

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	04 February 2021
<b>Application Number</b>	19/11849/FUL
<b>Site Address</b>	2 Pinckneys Way Durrington SP4 8BU
<b>Proposal</b>	Erection of three pairs of semi-detached houses with associated access, parking and landscaping following the demolition of existing property
<b>Applicant</b>	Mr D Quest
<b>Town/Parish Council</b>	DURRINGTON
<b>Electoral Division</b>	Durrington and Larkhill – Cllr Graham Wright
<b>Grid Ref</b>	415506 144353
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Julie Mitchell

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

Cllr Graham Wright has called the item to committee on the grounds of design and scale of the development, the relationship to adjoining properties, the visual impact upon the surrounding area, and highways impact and car parking.

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

**2. Report Summary**

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

- Principle of Development;
- Character of the Area;
- Design;
- Residential Amenity;
- Highway Safety and Parking Provision;
- Ecology Implications; and
- Trees

The application has generated an objection from Durrington Town Council. Third party representations have been received from a number of local residents with a total of 10

neighbouring occupiers raising objections/concerns. Issues raised by consultees have been resolved or addressed by recommended conditions where appropriate.

### **3. Site Description**

The site is situated in the existing built up area of Durrington as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is surrounded on all sides by other residential properties and their associated amenity/parking provision. The existing dwellings in this area are an eclectic mix of styles, ages and heights ranging from bungalows to 2 storey properties; and include detached and semi-detached properties. As a result, there is no general uniformity in the street scene.

The site currently comprises a large, spacious residential plot situated at the corner of Stonehenge Road and Pinckneys Way. The site is developed with one detached single storey dwelling sitting roughly centrally within the plot but at an angle to its boundaries. The remainder of the site is currently used for parking, gardens and incidental outbuildings and garaging. The site level is relatively flat. Access to the site is served off Pinckneys Way which adjoins the south-western boundary of the site. The boundary to Stonehenge Road being an uninterrupted hedgerow and there are a number of trees in the gardens between the boundary and dwelling along this site of the site.

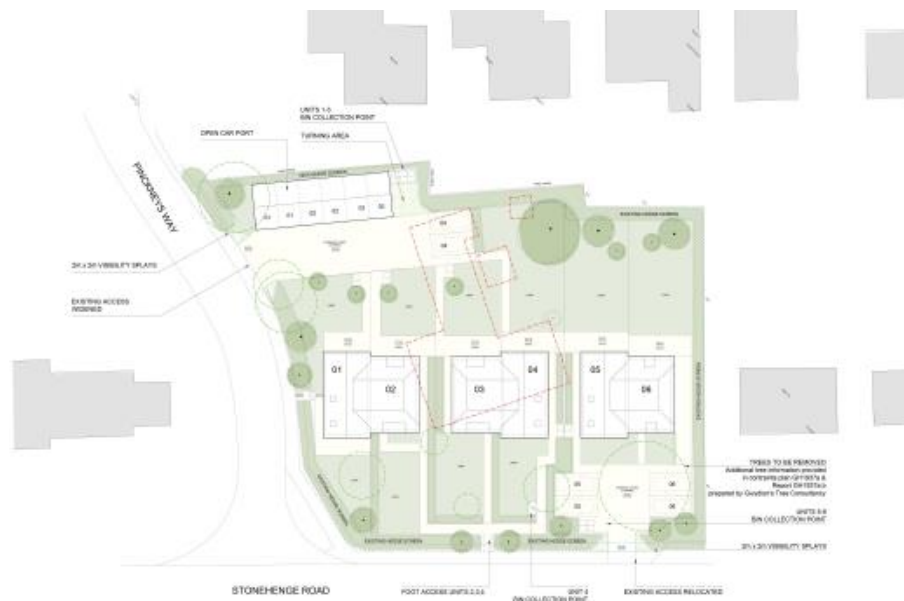
### **4. Planning History**

No relevant planning history has been identified for the site.

### **5. The Proposal**

This is a full planning application proposing the demolition of the existing dwelling and outbuildings and development of 6 two-storey dwellings arranged as three pairs of semi-detached houses which would front Stonehenge Road. The existing access from Pinckneys Ways would be retained giving access to a parking area for 4 of the dwellings comprising 6 covered parking bays and 2 open parking bays (2 per dwelling). Following revisions to the scheme, a single vehicular access off Stonehenge Road would be formed to provide access to 2 of the dwellings with 2 parking space per dwelling. A separate pedestrian access to the other dwellings is also proposed. The proposed dwellings would be in alignment with the development along Stonehenge Road.

