

**Additional Correspondence and addendum to officer report for Strategic Committee
23rd October 2013**

Agenda item 6A

Longhedge application 13/00673/OUT

Members should note that after further discussion with the applicant since the publication of the officer report, the section of the officer report related to linkages to surrounding development and hence the related S106 heads of terms list and Recommendations requires further clarification. Therefore, officers consider that the following sections of the original report require modest adjustment in order that it better reflects the discussions that have previously taken place regards the creation of linkages and the provision of a financial Bond:

“9.5 Linkage to surrounding development

A number consultees and third parties have referred to the need to provide at least an emergency link between the Longhedge site and the Old Sarum site. The development template for the site also seeks such a linkage.

Both schemes suggest a number of footpath /cycle links leading from the proposed schemes through the open space/drainage areas to the boundary of the application site with the adjacent Old Sarum site. Such a link is considered desirable, and is welcomed. As the intention is that both areas of open space/drainage land on both the Longhedge and Old Sarum sites will be taken on by this Council, it is therefore possible that pathways could be formed from and to both sites.

However, Members need to note that there is a strip of third party land situated along the boundary between the application site and the adjacent Old Sarum site. As a result, unless the owner of this strip wishes to allow a crossing of their land, it would be impossible for the applicant to secure a continuous surfaced link to be provided over this third party land. This would sometimes be referred to in planning terms as a “ransom strip” situation. Such a ‘ransom’ position could impact on the delivery of the wider ‘planning gain’ from this allocated site.

This is unfortunate as such a link will facilitate linkages between the two areas and hopefully create a sense of community. It would also allow all residents to share the various facilities and services offered at both sites, including the open space, schools, and any other community facilities which may develop over time. In particular, it would offer access to the planned community land and to the wider countryside via the footpath network. Furthermore, should either retail offer (as discussed elsewhere in this report) be considered acceptable, and in future undermine the viability of the Old Sarum retail centre, a situation may arise where the only retail offer would be located on the Longhedge site.

Such a link would in officers opinion, offer significant benefits to the future residents of both the Longhedge and the Old Sarum scheme.

It has been agreed with the applicant that in the circumstances the most appropriate manner with which to deal with this matter would be through the inclusion of a commuted sum within the Section 106 Agreement for the Council to secure the future provision of such a link to allow free and unfettered access to residents/occupiers of both the future Longhedge site and the Old Sarum site.”

As a result of the above, the relevant Section 106 Heads of Terms in section 10 and 11 of the report need to be adjusted in order to clarify that a Contribution is sought in relation to the linkage, thus (see change in bold):

“ 10.0 S106 Heads of Terms

- Public open space facilities/financial contributions and timing of provision
- Provision of on site affordable housing and timing of provision
- Provision of waste and recycling facilities/financial contributions
- Provision of educational contributions towards the provision of new school building and land for that new school, and timing of that provision
- Public art financial contributions and timing of that provision
- Financial Contributions towards Stone Curlew project
- Financial contribution towards cemetery facilities
- Financial contribution towards Wiltshire Fire and Rescue facilities
- Transportation contributions and sustainable initiatives and timing of that provision
- Provision of a new roundabout, and associated bus stops and pathways prior to the commencement of any other works
- Provision of land for a new retail and neighbourhood centre building and the construction and provision of that facility prior to occupation of 50 percent of the planned development.
- **A suitably surfaced pedestrian and cycle link to be provided up to the boundary of the application site with the adjacent Old Sarum site including a commuted sum of money for the Council to deal with future linkage provision, and the details of such works.**
- Provision and timing/phasing of the commercial/industrial land and uses”

“11.0 Recommendations

Again to be amended as above.

Agent – Has requested that his clients objections be provided in full, as the officers summary does not adequately cover the concerns. (Attached)

Officer comments:

Condition 08 – The applicants have requested that condition 08 be adjusted so as to allow the access works and associated works to take place prior to the occupation of the dwellings, rather than prior to all other development commencing. Officers agree with this request.

Condition 21 – This has been the subject of discussion between the applicant and the LPA. Both schemes propose not only a main retail unit (as discussed in the report), but also suggests an ancillary area which would serve as an area to provide other community uses

and services. The uses suggested are somewhat open ended (they would allow a public house, takeaway, and retail, but also uses like sports halls and cinemas which may not be appropriate in this location). Furthermore, as currently shown on the indicative layout plan, there is no size limit to the building within which such uses would occur. It is therefore considered that a restrictive condition is required for this neighbourhood area in order to protect future residential amenity, and in order to limit the impact of any use on the vitality and viability of the city centre. Furthermore, it is considered the size of any individual use or unit should not exceed 200sqm, which is the size limit within the adopted South Wiltshire Core Strategy above which proposed use are required to assess their impacts on the city centre. Uses smaller than this size are considered to have no significant commercial impacts.

Officers suggest the following, but Members comments are welcomed:

“The neighbourhood centre shall be arranged as shown on the submitted indicative layout plan and design and access statement, and shall comprise of a main retail use, limited to Class A1 as defined by the Town and Country Planning Use Classes Order 1995 as amended, which shall have a gross floor area of 550sqm. The ancillary neighbourhood uses shall be limited to Class A1, A3, A4, A5, or D1 as defined by the Town and Country Planning Use Classes Order 1995 as amended uses only, and any unit or use shall be limited to a maximum of 200 sqm gross floor area. No use shall commence until a scheme for the carrying out, operation, and construction of that use/building has been submitted to and approved by the Local Planning Authority as part of a reserved matters application.

REASON: In order to limit the impact of the development on residential amenity and the impact on the vitality and viability of the city centre”

29th July 2013

Dear Sir/Madam

**OBJECTION to: Application for Mixed Use Development (Schemes A and B) at
Longhedge, Old Sarum, Salisbury
LPA ref: 13/0673/OUT**

This objection is lodged on behalf of the owner of nos. 1 and 2 Longhedge Cottages for the following 5 reasons. Each reason, in its own right, provides sufficient grounds for the refusal of these proposals.

Reason 1: The Environmental Impact Assessments fail to test the obvious and reasonable alternative of including these two “trapped properties” - Nos 1 and 2 Longhedge Cottages - within the application. The application is therefore fatally flawed and it cannot comply with EA Regs (2011);

Reason 2: The Master Plans are ill-conceived and will give rise to poor layouts and cause direct harm to the amenity of existing and new residents contrary to Core Policy 2.

Reason 3: The proposals do not accord with Core Strategy Policy 2 and should therefore be rejected because they do not provide 8 ha of employment. Longhedge is the largest strategic employment allocation at 8 ha (alongside Fugglestone Red) - and deliberately so. If the developers want more housing they should accord with strategic policy and deliver the strategically important employment land for use Classes B1, B2 and B8.

Reason 4: The proposals do not accord with Core Strategy Policy 2 by including almost ten times the neighbourhood retail space with Option A - the proposed store would undermine the retail strategy for Salisbury and damage the vitality and viability of the City Centre;

Reason 5: Option A includes land and housing that goes far beyond the limits set in the Adopted South Wiltshire Core Strategy Policy 2 and the template. Indeed, the Inspector’s report specifically deletes the land to the north close to Monarch’s Way (para 80).

Please can you acknowledge safe receipt of this letter?

Yours sincerely

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