

Date of Meeting	14 August 2014
Application Number	14/02043/FUL
Site Address	50 Winterslow Road (Land to rear of Chalk House) Porton Salisbury SP4 0LF
Proposal	Residential development comprising 20 dwellings (of which 12 market units and 8 affordable units), public open space and landscaping, and new access from Winterslow Road
Applicant	Mr Mark Carrington
Town/Parish Council	IDMISTON
Ward	Bourne and Woodford Valley
Grid Ref	418987 136476
Type of application	Full Planning
Case Officer	Andrew Bidwell

Reason for the application being considered by Committee:

The ward member has called in the application due to the current state of play with the emerging Wiltshire Core Strategy and how it impacts on such proposals for development

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission to **REFUSE the application on the grounds that it is unacceptable as a matter of planning principle.**

2. Report Summary

The application is for a residential development on land previously proposed for such development in the SHLA but, was not carried over allocated within the emerging Wiltshire Core Strategy.

The land is outside the defined developments limits of Porton as defined in the adopted South Wiltshire Core Strategy making development unacceptable in principle.

3. Site Description

The site is comprised of 1.28 hectares of agricultural land used mostly for grazing. The main part of the site is relatively steep rising from Winterslow Road to open countryside in the south.

Chalk house is located on the northern edge of the site alongside Winterslow Road opposite St Nicholas church.

The site lies within a Countryside Character Area, an Area Susceptible to Surface Water Flooding, a River Catchment Area (River Bourne), and being outside of a Housing Policy Boundary is therefore within 'open countryside'. Part of the site adjoins the Conservation Area and is of significant Archaeological interest.

4. Planning History

The site has been subject to several planning applications mostly in regard to chalk House itself. These have included extensions to the house / vehicular access applications and various works to trees. None of these applications are considered to be relevant to this proposal.

5. The Proposal

This application will result in the construction of 22 residential dwellings including 9 affordable houses. The proposal also included public open space and landscaping and a new vehicular access off Winterslow road

6. Planning Policy

Adopted Salisbury District Local Plan saved policies, including the saved policies listed in Appendix C, of the Adopted South Wiltshire Core Strategy:

G1, G2 – General Development Criteria

G3 – Water supplies (abstraction)

G5 – Water supplies and drainage

G9 – Additional infrastructure/facilities directly required and necessary for the development

C2 – Development in the Countryside

C12 – Protected species

C11 – Development affecting Areas of High Ecological Value

C13 – Wildlife habitat

C15 – Habitat creation

H23 – Residential development outside housing policy boundaries

D1 – Design

D8 – Public Art

CN21 & CN22 – Archaeology

CN8, CN10, CN11 – Conservation Areas

R2 – Recreational Open Space

PS5 – Education facilities

South Wiltshire Core Strategy

This was formally adopted at Full Council on 7 February 2012 and now forms part of the development plan for south Wiltshire.

Core Policy 1 – The Settlement Strategy and distribution of growth in south Wiltshire

Core Policy 3 – Meeting Local Needs for Affordable Housing

Core Policy 19 - Water efficiency and River Avon SAC

Core Policy 20 - Pollution and phosphate Levels in the Water Environment

Waste Core Strategy 2009

Policy WSC6 – Waste Reduction & Auditing

Emerging Wiltshire Core Strategy

Core Policy 2 – Delivery Strategy

Core Policy 44 – Rural Exceptions sites

Core Policy 41 – Energy Strategy

Core Policy 50 – Biodiversity & Geodiversity

Core Policy 52 – Green Infrastructure

Core Policy 67 – Sustainable drainage

Core Policy 69 – River Avon SAC

SPG: including

Councils Adopted Supplementary Planning Document 'Creating Places'.

Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area

Government Guidance

National Planning Policy Framework (NPPF) March 2012

Town and Country Planning (EIA) Regulations 2011

7. Consultations

Parish Council:

OBJECT for the following reasons;

1. The application lies outside the Housing Policy Boundary (HPB) for Porton and consequently does not comply with saved Policy H16 of the Salisbury District Local Plan and the South Wiltshire Core Strategy policy for development in Large Villages.

2. The proposal is not for 100% affordable housing or for housing for agricultural/forestry workers and consequently does not comply with saved Policy H23 of the Salisbury District Local Plan which provides for development outside the HPB if it falls into the above categories.
3. The application requires a modification to the settlement boundary (HPB) for Porton outside of the review process outlined in the Wiltshire Core Strategy and requires a development which is double the size of the 10 dwelling definition of a small site. Therefore, it does not comply with the Wiltshire Core Strategy provisions which relate to development in Large Villages.
4. To accord with the mechanisms for the review of the settlement boundaries outlined in the Wiltshire Core Strategy, the process of producing a Neighbourhood Plan for our Parish is underway. Approval of the current application would be prejudicial to the Housing Policy Boundary review and would compromise our community-led Neighbourhood Plan.
5. The application does not comply with Core Policy 18 – Lifetime Homes Standards in the South Wiltshire Core Strategy as the 12 private housing units do not meet the standards required “due especially to the gradient of the site”. (This confirms the unsuitability of the site for housing).
6. The application does not comply with the provisions of DESIGN POLICY 9 of our Village Design Statement by reason of the size of the development and the use of a visually important, elevated pasture which is a key component in the rural setting of the core of our village.
7. The application does not fully comply with DESIGN POLICY 8 of our Village Design Statement by reason of the site’s exposure and the bulk and appearance of the four large dwellings located on the upper part of the site.
8. The application does not fully comply with DESIGN POLICY 16 of our Village Design Statement by reason of the extensive use of uPVC and plastic cladding and the unsympathetic design, appearance and materials of the four large dwellings at the top of the site.
9. The proposed development, by reason of the elevated nature of proposed screen planting relative to adjoining properties in Bonaker Close, would give rise to overshadowing and will impair the amenity of No.5 in particular.