### **PLAN A – Proposed site plan**



## 6. Local Planning Policy

Wiltshire Core Strategy:

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP3 (Infrastructure Requirements)

CP4 (Amesbury Community Area)

CP41 (Sustainable Construction & Low Carbon Energy)

CP43 (Providing Affordable Housing)

CP50 (Biodiversity and Geodiversity)

CP57 (Ensuring High Quality Design & Space Shaping)

CP58 (Ensuring the Conservation of the Historic Environment)

CP61 (Transport & Development)

CP62 (Development Impacts on the Transport Network)

CP64 (Demand Management)

CP69 (Protection of the River Avon SAC)

Wiltshire Housing Sites Allocation Plan 2020

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework 2019 (NPPF)

Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

Durrington & Larkhill Design Statement

Creating Places Design Guide SPG (April 2006)

Achieving Sustainable Development SPG (April 2005)

## 7. Summary of consultation responses

### Highways – No objection subject to conditions and informatives

- The site is located on the junction of Pickneys Road and Stonehenge Road, which subject to speed limits of 30 mph.
- It is proposed to provide 3 points of access, one from Pickneys Road in the existing location and allowing access to the proposed 6 vehicle parking spaces for units 1-3, two further access points are proposed from Stonehenge Road which give access to the 6 vehicle parking spaces proposed, one access is solely for the vehicle parking associated with unit 4 and the other allows access to the vehicle parking areas for units 5 and 6.
- The vehicle crossovers shown for the parking access have been indicated as having 2m x 2m pedestrian visibility splays.
- I would not wish to raise an objection to the proposed development subject to the following conditions and informative.
- CONSOLIDATED ACCESS - The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter. REASON: In the interests of highway safety.
- INFORMATIVE - The application involves the creation of new vehicular accesses. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

Updated comments:

- Amended plans have been received which remove a proposed access to parking for Plot 4 off Stonehenge Road.
- The vehicle parking provision has been provided from the rear and the existing access from Pickneys Way where the parking for plots 1-3 is proposed, the addition of two spaces in this area has required a turning space to be provided within the parking area, which satisfies the requirement to enter and exit the public highway in a forward gear.
- The amendments do not give rise to any further comment from highways other than to state that the revised parking arrangement would be deemed acceptable.
- The previous Conditions and Informatives would still be applicable.

### Archaeology – No objection

#### Arboricultural Officer - No objection

- I visited site yesterday and I am not inclined to TPO any trees therefore I can't really object.
- However, I think in an idea world the applicant should work around the pollarded tree near the main road (most likely a Walnut (difficult to be sure from a distance)).

- The only other comment I would make is that the current proposal results in a significant net loss of tree cover.
- If the site was less heavily developed there would be more opportunity for some replanting.

**Drainage** – No comments received

**Ecology** – Support subject to mitigation and Appropriate Assessment

- The scheme is for demolition of the existing house and outbuildings set in mature gardens, and construction of 3 pairs of new semidetached dwellings with parking access and landscaping.
- The site is within the River Avon catchment, the River Avon is designated as a Special Area of Conservation (SAC). The site is also within the 6400m buffer for the Salisbury Plain SAC and therefore an appropriate assessment must be carried out by the local planning authority for these SAC sites – this is provided below.
- An ecological survey report is provided ‘Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Bat Activity Surveys Report’ 11<sup>th</sup> July 2019, ABR Ecology Ltd.
- The desk study, surveys and assessment are considered sufficient and have identified features requiring protection and mitigation during clearance/ construction works and in the longer term. These include roosting Brown Long-eared bats, Hedgehogs and nesting birds. Fruit trees to be removed are identified as valuable and are to be replaced through proposed planting. The proposed mitigation will need to be secured by suitable condition and should be included, or reviewed by an ecologist and submitted for approval to the LPA (Local Planning Authority), within any detailed landscaping proposals.
- It is noted that whilst the full range of three dusk/ dawn surveys were carried out and identified only a single Brown Long-eared bat using the roost, there were a high number of droppings recorded in various locations within the loft and it is noted that this bat is difficult to detect in dusk surveys in particular. Therefore whilst sufficient information and mitigation is provided for the planning application decision, it is recommended that the numbers of bats and type of roost may need to be further assessed for the bat licence process.
- Any External lighting details should be approved by the local planning authority in advance of installation.
- Protected species - 3 derogation tests

The proposals within this application could potentially affect European protected species (bats). In light of ODPM Circular 06/2005 (para 116) and the Conservation of Habitats and Species Regulations 2017, the 3 “derogation” tests, as set out in Regulation 55 must be considered in reaching a recommendation.

The 3 tests are:

1. The activity ... must be for imperative reasons of overriding public interest or for public health and safety (IROPI)
2. There must be no satisfactory alternative
3. Favourable conservation status of the species must be maintained.

