Conservation Area, offers a pastiche take on the historic shop frontage which once was located on this section of Fisherton Street. As a result, the existing structure at the Site has dated badly and provided no sustainable use for the property following the vacation of the premises by two retailers. This unsustainable form, coupled with the unsympathetic use of steeply pitched roofs (designed originally to mimic those of the historic Maltings structures) within an area where this pastiche architectural detailing had no appreciable links to the modern setting, has meant that the current structure located at the Site has dated poorly”.*

The Heritage Statement’s assessment of the significance of existing heritage assets is broadly agreed. Most particularly it is acknowledged that Fisherton Street is a bustling, just out-of-city-centre thoroughfare, supporting a wide range of buildings of mixed age, scale and form, and in mixed, and predominantly, independent uses. Its character is essentially provincial, or ‘small town’, as is typical of many evolved Victorian suburbs. Amongst the transitional ‘suburbia’ there are a handful of more significant buildings which, intentionally or otherwise, dominate the street scene, these including the United Reformed Church and the General Infirmary. The existing building on the application site has a neutral impact in this context, neither detracting from nor enhancing the appearance and character of the area.

### **10.2.3 The proposal – design, context and heritage (and ‘skyline’)**

As set out in the ‘Proposal’ section of this report, the proposal is to replace the existing building with a more contemporary form of development. The footprints of the existing and proposed buildings would be similar, although with a slightly increased set-back on the Fisherton Street elevation. This increased set-back has two immediate benefits – firstly, allowing for an active ‘café terrace’ to be provided in the newly created open area; and, secondly, allowing the adjoining church to retain its dominance in the street scene (and allowing new views of part of the side of the church to be opened-up). These outcomes are both beneficial to the functionality of Fisherton Street and the setting and significance of the church.

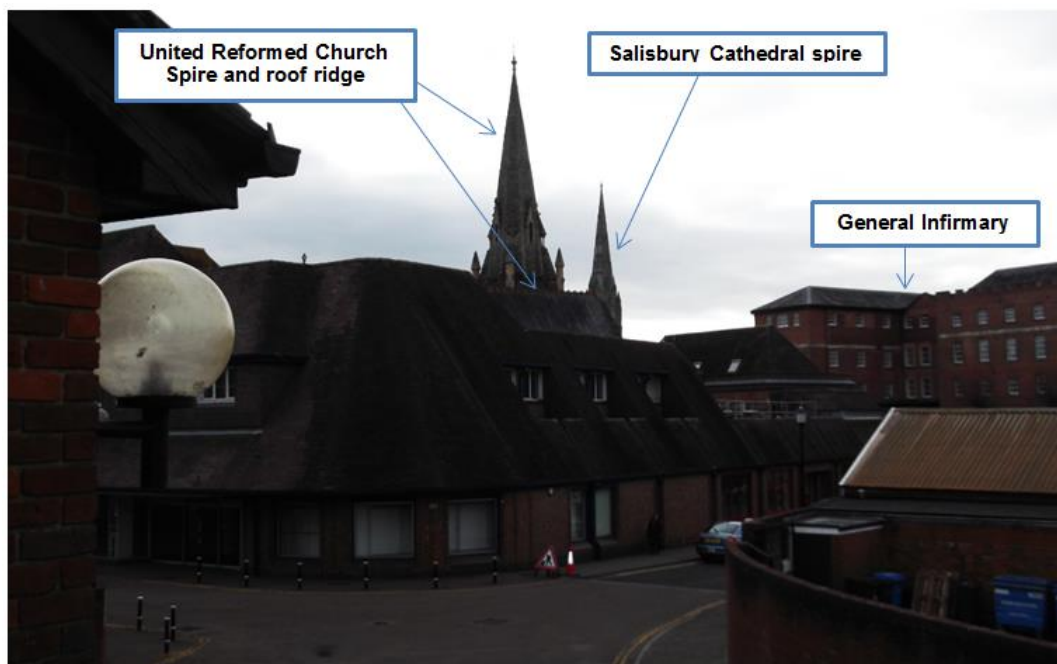
A significant difference between the current proposal and the earlier refused scheme is the reduction in its height. The building would now have three stories (rather than four, as previously proposed), with a maximum height (excluding lift over-runs) of 12.4m; the two lift

over-runs would increase this by a further 2.1m in two relatively small areas towards the rear of the building. The benefit of three stories is greater ceiling height on the ground floor, this appropriate for its intended public use (the library in particular).