10. The new access to the proposed development is located on a tertiary road which is substandard in terms of width and alignment and is at a point where the view of vehicles exiting the junction of traffic travelling towards the A338 is frequently obscured by parked vehicles associated with the Church. The proposed development would endanger public safety by reason of traffic hazard.

Note

DP9 is designed to ensure that the character and appearance of our villages are not compromised by new development. It requires any new developments to meet four criteria. Of particular note are that it be of modest scale & not generally exceed 10 dwellings in order to protect the rural nature of our village and that it be well related to the existing village envelope.

The proposed development of 20 dwellings breaches the requirement to be of modest scale and it does not relate well to the village envelope because of the elevated nature of the site and its exposure to view to a wider area than would have been the case had the site been less steep.

DP8 requires any new development utilising the gardens/grounds of older properties in the villages to meet three criteria. One of these is to demonstrate how the proposed scheme will positively enhance the appearance of the villages and their Conservation Areas, where these exist.

The 12m level difference between the northern and southern boundary gives the proposed development a tiered effect with the smaller 1½ storey dwellings of traditional appearance hidden from view but with the much larger 2 storey, 4 bed properties of non traditional appearance at the top of the site exposed to view from within the village centre. These are considered to be of unsympathetic design and appearance and out of character when compared to the older buildings in the core of the village and consequently detract from its appearance.

DP16 is designed to ensure that new housing both reflects and enhances the character of our villages. Of particular relevance are the requirements that; building design should involve balanced proportions and complement any well defined features or themes in our historic buildings or in those of merit in the locality. This has not been achieved in regard to the four large dwellings at the top of the site in terms of design, appearance and materials resulting in buildings which fail to harmonise with those in the core of the village.

DP16 also requires building materials to complement existing buildings in both colour and texture, stating that the use of concrete products and applied artificial stone products or plastic cladding will not be supported and that joinery products should be of traditional design and that the use of uPVC windows and doors on elevations exposed to public view should be avoided.

The materials specification suggests otherwise with the use of uPVC products on all elevations and the use of artificial wood cladding on the four large dwellings proposed at the top of the site. Overall the development fails to provide for the use of knapped flint and light coloured render as facing materials, which are a prevalent feature of our older buildings in the core of the village and were used in Byford Gardens to ensure that development harmonised with its surroundings.

Clearly the Parish Council is opposed to the use of this elevated site for housing. However, were the Local Planning Authority minded to approve the application, in its current form, then the Parish Council would wish to see the following conditions applied;

1. No development shall commence until a Section 106 agreement has been entered into with the LPA for a £500,000 contribution towards the purchase of a flat site and the building a new parish hall to include a parish office and ancillary sporting facilities.

Reason; to contribute towards the costs of the replacement of outdated and inadequate community facilities

2. Prior to the commencement of development details of a mechanism to secure the ongoing maintenance and management of the proposed landscaping scheme together with those areas which are to be in the public realm shall be submitted to and approved in writing by the LPA.

Reason; to ensure the trees and hedgerows on the site will achieve the considerable visual screening envisaged for now and the lifetime of the development and that no public maintenance liability is incurred for the landscaping or those areas in the public realm.

3. Prior to the commencement of development a detailed lighting scheme comprising low level louvered bollards for the illumination of all roads and pathways shall be submitted to and approved in writing by the LPA.

Reason; to minimise night time light pollution and reduce the visual impact of the development of this elevated site on the village during the hours of darkness.

4. Prior to the commencement of development a revised materials schedule, which provides for the use of knapped flint and light coloured render as facing materials and with timber joinery products used on elevations exposed to public view, be submitted and approved in writing by the LPA.

Reason; to ensure new housing both reflects and enhances the character of our village.

Hours of work on site preparation and construction (including deliveries) shall be restricted to between 8-00 a.m. to 6-00 p.m. Monday to Friday and between 8-00 a.m. and 1-00pm on Saturdays unless otherwise agreed in writing with the LPA. No work shall be undertaken on Sundays or Bank Holidays.

Reason; to safeguard the amenity of the occupiers of the properties that adjoin the site.

Highways:

No objections subject to conditions

Archaeology:

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

Ecology:

Whilst no overall objections have been raised, further work to determine impact on protected species – bats in particular – is required. Conditions are recommended.

Conservation:

No specific objections to the proposal have been received

Public Protection:

No objections subject to conditions

New Housing:

No objection – (see section below)

Open space:

No objections subject to matters to be agreed in the S 106.

Wessex Water:

No objections

Environment Agency:

No objections subject to conditions and informatives.