In this case, the LPA has sufficient information to be able to consider the 3<sup>rd</sup> test and it is considered that favourable conservation status of Brown Long-eared bats can be maintained, subject to securing the mitigation measures within Section 5 Ecological

Mitigation, Compensation and Enhancement' Strategy and Appendix 9 Mitigation and compensation strategy – bats' of the Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Bat Activity Surveys Report' 11<sup>th</sup> July 2019, ABR Ecology Ltd through suitably worded condition, should the application be approved. The LPA (case officer) will also need to consider the 1<sup>st</sup> and 2<sup>nd</sup> test before determining the application.

- Appropriate assessment for Salisbury Plain SPA

This application lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into appropriate assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. The qualifying features for Salisbury Plain SPA are non-breeding hen harrier and breeding populations Eurasian hobby, common quail and stone-curlew. Conservation objectives for the SPA and supplementary advice for implementing them have been published by Natural England (NE). Development coming forward under the Wiltshire Core Strategy is only anticipated to impact one of these species, the stone-curlew. This is a ground nesting species which research shows is particularly sensitive to disturbance by people and people with dogs. The unique character of the Plain attracts many visitors and a recent study has demonstrated 75% of these live within 6.4 km. Within this zone housing allocations from the Core Strategy, Housing Site Allocations Plan, Army Basing Programme and Neighbourhood Plans have the potential to lead to significant effects through their combined recreational pressure.

The Council's housing plans are mitigated through a project funded by the Community Infrastructure Levy (CIL) which records where stone-curlews breed and works with farm managers to maximise breeding success. The project was agreed with Natural England in 2012 and reviewed in 2018 and continues to provide an effective, timely and reliable means of mitigating any additional effects arising from new residential development.

It is recognised that the pressures at Salisbury Plain are changing and in the future further mitigation for this species may be necessary. Experience has demonstrated landowners are willing to take up conservation measures and that interventions can be effective at sustaining the population. Where such measures may be insufficient, future housing plans may need to refocus housing delivery. For the time being the current strategy, in combination with mitigation implemented for the Army Basing Programme, appears to be adequate to support housing numbers up until 2026 even if these are above figures in the Wiltshire Core Strategy and Housing Site Allocations Plan. The Council is therefore able to conclude beyond reasonable scientific doubt, that development proposed under this application would not lead to adverse effects on the integrity of the Salisbury Plain SPA.

- Appropriate assessment for the River Avon SAC

The River Avon SAC qualifies as a European site on account of its Annex I habitat type, which comes under the category of 'watercourses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation. It also qualifies on the basis of its internationally important populations of the following Annex II species; Desmoulin's whorl snail, sea lamprey, brook lamprey, Atlantic salmon and bullhead. Conservation objectives for the SAC and supplementary advice for implementing them have been published by Natural England (NE). These are underpinned by targets for various chemical and physical attributes of the river in line with Common Standards

Monitoring Guidance (CSMG). Of particular relevance to development is the fact that elevated levels of phosphate are preventing the conservation objectives from being achieved and causing the river to be in unfavourable condition. Developments within the river catchment have the potential to contribute to elevated phosphate through foul water discharges from sewage treatment works and package treatment plants. The implications of development related phosphate inputs have been assessed through appropriate assessments for the Wiltshire Core Strategy and Wiltshire Housing Site Allocations Plan. Since these were prepared, Wiltshire Council and other Local Authorities in the Avon catchment have entered into a Memorandum of Understanding (MoU) with Natural England, Wessex Water and the Environment Agency agreeing to deploy a range of measures to ensure that development between March 2018 and March 2025 will be phosphate neutral. The MoU focusses on residential development down to single dwellings as the impacts arise from the in-combination effects of all developments in the catchment. The parties have agreed to an Interim Delivery Plan (IDP) which aims to secure a trajectory of phosphorus reductions in line with the spatial and temporal pattern of housing delivery. Work is progressing on establishing an online trading platform for purchasing interventions to reduce phosphorus runoff. The MoU is reviewed annually to ensure the housing trajectory matches phosphorus reductions achieved on the ground and to ensure it remains fit for purpose as a result of the growing scientific evidence base.

In Wiltshire mitigation, management and monitoring identified in the IDP is being funded through the Community Infrastructure Levy (CIL) but where measures would not come under the definition of 'relevant infrastructure', the Council may pool S106 developer contributions.

At the current time, the above work enables the Council to conclude, beyond reasonable scientific doubt, that development proposed under this application would not lead to adverse effects on the integrity of the River Avon SAC.

Conditions:

- The development hereby approved shall be carried out in accordance with the proposals within the bat mitigation strategy and plans detailed within Section 5 Ecological Mitigation, Compensation and Enhancement' Strategy and Appendices 8 to 11 of the Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Bat Activity Surveys Report' 11th July 2019, ABR Ecology Ltd. as already submitted with the planning application and agreed in principle with the local planning authority before determination, and as modified by a Natural England European protected species licence where required. REASON: To ensure adequate protection and mitigation for protected species through the implementation of detailed mitigation measures and to secure net biodiversity gain in accordance with NPPF, that were prepared and submitted with the application before determination.
- No additional new external artificial lighting shall be installed at the development site unless otherwise agreed in writing by the local planning authority. REASON: Many species active at night (including bats) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.
- River Avon SAC MoU; the residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water

consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval. REASON: To ensure that the development delivers betterment in terms of the level of discharge of phosphates from the sewage treatment plant into the River Avon SAC.