Core Policy 22 of the Wiltshire Core Strategy states that in the Salisbury Central Area new development will be restricted to a height that does not exceed 12.2m (40ft) above ground level. Decorative features that contribute to the form and character of the wider roof-scape may exceed this figure; and in exceptional circumstances, and where there is adequate demonstration, development more generally in excess of 12.2m will be permitted if it would not cause harm to the roof-scape of the city and/or views of the cathedral; would be essential for the long term economic viability of the city; and has the height that is required to ensure the most efficient use of land.

The proposal exceeds the 12.2m 'rule' by just 20cm. In terms of the actual intentions of the policy (that is, to safeguard the city's roof-scape and views of the cathedral), this slight (and negligible in any event) infringement is justified. Within the vicinity of the application site there are no designed and/or meaningful views of the cathedral – indeed, lines of sight in the direction of the cathedral are largely screened by existing developments, including the United Reformed Church (see annotated photograph below). And similarly, views of the site from the cathedral across the city's roof-scape are largely hidden (again, by the higher ridge line of the intervening United Reformed Church), or are dominated by other larger scale buildings (notably the General Infirmary). It follows that within its immediate context the proposed building would not cause harm to the city's roof-scape, and so not undermine the intentions of Core Policy 22 or set a precedent.

The two lift over-runs add additional height, but in two small areas of the roof only. To reduce their impact quirky circular designs are proposed, and this moves them into the realms of 'decorative features', acceptable under the terms of Core Policy 22 in any event. Other plant is proposed to be hidden in compounds on the low flat roofs, effectively behind the frontage buildings. The result is a proposal which is acceptable, this regardless of its height. The design and context are such that the exceptions set out in Core Policy 22 apply, meaning that the proposal is compliant with the policy.



View towards Cathedral from Maltings first floor colonnade

In terms of the detailed design of the building, the approach of breaking it up into terraces of visually separate buildings achieves a form and bulk which is very much in-keeping with established, and historic, buildings hereabouts. Unlike the previously refused scheme, each individual 'building' has a vertical emphasis to its appearance, in-keeping with the mainly Victorian form of Fisherton Street; and a scale at ease with the human-scale of most nearby buildings. To ensure the buildings 'read' as a terrace there is also much variety in their detailing, this in terms of window sizes and designs, fascia and eaves levels, the frontage relief, and external materials. With particular regard to materials, high quality, modern materials are proposed, including bricks (of varying shape and colour), glazed bricks, timber, pre-cast stone, and zinc cladding (in a variety of colours). In contrast with the earlier refused proposal, bold and clear entrances to the building are now defined – in particular to the library, which has a double-height entrance and which is prominently positioned on the Malthouse Lane / Priory Square corner (with a further entrance on Fisherton Street too).

The Design and Access summarises the evolution of the detailed design in the following terms –

*“The re-elevating of the original submission has led to a number of changes to the plan, layout and sections. These changes respond to the commentary received from the Planning Committee regarding the original proposal which was metropolitan and bland.*

*The principle issues expressed by the committee related to the wish to have a more articulated facade with more relief / movement. It was felt that Fisherton Street façade should have more verticality and the entrance to the Library would be better defined with signage/ lighting etc.. The level of detail needed further explanation and the quality and choice of materials better illustrated. The precast stone middle 'building' as drawn was ambiguous whilst the Priory Square elevation was bland. It was considered as this was outside the conservation area and would be the first new building in the Cultural Quarter it was possible to be of a more funky design ....*

*Our first approach was to consider the hotel, as it occupied the whole site, to be expressed as a single building. This would give it clarity of identity, however, with the library use being hierarchically a more important civic use the potential and apparent visual conflict altered our approach as to how these two principle uses could be expressed.*

*To reduce the overall height, the design has lengthened the Priory Square elevation by 2600mm extending it into the existing service yard. The hotel bedroom configuration can, with this strategic amendment, be accommodated on two floors enabling the height of the building to be reduced to meet the 40ft Core Policy 22 Salisbury Skyline with the exception of the lift overrun housings. These have been designed as circular housing in VM Zinc Pigmento blue cladding so that they are softer in overall appearance floating above the overall building skyline and reflecting the changing position of the day/sunlight throughout the day.*

*The overall roof configuration has been articulated in different forms with carrying parapet and edge details to respond to the surrounding building forms and scales.*