Natural England:

Satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified

8. Publicity

The application has been advertised locally in the press and to neighbours. In this case the application has also been advertised as a departure.

33 Neighbour letters have been received to date with 18 clearly objecting to the proposal 14 general comments and 1 clearly in favour of it.

9. Planning Considerations

Principle

It is acknowledged that this site was submitted as part of the Strategic Housing Land Availability Assessment (SHLAA) and has been identified as a potential site for development as a result of this process.

However, the SHLAA states that “The inclusion of sites within this study should not be taken to imply that the Council would automatically consider planning applications favorably. Although it will inform housing allocations, it will not determine the allocation of land for housing development...All future planning applications will be considered individually, taking other material considerations into account, and will be assessed through policies in the most up-to-date development plan”. Therefore, the SHLAA does not provide weight towards the principle of development being acceptable on this site.

The site is not an allocated site within the Adopted South Wiltshire Core Strategy and being located outside of the designated Housing Policy Boundary of Porton is therefore deemed to be within open countryside where the presumption is against development unless there is an exceptional circumstance that provides an overriding justification for the encroachment of development in the countryside (saved policy H23).

One such exception is provided by Policy H27 where new residential dwellings will be permitted on established agricultural units provided that they are for rural workers and forestry workers dwellings and meet specified criteria relating to need and the profitability and viability of the agricultural enterprise. However, the proposed development is not for this purpose and therefore policy H27 is not applicable.

Core Policy 3 relates to meeting local needs for affordable housing and states that the development of 100% affordable housing schemes will be encouraged on exception sites outside of settlements if a local need has been identified; where environmental consideration will not be compromised and where sites are sensibly and sensitively

located within easy access to employment and services. However, as this is not a scheme for 100% affordable housing, this policy is not applicable.

The NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5% (paragraph 47). The NPPF also states that there must be a presumption in favour of sustainable development if a local planning authority cannot demonstrate a 5 years housing supply (paragraphs 15 and 49).

The South Wiltshire Core Strategy provides for 8621 deliverable houses (completions, commitments and deliverable allocations) that provides some 17.5 years of available housing land supply during the plan period (2006-2026) across South Wiltshire and allocates 5250 dwellings that provides over 10 years deliverable housing land supply. Core Policy 4 of the emerging Core Strategy also identifies that 'Amesbury, Bulford and Durrington have sufficient commitments to exceed the requirement.'

Consequently, there is no immediate need for the development of non-allocated sites such as this proposal.

The South Wiltshire Core Strategy does however, indicate that within the Amesbury Community Area 'housing may also be delivered through locally produced Neighbourhood Plans or community Right to Build schemes as detailed in para 5.46'

The scheme would need to be community led and in this regard, local consultation would be needed in order to establish whether or not there is genuine local support for the proposals and whether the detail of the application (including the number of houses and the housing mix) meet the desires of the community. I understand you have carried out consultations locally but, it would appear the outcome of this is not entirely positive.

This community led planning process is also emphasised in the emerging Wiltshire Core Strategy - Core Policy 2 of the emerging Core Strategy states 'Development outside the limits of development will only be permitted where it has been identified through community led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development.'

Any consideration of development of the site for housing could therefore only be pursued through the appropriate planning vehicle i.e. the Neighbourhood Plan Process. In light of this and as there is no clear support from the local community; it is considered that there is an 'in principle' policy objection to the scheme. The proposal is therefore considered to be unacceptable in principle.

The emerging Wiltshire Core Strategy (eWCS) and Land Supply issues – Wiltshire council's evidence base.

The applicants have set out an argument which has suggested that the council's method of determining housing numbers is flawed. The applicants argue that the council's model to determine numbers – the Liverpool model – is not the most appropriate and is the reason for an undersupplying in terms of housing numbers. The applicants argue that the appropriate model should be the Sedgfield Model.

However, members should note that the evidence base presented for the emerging Wiltshire Core Strategy uses the Liverpool Model. Extensive debate on this matter has pursued and the council does not agree that this argument is sound and thus, objects to the proposal in principle.

The key points 1 – 5, in favour of the councils approach are set out as follows:

1. The PPG 9(Planning guidance) does identify that “LPAs should aim to deal with any undersupply within the first five years of the plan period where possible.” The only rational reading of this is that; LPAs should aim to deal with any undersupply relative to a previous development target within the first five years of the new plan, as no undersupply can have arisen against the current plan. In contrast the Sedgfield approach requires that LPAs should aim to deal with any undersupply relative to the current (or emerging) development target within the immediate five year period. This in effect requires that a longstanding undersupply should be met forthwith but that undersupply across the current plan period may be appropriately picked up across that plan period. Indeed, the definition of undersupply relating to that arising against previous development plan targets is set out in PAS guidance. This misreading has been made at a previous appeal, and once the sentence has been read rationally, the appellant has conceded this point.
2. In all previous appeal decisions in Wiltshire, the Liverpool approach has been used in the calculations used by the various Inspectors although this has not been directly referenced.
3. There are a number of recent appeal decisions nationally which have supported the Liverpool approach over the Sedgfield approach, such as Barwell, Leicestershire.
4. Inspector Seaman in his tenth procedural letter has calculated that the Council would be able to demonstrate a five year land supply relative to a requirement of circa 42,000 homes. The Inspector has made this calculation independently, and his conclusion only works if he was using the Liverpool approach.
5. If the Sedgfield approach is adopted, this results in a significant boost to housing supply in the short-term at the expense of sustained longer term housing supply, as the same number of houses is simply frontloaded. It is considered that this negatively impacts on both sustained economic growth and the continuous supply of housing towards the end of the plan period