Informatives:

- Bat Informative - Bat roosts have been identified at the site and are likely to be affected by the development. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a Natural England licence will be required before any work is undertaken to implement this planning permission and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.
- Informative for birds - The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

**Natural England – No objection**

- I can confirm that Natural England concurs with the conclusion stated within the appropriate assessment.
- Should the application undergo significant changes we would ask that the AA be amended to account for those changes and Natural England consulted again.

**Durrington Town Council – Objection**

- There were serious concerns about road safety and access onto Stonehenge Road.
- The plans represented over development of the site and there was not enough parking provision.
- The character of the street scene would be lost.
- There would be undue pressure on existing services and a question about whether the sewer infrastructure would be able to cope with the extra houses.
- There would be a large loss of wildlife in a Village setting.
- Loss of privacy for residents and the impact of reflectance of plate glass windows.

**Wessex Water – No comments received**

## **8. Publicity**

The application was advertised through site notice and neighbour notification letters. Third party letters of representation have been received from the residents of Nos. 1, 3,



4, 5 and 6 Pinckneys Way and Nos. 22, 41, 44, 46 and 48 Stonehenge Road opposing the application. A summary of the objections and comments made are as follows:

- The existing property has no windows above the ground floor
- Two-storey development creates overlooking and loss of privacy to the rear windows and gardens of 4, 6 and 8 Pinckneys Way
- Reduction in the amount of daylight to south facing rear gardens of 4 and 6 Pinckneys Way
- Increase in noise, light and air pollution as a result of a high-density housing development and position of open car port and bin storage areas to rear of 4 and 6 Pinckneys Way
- Stonehenge Road is a busy road and one of the main roads through the village
- Six dwellings would generate a significant increase in traffic and parking on the road - 12-24 cars
- No provision for visitor parking
- Development close to two busy T junctions will increase the risk of accident
- Road safety issue due to visibility at Stonehenge Road/Pinckneys Way T junction and increased in traffic due to army rebasing developments and extended school
- The access closest to the Pinckneys Road/Stonehenge Road junction is dangerous
- Visibility for traffic at the junction onto Stonehenge Road will be poor especially with vehicles parked to the front of proposed properties
- 6 families and their visitors coming and going will cause extra traffic and noise problems
- The access for the 6-car garage is between two T junctions (Stonehenge & Pinckneys) increases the volume of cars negotiating a blind junction (blocked by the beech hedge)
- Impact of too many vehicles parked on this road was evident on previous firework nights when it had to be managed by the town council when the road became difficult to access
- Although not a regular bus route anymore, buses and coaches regularly use the road to get to the local schools and leisure centre
- Access to 3 Pinckneys Way opposite the existing access to No. 2 is already difficult due to the speed, visibility and parking outside number 2
- Increase to 6 houses will make life difficult for people in the surrounding properties with additional parking on the road in Pinckneys Way and Stonehenge Road
- Inconvenience to existing residents
- We are already suffering from higher volumes of traffic
- Going by Amesbury's experience on new estates children grow up and get cars which are kept on the streets as there is no room on the drives
- Separating garages from houses with a stand-alone garage block is out of keeping with the existing bungalows with adjoining garages and creates an environment which is a security issue
- Easy and unobserved access to the rear gardens of Nos 4 and 6 Pinckneys Way increases the threat of burglary
- Existing properties on Stonehenge Road consist mainly of detached bungalows and a small number of well-spaced semi-detached houses

- All surrounding properties along Pinckneys Way and Downland Way are bungalows
- It is only at the bottom of Pinckneys Way at the High Street end that there are houses
- The appearance and layout is not in keeping with the road and the village as a whole
- There is a dearth of bungalows in the village
- The plot is tiny and right on the corner of Stonehenge Road, the busiest road in the village
- Out of keeping with the architecture of the adjacent properties
- Development would be overdevelopment and totally out of keeping in style and scale with the street view and surrounding area
- Development is designed to maximise profit rather than the need for sustainable housing
- Existing garden and trees provide significant wildlife benefit particularly for local bat population observed living in the existing property
- Increased density of the development and the replacement of large trees with smaller ones and time taken for them to reach maturity will limit the ability of the site to sustain the existing wildlife
- How are the meadow lawns and wildlife features for bats, hedgehogs and sparrow houses, going to be maintained and enforced, after development?

A letter of representation has been received from Salisbury and Wilton Swifts setting out recommendations for the provision of swift bricks in the proposed dwellings.