*The change of the layout of the hotel has enabled the ground floor accommodation to also benefit by increasing the floor to floor ceiling height, which is important due to the anticipated open plan nature of the volume. The proposed clear height from finished floor level to underside of the first floor slab will be 4,700mm, an increase of 1,000mm available currently in the existing Market Walk Library facilities.*



*Impression – Fisherton Street / Malthouse Lane*



*Impression – Malthouse Lane / Priory Square*



*These initial studies have informed the current application, together with the feedback received. The new application has focussed on redefining the overall height of the building as well as addressing the aesthetics of the conservation area. The adoption of the Malting Masterplan by Wiltshire Council has enabled the library entrance to be focused on the Cultural Quarter and Priory Square, rather than Fisherton Street.*

*The Fisherton Street Conservation Area has a typical Victorian grain in the overall streetscape with a number of Victorian developments occupying frontage plots of 12-15m such as numbers 86/90, 92/94 and 98/100. This size of frontage has informed the design cresting variety within the overall proposal articulating the various bedroom sizes forming a rhythm within the elevational treatments.”*

The form, bulk and design of the development now presented is considered entirely appropriate for this situation. It is a modern take on the traditional buildings hereabouts at a scale and in a form which fits with the provincial character of this part of the city. It is not a pastiche, but instead introduces something new and different, and ultimately unique to Salisbury, and so in the best traditions of the city. At the same time the proposal is respectful of its setting, neither dominating nor competing with nearby listed buildings, including the church and the General Infirmary which will continue to be the principal public buildings in Fisherton Street. In terms of heritage policy the proposal would, therefore, have a neutral and/or slight beneficial impact on these assets, and have similar neutral and/or beneficial impacts on other more distant listed buildings and the wider Salisbury Conservation Area. The skyline policy (CP22) has been discussed above, but in summing-up it is worthy of repeat that the reduced height of the proposal now brings it in line with the requirements, with the slight increase of 20cm over the 12.2m being negligible in this context anyway.

Overall, it is considered that the proposal is now for an acceptable form of development in terms of its form, bulk and scale, being appropriate in this situation and fully addressing the reason for refusal of the earlier application. Conditions are recommended to address the matters of fine detail required by the Urban Design Officer and the Conservation Officer.

### **10.2.5 Archaeology**

The application is accompanied by an Archaeological Desk-Based Assessment (February 2019) and an Archaeological Watching Brief (July 2019). The Desk-Based Assessment was prepared prior to fieldwork being carried out; its conclusion includes the following:

*This assessment has established that there is an archaeological interest within the Site. This is defined as the potential for the presence of buried archaeological remains, in particular relating to the buried structural remains of the Black Friars of Salisbury’s Dominican Friary, which was located within the site. Remains could include structural remains relating to the Church or other structures, and possibly additional monastic inhumation burials. Any such remains, if present, would be of regional and national significance.*

*There have been multiple phases of occupation and redevelopment within the Site, beginning with the medieval friary, which was gradually superseded by post-medieval houses, potentially re-using the substantial foundations of the Church, ancillary structures and land divisions. Each of these phases will have had an impact upon the survival of any archaeological deposits present within the Site. The impact of the existing 30-36, Fisherton Street upon buried archaeological remains may be limited to the footprint and radius of the pilings used as support for the structure. The ground levelling works may not have extended to a sufficient depth (2.30 m) to encounter the medieval and post-medieval deposits.*

*Moreover, it was observed during the Site Visit that the ground level had been further raised prior to the redevelopment of the Site in 1978.*

*In the absence of clear evidence to the contrary, it should be assumed that there is the potential for buried archaeological remains, especially those pre-dating the 18th century, to survive well within the site.*

*Any adverse impact to buried archaeological features as a result of the implementation of the development proposals would be permanent and irreversible in nature. However the proposals for piled foundations will ensure that the impacts are distributed evenly across the site and confined to discrete locations.*

*The significance of any buried archaeological remains present within the site cannot currently be accurately assessed on the basis of the available evidence. Further archaeological investigation will be required to determine the level of preservation and extent of any buried archaeological remains.*

*It is proposed to carry out an archaeological watching brief during geotechnical works which are to be carried out within the Site prior to the determination of the planning application. These works will entail the excavation of 11 trial pits, as well as boreholes and window samples. The results of the watching brief have the potential to provide valuable information regarding the presence, depth and degree of survival of any buried archaeological remains associated with the Friary, as well as having the potential to shed light upon the possible layout of the Friary. Following consultation with the archaeological advisor to Wiltshire Council, it is proposed to submit a Written Scheme of Investigation for an archaeological watching brief to the LPA in advance of the geotechnical works.*