Notwithstanding the 'in principle' policy objections to the scheme, turning to the detailed proposal much work has been done to produce an appropriate scheme. These details are set out below:

The impact on the character and appearance of the conservation area/open countryside/special landscape area/setting of adjacent listed buildings

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

In considering planning applications for new development in or adjacent to conservation areas, the local planning authority will seek to ensure that the form, scale, design and materials of new development is in character and to protect the character and appearance of an area from unsympathetic changes and inappropriate development.

The site is within the open countryside from a planning policy point of view.

The site itself is currently in agricultural use and the proposed development will significantly alter the character and appearance of the site. Whilst overall it is considered that the proposal would result in an intrusion of built development into the open countryside, due to the particular position of this site – in affect infilling an area of land between existing residential development, I do not consider that the resultant impact to the rural character and appearance of the area would be adverse and likewise, in regard to the/adjacent conservation area.

The applicants have set out the design approach adopted in the Design & Access Statement. The approach includes the following:

Layout: The layout of the proposed development has had regard to the character of the site and its surroundings and has been informed by the technical assessments and consultations carried out. General factors leading to the proposed layout include:

Topography: with an average gradient of 1 in 9, the design sets out dwellings principally laid out on an east west axis with three rows of units, each row occupying a similar level on the hillside. This stepped approach contributes to a harmonious form which respects the natural contours of the site. **Planting and Trees:** Substantial provision of open space and landscaping has been made to ensure that the dwellings would integrate into the area. All significant vegetation on the boundary of the site would be maintained and enhanced. Internal plots would be divided by new hedges and tree planting.

Density: A key priority in the design of these proposals has been to ensure that the verdant, informal village character would be respected. The submitted proposal are to a density of 15.5 units per hectare, which is consistent with much of the village ensuring that the site is not overdeveloped and does not become unacceptable urban in

character. This fairly low density is also a natural consequence of maintaining and enhancing mature vegetation on the site, site levels and a range of house types and sizes.

Neighbour amenity; Care had been taken in the positioning and orientation of the dwellings to ensure appropriate boundary separation distances and to prevent unsatisfactory direct window to window relationships.

Scale: Given the changing levels on the site, scale and building heights are a significant consideration. Specifically to minimise landscape impacts and overlooking there is a need to limit overall building heights. In response to these objectives a number of measures have been taken:

Dwellings are two storey in height maximum, smaller scale 1.5 storey dwellings are proposed for the lower part of the site adjoining St Nicholas Close and Bonaker Close. Plots at the upper part of the site are split level.

In terms of materials, the proposal is considered to be appropriate for this site and the immediate area. Consultations had been carried out at a pre-application stage and the conservation officers did not raise concerns in this respect. However, the comments of the Parish council are noted and it is considered acceptable to impose a planning condition requiring final agreement of the range of materials prior to their use.

Highways:

Notwithstanding the sustainability objection, at pre-application stage, the Highways department had indicated that subject to details regarding access, road layout, footpath linkage etc, the scheme is likely to be supported.

A Transport Statement has been submitted with the application as requested. The statement confirms that the design of the internal road layout will ensure low traffic speeds. The main carriageway width will be 4.8 metres with a footway on the eastern side of the bell-mouth. The road then becomes a shared surface with local narrowing.

The access off Porton Road has been designed to have minimal impact overall and specifically to avoid any unreasonable impacts on the existing boundary (Cob Wall) of Chalk House.

The layout of the access road has been designed to minimize its impact and reduce traffic speed in a controlled manner and in order to assist pedestrians it is proposed to provide a 1.8 metre wide footway along the site frontage.

As stated previously, the site lies outside of the housing policy boundary for Porton and as such would generally attract an adverse highway recommendation on sustainability grounds. It is acknowledged, however, that whilst the site is located just outside of the settlement framework it is within walking distance of the local facilities which include

shops schools and public transport linkages. For these reasons it is considered that a recommendation for refusal on this ground alone may be difficult to justify.

However, whilst there are no clear objections to the proposal on highways grounds, the highways officer has set out areas where details would benefit from further negotiation. These are as follows:

1. In this location I would expect visibility splays of 2.4m by 43m at or above a height of 600mm in line with the advice given in Manual for Streets. The full sight lines need to be shown on a drawing to be checked and approved.
2. I note that there is a pinch point on the access road at the opening in the existing cob wall. I would prefer if the vehicles entering the site had priority over those leaving and the layout should therefore be amended.
3. On the western side of the access the footway should continue into the site to a point opposite the entrance to Chalk House.
4. The access road into the site measures 4.8m. As this is a shared surface arrangement with no separate footways the carriageway should be widened to 5.5m. This will allow the free flow of vehicles and extra width for pedestrians and/or occasional visitor parking.
5. The parking is considered acceptable given that the garages are all over-sized with an internal dimension of 3m by 6m.
6. Turning facilities need to be provided to allow delivery and bin lorries to turn; swept paths are required to demonstrate the ability to turn. Please note I would not expect the bin lorry to enter the private road serving plots 2-5.
7. What arrangements would be made for the refuse collection for plots 1-5?
8. The buff coloured surfacing (block paving) is acceptable although I would prefer edgings to conservation kerbs.
9. I recommend that the applicant contacts our Drainage Engineer, to discuss the suitability of the drainage proposed, in particular the aquacells. Please note that the private road needs its own drainage system as it cannot drain into the proposed highway drain.