## **9. Planning Considerations**

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### **9.1 Principle of Development:**

As is identified above, the site is situated in the existing built up area of Durrington, which is defined in WCS policy CP4 (Amesbury Community Area) as being part of the Market Town of Amesbury. WCS policy CP1 (Settlement Strategy) confirms that such locations have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. It also confirms that such locations have the potential for significant development in order to help sustain and where necessary enhance their services and facilities and promote better levels of self-containment and viable sustainable communities. The more recently adopted WHSAP reaffirms the Core Policy position. There is no adopted or emerging Neighbourhood Plan for Durrington which would set more localised policy considerations.

The NPPF requires each Local Planning Authority to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land (paragraph 73). The implications being, if this cannot be demonstrated, then the policies in the development plan relevant to the supply of housing cannot be considered to be up to date. In these circumstances, unless any adverse impacts would significantly and demonstrably outweigh the benefits, proposals

should be considered favourably for permission (NPPF paragraph 11, subject to the limitations in Footnote 6).

The LPA confirms that at the current time the housing land supply figure is 4.62 years, and therefore a 5 YHLS cannot be demonstrated. However, whilst the housing policies are to be considered out of date, the development plan as a whole is not and all policies of the plan are still capable of carrying weight. The 5 YHLS position, and relatively modest shortfall, does not dictate that all applications for housing should be allowed and LPA's still must assess each case on its own merits and come to a balanced decision. In this case, the NPPF suggests that the proposal should be considered favourably for development unless adverse impacts would significantly and demonstrably outweigh the benefit to housing supply.

Therefore, this proposal involving the demolition of the existing dwelling redevelopment of this site for 6 residential dwellings is considered to be acceptable in principle. However, the acceptability of the proposal is subject to the specific detail in terms of such matters as the design and impact on the character of the area, residential amenities and highway and ecology considerations. These are therefore addressed in detail below.

### **9.2 Character of the Area:**

The site is situated on a corner plot at the junction of Pinckneys Way with Stonehenge Road. The existing dwelling is a large detached bungalow which is located off Pinckneys Way and has no frontage onto Stonehenge Road. Stonehenge Road is characterised by linear development along each side, comprising a mix of detached bungalows and dormer bungalows and semi-detached and detached two-storey houses, and an example of two-storey semi-detached houses is positioned immediately opposite the site. Pinckneys Way in contrast is laid out as a residential estate where detached properties follow the curved lines of the estate roads. The surrounding development in Pinckneys Way is of bungalows and chalet bungalow which predominantly have shallow pitched roofs although a number have dormer window additions. The character of the existing dwelling at No. 2 and Nos. 4 and 6 Pinckneys Way is markedly different to the prevailing character, with No. 2 occupying a larger plot and Nos. 4 and 6 having steeper pitched roofs, No. 4 has rooms in the roof with a window in its north facing gable end. The character of development in Pinckneys way also changes appreciably further to the north where the development transitions to 2-storey houses in semi-detached and terraced formation. Plot sizes and widths vary considerably and there is no uniformity in the design, style and materials in the locality other than that it is notable that bungalows outnumber full two-storey dwellings in the immediately adjacent development to the west, north and east of the application site.



The bungalow on the application site is currently a bit of an anomaly in that it has such a spacious plot compared with those that surround it and it has no relationship with the street scene in Stonehenge Road. Neither does it have a strong frontage in the context of Pinckneys Way.

The scheme will result in a total of six dwellings, comprising three pairs of semi-detached two-storey properties providing 5 x 3-bedroom and 1 x 2-bedroom accommodation. Whilst the address of the existing dwelling and its vehicular access is in Pinckneys Way, as the layout of the existing dwelling in the plot does not have strong frontage it is considered appropriate that any redevelopment scheme should be visually well related to the development in Stonehenge Road. It is acknowledged that an increase in plot density from 1 dwelling to 6 dwellings is numerically a significant development, however the footprint of the 3 pairs of semi-detached properties would not be dissimilar to the footprint and spacing which is evident in the aerial image of the 3 detached bungalows in Pinckneys Way to the rear. In terms of footprint, the density of the built form would be comparable to the prevailing density, it is therefore the internal sub-division of each building and external sub-division of the outdoor space to provide 6 dwellings rather than 3 dwellings which is of concern in terms of the capacity of the site rather than the built form itself. It is therefore considered that its development with additional dwellings is acceptable and can be achieved without a significant or detrimental impact on the character of the area.