*In the light of the Desk-Based Assessment the Council's Archaeologist requested additional fieldwork to be carried out. This is reported in the Watching Brief. The key conclusions as follows:*

*The results of the work have indicated that inhumation burials, aligned W-E, extend across an area of approximately 50 m E-W and 20 m N-S, which constitutes the entire northern part of the proposed development. These results have provided the first indication of the extent and location of a cemetery attached to the friary; the southern extent remains unconfirmed. These inhumation burials are most likely related to the medieval friary and, as such, represent a very small sample of the associated cemetery population. Despite these limitations the results provide some embryonic information of the age, sex and lifestyle of this population sample. ....*

*No trace was found of the priory building, either as foundations or demolition rubble, from which it seems likely that the priory complex was located further to the north.*

*No assessment of deposits or structure preservation was possible at points on the Fisherton Street frontage.*

*The results of the work have also produced important information for consideration for future redevelopment. It has been demonstrated that there is considerable potential for further significant archaeological discoveries to be made across the site.*

*The site apparently lies outside, probably to the south of, the boundaries of the friary buildings but lies within the adjacent cemetery. It is clear that considerable damage to these archaeological deposits, specifically to those of involving human remains, went unobserved and unrecorded during the previous redevelopment. Nevertheless, additional material undoubtedly remains undisturbed.*

*Demolition of the existing building which involves total removal of the existing foundations will undoubtedly result in additional damage to the human remains.*

*No investigations were possible across the southern part of the site. This portion remains of considerable interest and is likely to include traces of buildings which fronted onto Fisherton Street. This route, which provided primary access to the medieval city of Salisbury from the west, has provided scant archaeological opportunities for investigation.*

*Any structures may relate not only to the friary complex but also to occupation following the dissolution. It is possible that preservation has been enhanced by deposition of material to raise the south side of the existing building.*

In the light of these findings the County Archaeologist recommends a condition requiring a written programme of continuing archaeological investigation to be prepared, approved and implemented.

### **10.3 Highway Safety**

Core Policies 60 to 66 of the Wiltshire Core Strategy relate to transport matters in general. Notably, Core Policy 60 states that the Council will use its planning and transport powers to help reduce the need to travel, particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within the county. This will be achieved by:

- i. Planning developments in accessible locations;
- ii. Promoting sustainable transport alternatives to the use of the private motor car;
- iii. Maintaining and selectively improving the local transport network in accordance with its functional importance and in partnership with other transport planning bodies, service providers and the business community;
- iv. Promoting appropriate demand measurement measures;
- v. Influencing the routing of freight within and through the county;
- vi. Assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment.

The proposal includes provision of 5 on-site parking spaces (for the hotel).

The application is accompanied by a Transport Statement which assesses the impact of the proposal on all forms of transport to and from the site. Using TRICS<sup>1</sup> data to inform the analysis, the Transport Statement concludes the following:

*“As the gym and library are relocating from their existing premises the number of new trips to the proposed development will primarily be those to the hotel and restaurant<sup>2</sup> land uses. Based on the trip rates presented above, these land uses are anticipated to generate 17 two-way vehicle trips in the AM peak hour and 17 two-way vehicles trips in the PM peak hour. It is anticipated that the proposals will generate 53 two-way people movements in the AM peak hour and 110 two-way people movements in the PM peak hour for all proposed land uses.*

*It is considered that the anticipated level of proposed development traffic will not have a significant adverse impact on the operation of the local transport network.*

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<sup>1</sup> TRICS (Trip Rate Information Computer System) is a database of trip rates for development types used for transport planning purposes, specifically to quantify the trip generation of new developments.

<sup>2</sup> The restaurant element of the original proposal was removed during the evolution of the first application.

*Based on the vehicle arrival and departure trip rates, it is estimated that an 86 bedroom hotel will see the vehicle accumulation between 07:00 and 21:00 vary by around 15 vehicles, with the least vehicles present at 11:00 and the maximum vehicle accumulation occurring overnight.*

*Parking surveys at The Maltings Shopping Centre and a number of Council car parks were undertaken in 2017 as part of a Parking Assessment exercise undertaken by Mayer Brown. The survey results showed that the existing car parks do not reach full capacity at any time during the week or at weekends. Therefore it is expected that the low number of vehicles predicted to be associated with the hotel use will be able to be accommodated in the local car parks with occupancy levels overnight being recorded as being less than 20% full.*

.....