The applicant may wish to consider street lighting at this stage and in particular the positions of lighting columns. I suggest that they contact street lighting on streetlightinginwiltshire@atkinsglobal.com.

On balance it is considered that the matters raised above are not overriding nor do they represent highways objections. Therefore subject to conditions that will seek further improvements to the proposal as suggested above, there is no overall objection to the proposal on highways grounds.

Archaeology

As explained in the heritage desk based assessment (CgMS Feb 2014), the site has moderate to high potential for heritage assets with an archaeological interest, particularly with regard to the Iron Age and Roman periods.

The National Planning and Policy Framework (NPPF), which has superseded PPS5, contain the following Policy:

“128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

In light of this, and in line with NPPF (2012), the applicants were advised that an archaeological field evaluation will need to be carried out prior to the determination of the application. This information should reveal the impact of the proposed development on any buried archaeology. These works should be conducted by a professional, qualified archaeologist, in line with a Written Scheme of Investigation agreed by the council. The application includes an Archaeological planning statement which proposes trial trenching for the site. This is considered to be an appropriate form of field evaluation for this proposal.

Archaeological field evaluation works have been carried out on the site prior to determination in the 2nd week of June. Having inspected the site the archaeologist reported back that some archaeological features were found including a ditch and possible quarry pit. However the council has not received the report to date. It is likely that the archaeologist will require further work by condition.

In such circumstances no decision on approval of this scheme should be made until the results of the field evaluation have been made known. If the results are positive, it may be necessary to recommend a further programme of archaeological works as an appropriate planning condition to be carried out prior to or during the development, or to recommend preservation *in situ* of the remains. The costs of the archaeological works will of course fall to the applicant.

Members will be updated on this matter at the meeting.

The impact on the living conditions of proposed and nearby properties

It is considered that overall the application has demonstrated that the living conditions of both existing and proposed dwellings will be satisfactory. In particular, elevations and

dwelling orientation and layout is designed so there is not likely to be any unreasonable overlooking between properties. Therefore, there are no objections to the proposal in terms of impact on neighbor amenity.

Ecology - Nature Conservation

This application is supported by the following documents: Ecological Assessment Report (Hampshire Ecological Survives Ltd, Jan 2014) and Reptile Survey and Mitigation Strategy Report (Hampshire Ecological Survives Ltd, Feb 2014). Both reports are of a high standard and demonstrate that it would be possible for the development to lead to a small but reasonable net gain for biodiversity provided the recommendations were followed.

Habitats Regulations

There are two matters that need to be considered under the Habitats Regulations 2010.

The first is in relation to stone curlews which are a special feature of the Porton Down SPA. The site is in the Bourne valley and surrounded by built development. The general area is therefore not particularly suitable for stone curlew which is very sensitive to human activity and prefers large open fields. Retention and enhancement of the hedgerows as screens, and absence of footpaths through large fields to the south also help me to conclude that the development is unlikely to lead to significant effects (disturbance) on this species.

The second is in relation to the felling of the group of trees labelled as 5, 6, 7, 8, 9 in the ecological assessment and G22 in the arboriculture report. Tree number 9 (southernmost tree in the group) is known to be a bat roost as a result of surveys by Hampshire Ecological Services and will require a licence (under the Habitats Regulations) before it can be felled. I note that the arboriculture report states that trees in G22 do not need to be felled to allow the development to proceed but "Trees G22 are in such poor condition, they have been advised for removal in the interest of good management". Before the council grants permission to a development that will lead to a breach of the Habitats Regulations 2010, it is required to consider whether it is possible for a derogation licence to be issued by Natural England. The tests for such a licence are:

1. The work is required for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature..." (para 53 2 (e))
2. "There is no satisfactory alternative" (para 53 (9) (a))
3. The work "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" (para 53 (9) (b))

Given the wording of the arboriculture report it is unclear as to whether tests 1 and 2 above are met for tree number 9. If evidence can be provided to demonstrate that the

tests are met, then I believe that the information contained in section 5.6 of the ecological Assessment will be sufficient to satisfy test 3 and the council will be able to conclude that a licence may be forthcoming from Natural England. The other trees in this group were also assessed as having high potential for bats even though bats were not recorded using them during the surveys. Further consideration should therefore be given to the possibility of retaining these trees. The application should not be determined until this matter is resolved.

Hedgerows and trees

It is noted that although the report provides recommendations to maintain and enhance the site for foraging and commuting bats, not all of these have been incorporated onto the Proposed Site Plan. In particular the recommendation for the double hedge with central pathway on the southern boundary is not evident. This was intended to offset impacts on rarer bats requiring dark conditions but also to screen the development from wildlife such as stone curlew using adjacent fields. It would also provide good foraging habitat to replace the grassland and mature trees that would (subject to comments above) be lost in the middle of the site.