At the rear of the proposed dwellings, the site would be subdivided into 6 relatively narrow gardens, with units 4-6 having longer gardens due to the car parking area to the rear of units 1-3. At the front of the dwellings the site would be subdivided so that Units 1 – 4 have individual front gardens and Units 5-6 would have a shared area provided two car parking spaces to the front of each. which will be narrower than most of the existing plots in the existing row of development. The rear gardens to units 1-3 are less generous than is typical of the housing in this location, however would still provide sufficient amenity provision for the type of dwellings that are proposed. The level of

subdivision would be less immediately apparent from the front street scene than at the rear given that much of the front hedge screening is to be retained and only one vehicular access would be seen from Stonehenge Road. The appearance within the streetscene would not be so dissimilar than it would for 3 detached dwellings that the number of dwellings to be provided would present as a discordant feature or overdevelopment in the streetscene.

The type of accommodation proposed to be provided is considered to be an appropriate development which reflects the mix already prevalent within the streetscene on Stonehenge Road and would not be at odds with the scale and occupancy of the mix of housing in this area. Presenting a side elevation rather than frontage to Pinckneys Way, as side road, does not cause visual harm to the character of the area. Overall, whilst noting the strength of third party concern regarding the increase in the number of dwellings, it is considered that the level of development proposed on this site can be accommodated without detriment to the prevalent character of the area and will accord with the grain and form of development found elsewhere in this area. The level and type of development proposed therefore represents an effective use of land and is considered appropriate for this site.

### **9.3 Design:**

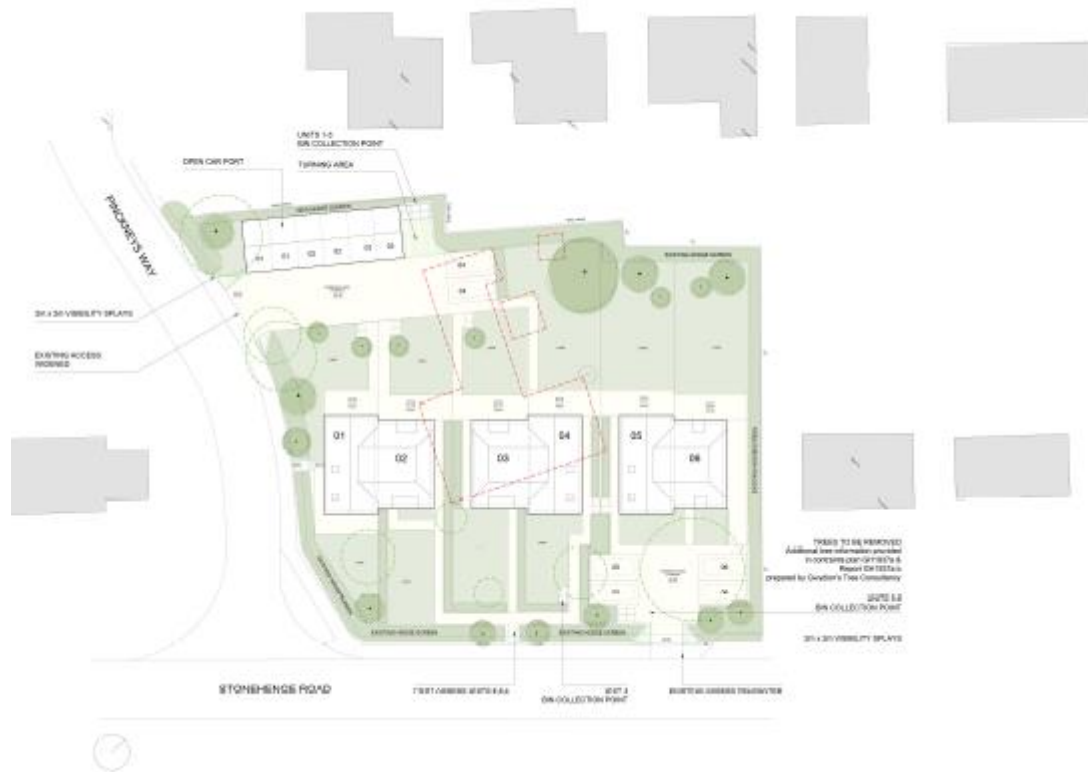
The proposed dwellings would be of two storeys and finished with render (gf) and horizontal cladding (ff) under a slate roof. Each pair of semi-detached properties are designed to appear as a single dwelling. The roof of each pair has the ridge line broken so that one half presents with a front gable and one half presents the roof slope, this section also being set down in height from the other. The eaves are at 1.5 storey height so that the first floor windows comprise either dormer windows or windows in the gable ends. As a result, the design presents a more interesting, detailed frontage than would be the case with a single ridge line parallel to the road. The orientation of the proposed dwellings to front onto Stonehenge Road is in officer's opinion an improvement to the existing bungalow which has little relationship to the main route and its concealed side garden, which despite its appeal due to the mature vegetation, is not characteristic of the more urban environment in which it is located. The layout, detailed architectural features and materials are all considered to be positive aspects of the scheme.