*The local area has adequate pedestrian and cyclist facilities which provides good connectivity between the site and local facilities. The site is situated approximately 100 metres from the nearest bus stops and is approximately a five minute walk to the rail station.*

*It is considered that the anticipated level of proposed development traffic will not have a significant adverse impact on the operation of the local transport network with vehicles associated with the proposed development able to be accommodated in the local car parks.*

*The proposed development layout can be safely accessed and serviced from the existing highway network. In conclusion, there is no highways and transport reason why the development should not be permitted".*

These outcomes are agreed by the Council's Highways Officer. Essentially this is a city centre location with excellent pedestrian, cycle and public transport accessibility, and with adequate public car parking facilities to meet the demands of the proposed development. The wider highway network can accommodate the limited levels of additional traffic generation. There are no highway safety issues around the use of existing roads and junctions within the locality.

On cycling, a condition is recommended requiring provision of bike parking facilities – this to encourage transportation means other than just cars.

The application site lies within the Salisbury Air Quality Management Area. However, as this is a re-development proposal, the implications for this designation are not considered to be significant.

#### **10.4 Flood Risk and Drainage**

The application site lies mainly within Flood Zone 2 although with small sections within Flood Zone 3 (beside the river) and within Flood Zone 1 (adjacent to Priory Square).

##### **10.4.1 Flood risk**

In view of the site's location mainly within Flood Zone 2, and in view of the proposal involving a change from a 'less vulnerable' use (retail) to a 'more vulnerable' use (hotel, albeit at first floor level)) it is necessary for the 'Sequential Test' to be applied. According to the NPPF, the aim of the sequential test is to steer new development to areas with the lowest risk of flooding (namely Flood Zone 1); development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Applying the Sequential Test in this instance it is considered that the proposal 'passes'. This is because there are no other sites reasonably available and/or

being delivered at this time outside of Flood Zone 2 for a sustainable city centre hotel such as this.

In situations where it is not possible for development to be located in zones with a lower risk of flooding, it is then necessary to apply the 'Exception Test'. According to the NPPF, the need for the Exception Test depends on the potential vulnerability of the site and of the development proposed; and for the Exception Test to be passed it should be demonstrated that –

- (a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.

To assist consideration of the Exception Test the application is accompanied by a Flood Risk Assessment (FRA). Based on fluvial flood depth data supplied by the Environment Agency, a design fluvial flood level (the 1% Annual Exceedance Probability, plus an appropriate allowance for climate change) is c. 46.9 metres AOD. In its response to the earlier application the Environment Agency accepted this figure, and accordingly concluded as follows:

*“The proposal is for a library, gym and restaurant at ground floor level, with the hotel (the ‘more vulnerable’ flood risk use) at first floor level and above. The FRA proposes a 300mm freeboard allowance for setting minimum finished floor levels. This allowance should be considered the absolute minimum. A larger freeboard allowance, closer to 600mm, is recommended. However, mindful of the proposed ‘less vulnerable’ use at ground floor level, and the applicants’ use of the most up-to-date, improved, fluvial hydraulic modelling data we [the Environment Agency] have no objection to the proposed finished floor levels as set out in the FRA. Specifically, the library, fronting Fisherton Street, set no lower than 47.2 metres AOD. We note the gym, restaurant, and hotel entrance to the rear of the site will be set a little higher at 47.375 metres AOD by virtue of higher ground level in Malthouse Lane/Priory Square”.*

Accordingly the Environment Agency raised no objection, subject to conditions.

At the time of writing the Environment Agency had not responded to the current planning application. However, it can be reasonably concluded that it will maintain a ‘no objection’, there being no changes in circumstances to those referred to by the Agency in its response above. A response is expected before the meeting and will then be reported.

#### **10.4.2 Surface water drainage**

The application is also accompanied by a Surface Water Management Plan. It sets out proposals for the management of surface water from the site, and these comprise a combination of SUDs measures in the form of ‘blue’ and ‘green’ roofs, and permeable paving. In combination these measures would restrict/control surface water flows to the River Avon (via a pump, trap and existing manhole) to no more than 2 l/s; this is a better outcome than the present arrangements at the site, and so satisfies (a) and (b) of the Exception Test (referred to above).

In the event of exceedance, the Management Plan proposes the following –

*“The exceedance route in events in excess of the 100 year plus 40% climate change events will surcharge from the lowest manhole with the lowest cover level, which is in the service*

yard area. The flooding will be stored here before draining back into the permeable paving when flooding subsides before leaving the site”.