In order to secure many of the mitigation requirements of this development, it will be essential to ensure that the southern boundary in particular but also other areas of existing planting, are retained under a single ownership and not conveyed with individual plots. This was assumed to be the case in the Ecological Assessment Report. However the ownership situation for hedgerows is unclear from the Proposed Site Plan and this must be resolved before the application is determined. Over the next 20 to 30 years the value of these features for bats, reptiles, birds and other wildlife will deteriorate significantly if sections of hedging are removed and replaced by fencing and if trees are felled but not replaced. There is a considerable risk of this happening if there are multiple ownerships especially since the southern hedgerow is currently in poor condition.

Long Term Site Management

The long term management arrangements for landscape and ecological planting are unclear – they do not seem to be covered by the Landscape Maintenance Plan (Jan 2014). A plan needs to be prepared which clearly explains the responsibilities of the management company in terms of long term retention and management of ecological features. It is suggested the Landscape Maintenance Plan forms the basis of this and the ecological consultants have an input to ensure the works they recommended are delivered. These issues could be addressed by condition.

Construction phase

The developer should have regard to the consultant's comments in relation to the risk of low numbers of bats using the tiled roof on the Cob wall. Also appropriate measures should be taken to ensure that montbretia is not caused to spread further following site clearance works. Works to the reptile translocation site will need to be in place before

translocation begins. In addition there is currently insufficient information on the initial works that will be necessary to bring the southern boundary hedgerow into a condition that is suitable for regular long term management. These matters as well as procedures for bats and reptiles during construction can be covered by condition.

Lighting

Permanent lighting of the development should be designed to ensure that none of the perimeter hedgerows and none of the trees on the site are illuminated. The lighting plan should be conditioned.

Conditions:

Once the above matters are resolved it is recommended that conditions are included if permission is granted. In addition, it will be necessary to secure by S106 agreement, the long term retention of the reptile translocation site in the south west corner of the development and the southern hedgerow as mitigation for the loss of reptile habitat and other ecological features.

Water Environment and Drainage

The nature conservation importance of the river system arises from the range and diversity of riparian habitats and associated species.

Given the constraints of the water environment, it is evident that there are a number of potential effects, both during the construction and post-construction stages, associated with the proposed development that could pose a threat to groundwater and surface water quality if left unmitigated. In turn, this could adversely affect the water quality of the nearby River Bourne System, particularly given that the river and its ecosystem are sensitive to change. The potential effects on the water environment could arise as a result of pollution of groundwater and surface water during construction, potential contamination from surface water run-off, increased rate of surface water run-off, reduced groundwater recharge through reduced infiltration, as well as a result of increased demand for water supply and sewage treatment.

A mitigation strategy for pollution prevention measures would be required to ensure that any potential effects on the water environment are minimised and include adequate information to enable the Local Planning Authority, as the competent authority, to conclude that the development would not give rise to significant effects when undertaking an Appropriate Assessment in accordance with the Habitat Regulations. Suitable conditions can be imposed in this regard.

Public Open Space

Community Infrastructure Levy Regulations 2010 – Regulation 122 states that planning obligations must be:

- a) Necessary to make the development acceptable in planning terms;

- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development

In order to make the development acceptable in planning terms, the standards for the provision of Public Open Space in Association with New Residential Developments are set out in Clause 2 of the Adopted Local Plan – Appendix IV.

With regards to Clause 6 of the Adopted Local Plan – Appendix IV. Salisbury District is deficient in the provision of both Children’s and Adults Facilities throughout, therefore Wiltshire Council has adopted the upper target figures for the provision of both children’s equipped play facilities and youth and adult facilities.

Clause 7 of the Adopted Local Plan – Appendix IV details how the population level is calculated on any new development. Therefore the Calculation and the Proposed Population level is as follows:

	Number of Bedrooms	Occupants per	Number of Dwellings	Population
	1	2	2	2 x 2 = 4
	2	3	9	9 x 3 = 27
	3	4	4	4 x 4 = 16
	4	5	5	5 x 5 = 25
Total			20	72

Provision for onsite Children’s Use: Clause 2 of the Adopted Local Plan – Appendix IV, fairly and reasonably relates the scale and kind to the development by calculating the Provision of the Public Open Space in accordance with the proposed dwelling mix and population.

Therefore the calculations are as follows:

Population	Calculatio	Required Provision
72	Equipped Children’s Play Grounds 0.3	0.0216ha
72	Casual or Informal Play Space 0.5 hectares x	0.0360ha

In order to directly relate the Equipped Play Space to the development, it is requested to provide a 0.0216ha Equipped Children’s Play Ground on the development, the Play Area is required to be positioned where there is a degree of surveillance from the proposed dwellings.

If it is not possible to include a 0.0216ha Equipped Play Space within the development, an offsite Equipped Play Space contribution to be allocated towards the existing Equipped Play Space, located at Porton Recreation Ground will be sought in lieu of the on-site deficit. The Off-site Equipped Play Space contribution requested would be £33,968.16.

In this case due to the slope of the site (amongst other things) it was not considered appropriate for this provision to be provided on site. As such a contribution as referred to will be sought.