The parking provision has been located primarily to the rear of the dwellings and the car parking area incorporates a covered parking bay with pitched slate roof for 6 of the car parking spaces (Units 1-3), with two uncovered spaces for Unit 4. In terms of design, the positioning of the car parking to the rear is also considered as a positive design feature which prevents the site frontage being dominated by parked cars. The relationship of the car parking area in relation to neighbouring properties is considered elsewhere in the report.

Overall it is considered that the scheme, which has included some negotiations to the design and layout during the consideration of the application and representations, would achieve a good standard of design which would complement and improve the visual quality of development in the locality.

### **9.4 Residential Amenity:**

Any development proposing this form of redevelopment to replace a single dwelling with a greater number of dwellings needs to have due regard to the amenities of both the future occupiers and existing neighbouring properties on the surrounding plots. This application has generated objections from neighbouring properties, including those that share a boundary with the site. The proposed site plan is repeated below to show the relationship with existing dwellings. It should be noted that the plan is not orientated to the north, the north marker is shown in the bottom left hand corner.



Having regard to the potential for overlooking of existing residents located to the north-west of the site, Nos. 4, 6 and 8 Pinckneys Way, the development has been designed to limit such opportunity by the separation distance from rear windows to the rear gardens and windows of these dwellings and by keeping the cill height of first floor windows to a minimum so that views from first floor windows would be interrupted by boundary fencing. As such it is considered that any potential for overlooking is minimal and whilst noting the strong objections from occupiers of these properties, a reason for refusal on the grounds of loss of privacy is not considered to be justifiable. Despite the orientation of the development to the south-east of these properties, the position of each dwelling is also considered to minimise any potential for overshadowing or dominance between the new properties and the existing properties to the north due to the separation distance. The relationship between the rear of the existing properties in Pinckneys Way and the proposed dwellings is considered appropriate in the context of a built-up area. Whilst acknowledging that the proposed layout is different to the existing relationship with the dwelling sited at 2 Pinckneys Way it is not considered that harmful impacts would be introduced.

The proposed unit No. 6 would share a side boundary to the east with 41 Stonehenge Road, a single storey property with an attached flat roof garage positioned closest to the boundary. The principal elevation of the bungalow faces Stonehenge Road and does not overlook the site. The separation distance between unit 6 and 41 Stonehenge Road is consistent with the density of development and the footprint of unit 6 is aligned with the existing bungalow and is not considered to introduce any demonstrable impact in terms of privacy, outlook or light enjoyed by this property.

Neighbouring properties to the south-east and south-west of the site are separated from the proposed development by either the main or side road. Given this level of separation across a public highway it is considered that the potential for demonstrable



The highways comments were based on the proposed site plan shown immediately above, which has been superseded by the revised site layout which now includes only one new access with 2 additional spaces provided off the rear car parking area following negotiations to address local concern regarding the access closest to Pinckneys Way. The highways officer considered that there is adequate onsite parking and turning provision to serve the development and no concerns were expressed regarding the use of the existing access for more than a single dwelling.

The highways officer has confirmed that the access, parking and turning arrangement in the amended plans would not give rise to any further comment from highways other than to state that the revised parking arrangement would be deemed acceptable, subject to the previous Conditions and Informatives. On this basis, it is not considered that a reason for refusal on highway safety grounds can be sustained.

## **9.6 Ecology**

### **Protected Species:**

The proposal could potentially affect European protected species (bats) since it results in the demolition of existing buildings which have been surveyed for the presence of bats. In light of ODPM Circular 06/2005 (para 116) and the Conservation of Habitats and Species Regulations 2017, the 3 “derogation” tests, as set out in Regulation 55 must be considered in reaching a recommendation. The 3 tests are set out below:

1. The activity must be for imperative reasons of overriding public interest or for public health and safety (IROPI):

The proposal is for new housing development comprising 5 additional dwellings in a suitable location. The proposal is considered to meet this test.

2. There must be no satisfactory alternative:

The proposal cannot be achieved without the demolition of the existing dwellings, the proposal is considered to meet this test.

3. Favourable conservation status of the species must be maintained.

The LPA has sufficient information to be able to consider that favourable conservation status of Brown Long-eared bats can be maintained, subject to securing the mitigation measures within Section 5 Ecological Mitigation, Compensation and Enhancement Strategy and Appendix 9 Mitigation and compensation strategy – bats of the Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Bat Activity Surveys Report 11th July 2019, ABR Ecology Ltd through suitably worded condition, should the application be approved.