The Council’s Drainage Officer has raised a holding objection, but this is in view of requirements for additional information relating to the design of the surface water drainage scheme and an emergency plan. These are both matters that can be covered by planning conditions in the event of planning permission being given.

### **10.4.3 Foul water drainage**

Wessex Water raises no objections subject to there being no surface water drainage connections to the foul system. This is a matter for a planning condition.

### **10.5 Biodiversity**

The application site is adjacent to the River Avon – a designated Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

The application is accompanied by a Preliminary Ecological Appraisal. It concludes on ecological considerations as follows:

*Redevelopment of 32-36 Fisherton Street requires demolition of all buildings within the site. The nature and location of the site means that it has very limited opportunities to support protected species of fauna and no nature conservation habitats of Importance. Notwithstanding this, the site is adjacent to part of the River Avon SAC & SSSI which is a linear site with a conservation value of National Importance.*

*Further surveys are necessary to inform whether bats roost at the site and if so the species and roost types. If bat roost sites are present then a European Protected Species mitigation licence will be required before the site is demolished and roosts destroyed. A licence will be legally binding. It will compel the applicant to deliver a pre-agreed mitigation strategy and compensatory bat roosting provision in the replacement building so that there are no negative impacts on the local population of bats.*

*Common species of birds could also nest in the building and so demolition must be timed to avoid an offence; new nesting provision should also be made.*

*It is vital that the development does not result in pollution of the River Avon watercourse either directly or indirectly in the pre, during or post development stages. Biodiversity gain can be achieved by providing additional bat and nesting bird sites so that the proposals can remain compliant with legislation and policy and result in no permanent negative effects on bats, birds or the interests of the River Avon SAC/SSSI.*

Planning conditions can address the requirement for bat surveys at the appropriate time. Protection of the river can be assured by means of a Construction Environmental Management Plan at time of construction, and the Surface Water Management Plan addresses discharges from the site into the river.

A third party representation requests that ‘swift bricks’ are utilised in the new build to provide nesting opportunities for swifts. This would be in addition to other bird and bat boxes. The applicant is agreeable to this, and accordingly – and because Core Policy 50 of the Wiltshire Core Strategy seeks protection *and* enhancement of biodiversity – a condition is recommended.

## **10.6 Residential amenity**

Core Policy 57 of the Wiltshire Core Strategy requires new development to make a positive contribution to the character of Wiltshire through, amongst of things, 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.

The Council's Public Protection Officer has highlighted that the proposed uses may have the potential to generate noise and odours. Accordingly conditions are recommended requiring schemes to ensure the building is suitably insulated and equipped to eliminate these.

Conditions are also recommended relating to air quality improvement and potential contamination.

The proposed building would be sited close to the adjacent United Reformed Church. However, there is sufficient separation between the buildings to ensure light levels at the church would not be adversely affected. The relationship between the two buildings would be similar to what presently exists, the change is not considered to be overbearing, and is not considered inappropriate within the city centre context where buildings often stand cheek by jowl.

## **11. Conclusion**

The proposal seeks to re-develop this site to provide a hotel, gym and library. This as a matter of principle complies with the Core Strategy, and notably Core Policy 21 which allocates the area around the Maltings – including the application site – for a mixed-use development to enhance the city centre's position as a sub-regional and cultural centre.

The design of the proposed building in this revised application has taken on board the concerns, and the reason for refusal, arising from the earlier application. Notably, the building that is now proposed remains uniquely contemporary, but at a scale and in a form which relates to, and compliments, its surroundings. Through relief and articulation, and through the use of a wide palette of high quality external materials, the component parts of the building fit with the grain of established development in the area, so having a neutral and/or beneficial impact on existing heritage assets whilst achieving something which will be unique and special for Salisbury. At the highest level, this will be the first phase of the Maltings/Central Car Park re-development in accordance with the now endorsed Masterplan; and will result in enhancement of the 'Cultural Quarter', general betterment of the city centre in economic terms, and the provision of a new library facility.

Accordingly the application is recommended for approval.

## **RECOMMENDATION**

### **To GRANT planning permission subject to the following conditions:**

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

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

2. Notwithstanding the details shown on the submitted application particulars, no development shall commence on site (other than demolition and related site clearance) until the exact details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission, in the interests of visual amenity and the character and appearance of the area, which is a conservation area.