In order to directly relate the Casual Play Space to the development, it is requested to provide a 0.0360ha Casual Play Space on the development. With regards to drawing number PP182/101-00, it has been estimated the proposal provides approximately 0.1642ha of Casual Open Space, and this therefore is adequate for the development. It requested that the grass within the amenity meadow is kept at short length to ensure the area can be used as Casual/Informal Play Space.

Youth and Adult Use:

Referring to the Adopted Local Plan, appendix 4, clause 15, Wiltshire Council will expect developers to make provision for youth and adult facilities. It is accepted the Youth and Adult provision will be off the development site, and therefore the developer will be expected to make a commuted payment towards the provision of new or the improvement of existing Youth and Adult facilities within the local area.

Off-site contributions will be calculated in accordance with the scale of contributions operated by Wiltshire Council. As identified in Appendix 1 of Policy R2 Guidance Notes and therefore are as follows:

No of	Total Adult R2	Number of Dwellings	Calculation	Contribution Sought
1	£806.00	2	2 x £806.00	£1,61
2	£806.00	9	9 x £806.00	£7,25
3	£806.00	4	4 x £806.00	£3,22
4 +	£1,209.00	5	5 x £1,209.00	£6,04
		20		£18,13

The Commuted Payment will be sought towards a Youth and Adult scheme that is directly related to the development, a scheme is currently under consideration with Porton Parish Council.

Summary:

As demonstrated above, in order to make the development acceptable in planning terms. The following provision levels are necessary:

- Equipped Children’s Play Grounds of 0.0216ha, or an offsite contribution of £33,968.16 towards the existing Equipped Play facilities located at Porton Recreation Ground, in lieu of the deficit.
- Casual/Informal Play Space 0.0360ha (Fully Met)
- Youth and adult Commuted sum of £18,135 towards a Youth and Adult Scheme which is directly related to the development, a scheme of which is currently under consideration by Porton Parish Council.

Maintenance Requirements:

Developers will be expected to demonstrate to Wiltshire Council that adequate arrangements for the ongoing maintenance of recreational and amenity space associated with the development have been made. (Clause 19 of the Adopted Local Plan – Appendix IV), such provision may be required in perpetuity.

A maintenance sum will be requested for all adoptable areas, and therefore will be calculated on receipt of a detailed adoption plan, Management Plan and Planting Schedule for all adoptable areas. Therefore please accept these comments as a request for adoption documentation to be provided to Andy Mead when it is readily available.

Prior to adoption the open space should be fully laid out, equipped and ready for use before either Wiltshire Council or its nominee accepts responsibility. Based on the information provided to date, an indicative approximate Commuted Maintenance Sum has been calculated. The indicative Maintenance sum is £80,727.

Please note, should an Equipped Play Space be provided on-site, and if it was adopted by Wiltshire Council, an approximate indicative Commuted Maintenance Sum for the Equipped Play Space would be approximately £18,131.

Conclusion:

To give a clear indication of Environmental Services Current Position, an objection is currently held until the following matters have been agreed.

1. Agree the on-site Equipped Play Space Provision level of 0.0216ha and subsequent maintenance contribution if necessary, or an offsite Contribution of £33,968.16 to be allocated towards the existing Equipped Play Space at Porton Recreation Ground, in lieu of the on-site deficit.
2. Agree the Casual Play Space Provision level 0.0360ha. (Fully Met).
3. Agree the Youth and Adult Off-site Provision level of £18,135, to be sought towards a Youth and Adult Scheme which is directly relevant to the development, a scheme of which is currently under consideration by Porton Parish Council.
4. Provide an indication of any adoptable areas and agree the Commuted Sum to be sought.

However, in regard to this proposal resolution of the above matters are being sought and can be settled by means of the s106 agreement.

Flood Risk / Drainage:

A Flood Risk Assessment has been submitted with the application. This assessment concludes that the site is not located within an area considered at risk from flooding from Fluvial/tidal sources, overland flow, existing infrastructure or groundwater.

The Environment agency has been consulted and has confirmed they have no objection to the proposed development subject to standard conditions and informatives being used.

Wessex Water where consulted and they also have no objections to the proposal.

Therefore, subject to the measures set out in the flood risk assessment and the recommended conditions being imposed, there are no objections to the proposal on flooding and drainage grounds.

Affordable Housing:

Sited outside the Settlement Framework Boundary, this site does not meet the requirements of a rural exceptions site which would provide residential development solely for affordable housing. However if through the planning process the site is considered to be acceptable for general market housing, my comments related to affordable housing provision are as follows:

Policy Requirements:

Although the proposals would meet the requirements of Core Policy 3 of the South Wiltshire Core Strategy by providing 40% affordable housing, Policy 43 of the emerging Wiltshire Core Strategy introduces two separate affordable housing zones. This site falls within an area requiring at least 30% affordable housing. In order to meet the requirements of the emerging Core Strategy there would now be a requirement for the provision of 6 affordable homes on a development of 20 homes on this site. It is therefore suggested that amending the affordable housing provision to the following mix is appropriate:

2 x 1 bed flats

3 x 2 bed houses

1 x 3 bed house

The applicant should confirm which of the plots are to provide the affordable housing.