### **River Avon SAC:**

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. At the time of the original consultation, an interim strategy was in place to enable a favourable Appropriate Assessment which was agreed by Natural England. However, prior to determination of the application Natural England advised the LPA that the interim measures were effective until 31<sup>st</sup> March 2020 and permissions for new dwellings in the SAC catchment could not be issued. Following further work to agree adequate measures, the Council is now currently implementing a phosphorous mitigation strategy to offset all planned residential development, both



sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

- Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinet's resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, it can now be concluded that it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

#### Salisbury Plain SPA:

This application lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into appropriate assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. The Council's ecologist has advised that housing plans are mitigated through a project funded by the Community Infrastructure Levy (CIL) which records where stone-curlews breed and works with farm managers to maximise breeding success. The project was agreed with Natural England in 2012 and reviewed in 2018, this continues to provide an effective, timely and reliable means of mitigating any additional effects arising from new residential development. The Council is therefore able to conclude beyond reasonable scientific doubt, that development proposed under this application would not lead to adverse effects on the integrity of the Salisbury Plain SPA.

#### **9.7 Trees:**

The existing dwelling has a large curtilage which includes a number of trees. The proposed development would not allow for the retention of these trees and accordingly consultation has been undertaken with the Council's Arboricultural Officer. Following a visit to the site, it is noted that the proposal would result in a significant net loss of tree cover and that if the site was less developed, there would be more opportunity for some replanting and retention of the pollarded tree near the main road (most likely a Walnut). However it is advised that none of the trees would be made subject to a TPO in order to prevent their loss. As such no objection has been raised and refusal of the proposal on the grounds that it would lead to the loss of trees would not be warranted. As a result of changes to the access, more of the front boundary hedging can be retained.

#### **9.8 S106/CIL:**

As the proposals involve the net gain of five dwellings at the site and having regard to Government Guidance where the threshold for securing affordable housing and new infrastructure tariffs from development has increased to 10 units or more or a gross floor area of 1000 square metres, it is not considered that it would be reasonable or justified to secure any contributions towards off site Affordable Housing provision or public open space improvements in the locality from this proposal. This recommendation is not therefore subject to a legal agreement or Section 106. The development will be subject to the Council's Community Infrastructure Levy which is administered outside of the planning application process.

## **10. Conclusion (The Planning Balance)**

The proposal would deliver 5 new dwellings in a sustainable location and result in an effective and efficient use of land. Whilst noting the significant local opposition to the density of development on the plot and two-storey design, the site is located in a built-up area of the settlement which is urban in character and there is a precedent for two-storey semi-detached dwellings. It is considered that the proposed layout would, in planning terms, maintain acceptable standard of amenity in terms of the relationship with existing properties and create acceptable living conditions for future occupiers. The local concern with the means of access, additional traffic and parking is also noted, however the highways authority has raised no objection on highway safety grounds to the position of the new access or intensification of the use of the existing access and the number of new vehicular access points on Stonehenge Road has been reduced during negotiations, allowing for the retention of more of the existing boundary screening. The Council's ecologist and arboricultural officer are satisfied with the proposed mitigation measures and loss of trees raising no requirement for protection by TPO. Taking into account the detailed assessment of the proposal and revisions to the layout during the determination of the application and the provisions of the NPPF paragraph 11, it is considered that the development will not result in harm to the site or its surroundings to significantly and demonstrably outweigh the benefits to housing supply. As such the development is recommended for permission accordingly.

## **RECOMMENDATION**

Approval subject to conditions.

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

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

- 2) The development shall only be undertaken in accordance with the following approved plans:

Proposed Site Plan PL02 REV C  
Proposed Floor Plans PL03 REV A  
Proposed Elevations (1-2) PL04 REV A  
Proposed Elevations (3-4) PL05 REV A  
Proposed Elevations (5-6) PL06 REV A  
Existing and Proposed Streetscene PL07 REV A  
Streetscene and Cross Section PL08

REASON: For the avoidance of doubt

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

REASON: In the interests of highway safety.

- 4) No part of the development hereby permitted shall be first occupied 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.

- 5) A plan indicating the positions, design, materials and type of boundary treatment to be provided shall be submitted to and approved in writing by the Local Planning Authority and development carried out in accordance with the approved details before the first occupation of the dwellings hereby approved.

REASON: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and character of the local area

- 6) The development hereby approved shall be carried out in accordance with the proposals within the bat mitigation strategy and plans detailed within Section 5 'Ecological Mitigation, Compensation and Enhancement' Strategy and Appendices 8 to 11 of the Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Bat Activity Surveys Report' 11th July 2019, ABR Ecology Ltd. as already submitted with the planning application and agreed in principle with the local planning authority before determination, and as modified by a Natural England European protected species licence where required.

REASON: To ensure adequate protection and mitigation for protected species through the implementation of detailed mitigation measures and to secure net biodiversity gain in accordance with NPPF, that were prepared and submitted with the application before determination.

- 7) No additional new external artificial lighting shall be installed at the development site unless otherwise agreed in writing by the local planning authority.

REASON: Many species active at night (including bats) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

- 8) The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

## INFORMATIVES

- The application involves the creation of new vehicular accesses. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.
- Bat roosts have been identified at the site and are likely to be affected by the development. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a Natural England licence will be

required before any work is undertaken to implement this planning permission and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

- The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.
- Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 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).