3. No walls shall be constructed on site, until a sample wall panel (or panels), not less than 1 metre square, showing the external materials and mortar colours/depths/finishes, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel(s) shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area, which is a conservation area.

4. No development shall commence on site (other than demolition and related site clearance) until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers, canopies, parapet copings, roof details (inc. white metal 'crown'), building returns, vents, meters, and external plant have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area, which is a conservation area.

5. No development shall commence on site (other than demolition and related site clearance) until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include (where relevant) :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels;
- means of enclosure;
- vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials, and their detailed arrangement on the site;
- minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);



REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory setting for the development.

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

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

7. No part of the development hereby permitted shall be first brought into use until the access, turning area 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.

8. No part of the development shall be first brought into use, until details of secure covered cycle parking, together with a timetable for their provision, have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and timetable, and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

9. No part of the development hereby permitted shall be first brought into use until an assessment of the acoustic impact arising from the operation of all proposed external plant at all uses within the development has been undertaken in accordance with BS 4142: 2014 and BS8233. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures as necessary to ensure the rating level of noise emitted from the proposed plant shall be at least 5dB less than lowest background level and is protective of local amenity. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to first use of the development and thereafter be permanently retained.

REASON: In order to safeguard the amenities of the area in which the development is located.

10. No part of the gymnasium element of the development hereby permitted shall be first brought into use until a scheme of mitigation and validation for the gymnasium element has been undertaken that meets the noise requirements of NR25 (maximum noise rating level) and to so protect the hotel and library elements of the development. The

scheme shall be submitted to and approved in writing by the Local Planning Authority and shall demonstrate substantial compliance over a 1 hour LAeq taking due account of frequency.

The scheme must include details of stages of validation during the construction phase and a post construction scheme of validation and measurement to demonstrate substantive compliance. The gymnasium use hereby permitted shall not commence until the approved details are fully implemented and details of post construction validation have been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of the area in which the development is located.

11. No part of the development hereby permitted shall be first brought into use until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odour & fumes, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to safeguard the amenities of the area in which the development is located.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

13. No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) - Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant

- linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
  - An assessment of the potential risks to
    - human health,
    - property (existing or proposed) including buildings, service lines and pipes,
    - adjoining land,
    - groundwater and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

#### Step (ii) - Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

#### Step (iii) - Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

#### Step (iv) - Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

#### Step (v) - Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) - Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
  - i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
  - ii. A description of management responsibilities;
  - iii. A description of the construction programme;
  - iv. Site working hours and a named person for residents / interested parties to contact;
  - v. Detailed Site logistics arrangements;
  - vi. Details regarding parking, deliveries, and storage;
  - vii. Details regarding dust and noise mitigation;
  - viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
  - ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The CEMP shall be implemented at all times during the construction phase as approved.

REASON: In order to safeguard the amenities of the area in which the development is located.

15. The development hereby approved shall not commence (other than demolition and related site clearance) until an Air Quality Assessment (AQA) is carried out to assess the impact, if any, of the development on the Salisbury Air Quality Management Area. The AQA shall be carried out in accordance with the requirements of the Council's Air

Quality SPD; and where impacts are predicted, shall set out mitigation and a programme of implementation to address these. The development shall not commence until the AQA has been approved in writing by the local planning authority; and the development shall then be implemented and operated thereafter in accordance with the approved mitigation and related programme.

REASON: The application site is within an Air Quality Management Area where air quality objectives have been breached. In these circumstances Core Policy 55 of the Wiltshire Core Strategy requires new development to demonstrate that it will not exacerbate the situation and/or to propose mitigation measures as necessary, this in order to protect public health, environmental quality and amenity.

16. Notwithstanding the details sets out in the application particulars, no development shall commence on site (other than demolition and related site clearance) until a scheme for the discharge of surface water from the site (including the service yard), 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 until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

**INFORMATIVE:**

In preparing the scheme for the discharge of surface water the applicant should have regard to the response to the application from WC Drainage; in particular, those comments relating to the shortcomings of the Flood Risk Assessment and Surface Water Management Plan accompanying the planning application.

17. No part of the development hereby permitted shall be first brought into use until a flood emergency plan (Flood Warning and Evacuation Plan) has been submitted to and approved in writing by the Local Planning Authority. The emergency plan shall address all sources of flooding (river, surface water, groundwater and sewer), and shall set out prevention and evacuation measures in the event of a flood event. Following first use of the development the flood emergency plan shall be implemented if and whenever flood events occur.

REASON: To ensure safe access and escape routes during times of flooding.