Tenure Mix / Property Mix

I would suggest a tenure split for the affordable housing as follows:

AffordableRented

2 x 1 bed flats

1 x 2 bed house

1 x 3 bed house

SharedOwnership

2 x 2 bed houses

The proportion of shared ownership homes that I have suggested is slightly above our usual preference of 25% of affordable homes being provided as shared ownership. However, the housing needs evidence suggests shared ownership to be a popular choice of tenure for this area.

Housing Need

There is a high level of housing need, with 10,755 applicants on the register in immediate housing need for affordable rented accommodation across Wiltshire. Of those 715 are in immediate need for affordable rented housing in the Amesbury Area Board area. There is also a high level of demand for shared ownership homes.

Minimum Size Standards

All affordable homes would need to be built to at least minimum size standards and Design & Quality Standards set out by the Homes & Communities Agency. The minimum size standards for affordable homes are based on the number of occupants per dwelling, and are as follows:

1 bed /	1 person	30m ²	
1 bed	2 persons	45m ²	
2 bed	3 persons	57m ²	
2 bed	4 persons	67m ²	
3 bed	5 persons	75m ²	1
3 bed	5 persons	82m ²	2
4 bed	6 persons	85m ²	1
4 bed	6 persons	95m ²	2
5 bed	7 persons	108m ²	
7+ persons	add 10m ² per person		

Design Standards

All affordable homes should be built to minimum Code for Sustainable Homes Level 3.

It is noted from the application that the 2 x 1 bed flats (Plots 13 and 14) are located over garages. It may be necessary to change the design, so that the flats are not located over garages, if it becomes difficult to find a Registered Provider to take on these units.

Transfer to Registered Provider

All affordable homes would need to be transferred to a registered provider approved by the Council, or transferred to the Council, on a nil subsidy basis.

Nominations

The local Authority would have nomination rights to the affordable homes, secured through a Nominations Agreement which will be signed by the Council and the Registered Provider.

S106 Developer Contributions

Developer Contributions will be triggered towards infrastructure/facilities, including recreational open space, education, waste and recycling facilities, the stone curlew project and public art.

With regards to open space provision; the provision of recreation facilities are required for all proposals for new residential development to account for increased demand in accordance with saved policy R2. In this regard, Wiltshire Council has adopted the upper National Playing Fields Association (NPFA) for the provision of both equipped children's play facilities (0.3 hectares per 1,000 population) and youth and adult facilities (1.8 hectares per 1,000 population) and a standard of 0.5 hectares per 1,000 population in relation to casual/informal play space. The level of on-site provision required is calculated by the Council's Open Space Officer using the housing mix (paragraph 7 of Appendix IV of the Salisbury District Local Plan).

Saved Policy PS5 of the SDLP requires new education facilities and/or financial contributions where new residential development would take the local school over its current capacity. The current (and imminently to be updated for 2013/14), cost multipliers are £12713 per primary and £19155 per secondary place. It is the education department's policy to make a formal assessment/response as part of the consultation process on a submitted planning application. Priority for "allocation" of spare places at a school is established by the date of such a planning submission. Their assessment is also specific to the site location, housing number and mix, and any changes to these would necessitate a new assessment. Affordable units also attract a standard 30% discount.

The applicable waste and recycling contributions are outlined in the internal consultation responses section above. In addition to these contributions; policy WS6 of the Waste Core Strategy requires any development proposals providing 10 or more dwellings units to include a waste audit and design and provide facilities for occupiers of the development to recycle/compost waste (bring systems) and/or facilities within individual properties for the source separation and storage of different types of waste for recycling and/or composting.

A waste audit is included as part of the application and the council has no objections to it.

A financial contribution may also be sought towards the provision of public art within the development (in accordance with policy D8).

10. Summary and Conclusion:

The SWCS and the emerging WCS seek to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles and the protection of the countryside and maintaining its local distinctiveness.

The site is outside a housing policy boundary (limits of development) where the presumption is against development unless for affordable housing exceptions site or rural workers dwellings, which in this case is not relevant.

Notwithstanding the fact that in the opinion of officers (refer comments above), this is a well designed scheme that will not adversely affect the character and appearance of the site, the adjacent conservation area, the landscape setting, biodiversity, flood defense, drainage and sustainability, overall this proposal is appropriate, in particular the characteristics / position within the settlement of this particular site, there is an 'in principle' policy objection to the scheme.

Any consideration of development for housing should therefore only be pursued through the Neighbourhood Plan Process and such a proposal would need to be subject to consultation with the local community in accordance with the Localism Act.

Whilst the application includes the document "A summary of the community involvement programme" undertaken by the developers, which has included extensive local consultations, the Parish Council comments confirm that nonetheless, the proposals do not have local support and they are not driven by the community.

RECOMMENDATION

That the application is delegated to the area development manager (south) to **REFUSE** permission for the following reason:

The development by reason of the proposed residential use in a location outside of the settlement boundary as defined within the Development Plan, represents development in the countryside for which no overriding need or circumstances have been demonstrated. As such the proposal would promote a pattern of

development contrary to the aims of achieving sustainable development as set out in the development plan, consistent with NPPF and therefore is contrary to policies H23 of the adopted South Wiltshire Core Strategy (saved policy) and Core Policy 2 of the emerging Wiltshire Core Strategy.