18. Notwithstanding the details set out in the application particulars, the finished floor levels of the development hereby permitted shall be set no lower than 47.2 metres above Ordnance Datum (AOD).

REASON: To reduce the risk of flooding and to accord with the terms of the Flood Risk Assessment which accompanies the planning application.

**INFORMATIVE:**

In view of the potential flood risks in this locality, the Environment Agency advises that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Guidance is available within the Department for Communities and Local

Government publication 'Improving the Flood Performance of New Buildings – Flood Resilient Construction, May 2007' available at:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

19. No development approved by this permission shall commence (other than demolition and related site clearance) until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

INFORMATIVE:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include calculations to demonstrate how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

20. There shall be no surface water drainage connection to foul water drainage systems.

REASON: To reduce the risk of flooding.

21. No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) of the existing building to be demolished has been carried out. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to secure the proper recording of the existing building.

22. No works for the demolition of the existing building or any part thereof shall commence on site until evidence that there is an interested party obliged to complete and/or occupy the replacement development (such as a valid Agreement for Lease of the replacement development) has been submitted to and approved in writing by the Local Planning Authority.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the visual amenity of the locality, which is within a designated Conservation Area.

23. A written programme of archaeological investigation and mitigation, promoting better understanding of the impact of the proposed development, which should include both on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority;

The approved programme of archaeological work has been carried out in accordance with the approved details.

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

24. Prior to commencement of the development hereby approved (other than demolition and related site clearance), a scheme for the incorporation of bat and bird boxes (including swift bricks) into the new building works shall be submitted to the local planning authority for approval in writing. The bat and bird boxes / swift bricks shall be incorporated in accordance with the approved scheme and retained for nesting purposes in perpetuity thereafter.

REASON: To ensure enhancement of ecological interests in accordance with Core Policy 50 of the Wiltshire Core Strategy.

25. The development shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal by Ecological Consultancy Services Ltd dated February 2019; in particular, those recommendations requiring further bat surveys to be undertaken at particular times of the year.

REASON: To safeguard ecological interests, notably bats.

26. No development shall take place until a plan detailing the protection and enhancement of the adjacent SAC (Hampshire Avon River) and its associated habitats and species has been submitted to and agreed in writing the local planning authority. The plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the local planning authority. The species/habitat enhancement and protection plan shall be carried out in accordance with a timetable for implementation as approved.

REASON To protect the Hampshire Avon and its habitat within the development site, and to avoid damaging the site's nature conservation value.

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

3097-A-1500 P02 (Site location plan) dated 31/07/19

3097-A-1600 P04 (Ground floor plan) dated 31/07/19

3097-A-1601 P04 (First floor plan) dated 31/07/19

3097-A-1602 P04 (Second floor plan) dated 31/07/19

3097-A-1603 P02 (Roof plan) dated 31/07/19

3097-A-1630 P02 (Elevations – sheet 1) dated 12/08/19

3097-A-1631 P02 (Elevations – sheet 2) dated 12/08/19

3097-A-1632 P02 (Elevations & sections – sheet 1) dated 12/08/19

3097-A-1633 P02 (Elevations & sections – sheet 2) dated 12/08/19

3097-A-1650 P02 (Elevation / section detail building A) dated 09/08/19

3097-A-1651 P02 (Elevation / section detail building B) dated 09/08/19

3097-A-1652 P02 (Elevation / section detail building C) dated 09/08/19

3097-A-1653 P02 (Elevation / section detail building D) dated 09/08/19

3097-A-1655 P02 (Elevation / section detail building E) dated 09/08/19

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

28. INFORMATIVE:

An environmental permit is required for any works within 8m of a main river, such as the River Avon. For more guidance on environmental permits, consult the Wiltshire Council website.

The Environment Agency issue environmental permits, however, as Wiltshire Council have the lead responsibility for surface water management, the discharge rate from the site must be agreed with the Council.

29. INFORMATIVE:

This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

30. INFORMATIVE:

The applicant should note that the costs of carrying out a programme of building recording and archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

31. INFORMATIVE:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If it is intended to carry out works in the vicinity of the site boundary, the applicant is also advised that it may be expedient to seek independent advice with regard to the requirements of the Party Wall Act 1996.

32. INFORMATIVE:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

33. INFORMATIVE:

The applicant is advised that Council offices do not have the facility to receive material samples. If samples are required then they should be delivered to site and the Planning Officer notified accordingly.

34. INFORMATIVE:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition,



you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).