

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
CITY AREA COMMITTEE 01-09-2005

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

A106 - Approve subject to S106	DOEC - Refer to DLTR (Committee) Now DTLR	REF - Refusal
APP - Approve	NOBJ - No objection	REV - Subject to Revocation Order
APPC - Approve with conditions	OBJ - Objection	DOED - Refer to DLTR
APRE - Part approve / refuse	OBS - Observations to Committee	Now DTLR - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PAGE NOS	WARD & COUNCILLORS	NOTES
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Item	Application No. Office	Applicant's Name Location	Rec	Page Nos.	Ward Councillors
1	S / 2005 / 980 Mr R Hughes	WESTBURY HOMES (HOLDINGS) LIMITED LAND AT DOWNTON ROAD	A106	3 - 27	Cllrs. Collier and Culver East Harnham
2 SV	S / 2005 / 1534 Mrs B Jones	MR D HEATH 68 ST. ANN STREET	APPC	28 - 31	Cllrs. Howarth and Tomes St Martin & Milford
3	S / 2005 / 1546 Mr R Hughes	LAINSWOOD HOMES LTD LAND AT THE BOTTOM OF WILTON ROAD AND DEVIZES ROAD	APPC	32 - 38	Cllrs. Ms Mallory and Walsh Fisherton & Bemerton

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	- Area of High Ecological Value
AONB	- Area of Outstanding Natural Beauty
CA	- Conservation Area
CLA	- County Land Agent
EHO	- Environmental Health Officer
HDS	- Head of Development Services
HPB	- Housing Policy Boundary
HRA	- Housing Restraint Area
LPA	- Local Planning Authority
LB	- Listed Building
NFHA	- New Forest Heritage Area
NPLP	- Northern Parishes Local Plan
PC	- Parish Council
PPG	- Planning Policy Guidance
SDLP	- Salisbury District Local Plan
SEPLP	- South Eastern Parishes Local Plan
SLA	- Special Landscape Area
SRA	- Special Restraint Area
SWSP	- South Wiltshire Structure Plan
TPO	- Tree Preservation Order

Part 1

Applications recommended for Refusal

Item No.	Case Officer	Contact No.	
App.Number Ward/Parish	Date Received Cons.Area	Expiry Date Listed	Applicant's Name Agents Name
Proposal Location			

No Refusals

The site currently forms part of a larger area of informal grazing land, but is allocated in the Salisbury District Local Plan (Policy H2F) for housing development. The site is also subject of an adopted Development Brief which is Supplementary Planning Guidance.

THE PROPOSAL

This is an outline planning application with all matters reserved, except in relation to the vehicular access details, which the applicants have requested be considered for detailed approval.

The application relates to the construction of up to 130 houses on the site, incorporating a shop. Two vehicular access points would be created off the existing Rowbarrow road. (Members should note that the shop will only be developed if a marketing exercise results in it being taken over by a retailer, otherwise the land upon which the shop would have been developed will be developed for housing)

A detailed Environmental Impact Assessment (EIA) has been submitted which outlines the various likely impacts of the proposal, and details for mitigation of those impacts. Furthermore, a Design Statement with a masterplan has also been submitted indicating the ethos behind the scheme. The key features of the indicative masterplan are as follows:

The development is largely divided into “country house” style in landscape grounds next to an “estate village”

The creation of an axial arrangement linking the country house style grounds with the cathedral and with open landscape to the south.

The arrangement of green corridor and open land on higher ground to the south of the developed area to protect the open nature of the countryside to the south, drawing development back from the skyline

The green corridor will give a very strong identity for new development and to maintain continuity of open space and open land

Terraces and set piece buildings will form a strong frontage to the green corridor on the higher ground

The built form is designed to create another distinctive frontage along the northern edge of the new development, thus the development site should not have a northern front and a southern back

The provision of a network of public footpaths and cycleways intended to maximise public access to open space and to provide a coherent movement pattern through the site from all directions

Given the convex nature of the ground surfaces over much of the site, the built form is designed to step down the slope to create enclosure and a series of distinctive places

Furthermore, the key highway design features highlighted in the EIA are intended to be:

*5.5m principal roads through the site
a street hierarchy to include various widths, shared surfaces and path treatment
2m wide footpaths
3m wide combined footway/cycleways
4.5m by 90m visibility splays to Rowbarrow
a 20mph vehicle design speed within the development
a maximum car parking ratio of 1.5 spaces per dwelling across the site
cycle parking accommodated on plots
Contributions to bus lane along Downton Road
Additional footway will be provided to Downton Road
Cycle lanes to be provided on Rowbarrow at the main junctions*

With regards the provision of a retail shop and the future provision on a community hall, Members should note the following comments:

Provision of retail shop and car park in north west corner of the site, which is deemed to be an appropriate location for a retail facility allowing the maximum visibility to passing trade. With regards to the provision of the facility, Members should note the stipulation in the adopted Development Brief that the site for the shop be marketed, to ascertain the viability of the facility. If the facility is not deemed viable, then the Development brief indicates that the site can be used for housing development, with a suitable provision of a percentage of affordable housing. If however the shop is deemed viable then Members will note the stipulation of the policy that only up to half of the dwellings be built before the shop is provided. Members should however note that given the stipulation of the policy, there is a possibility of a situation developing whereby 75 houses are built, and a shop (or anything else) is actual never provided in this location on site, leaving an highly visible area of the site undeveloped. In order to stop this part of the application site becoming an eyesore, it is considered that the legal agreement attached to this application needs to address these issues, by providing for an agreed landscaping/maintenance scheme. The suggested Heads Of Terms of the legal agreement listed encompass and address these issues.

The Community Hall. Members may recall that land and monies towards the provision of a community hall were secured as part of the S106 agreement relating to the original Westbury Homes housing development. Such a facility already has planning permission subject of a 2003 application, the site of which is located in the north west corner of the current application site, and therefore conflicts with the suggested siting of the proposed shop, community hall, and some open space as shown on the submitted master plan. The land on which this 2003 permission was given is being held by Salisbury District Council for the sole provision of such a facility. Consequently, whilst land ownership and other similar issues are not normally a planning consideration, it is important that Members understand that in planning terms, if this current housing scheme is considered acceptable by Members (and GOSW), the developers will need to apply to this Authority to vary the original S106 agreement relating to the provision of a community hall by means of a separate application in that behalf, for separate consideration by this Committee. Secondly, the S106 attached to this application needs to ensure that a equitable "land swap" is achieved before development commences, to enable the best position for a shop to be provided and safeguarded, and adequate land to be provided by the developer on which the community hall could in future be built (subject of a separate future application). However, notwithstanding the above, the scale of this current proposal (up to 130 houses) is considered to trigger a requirement for a commuted sum towards the community hall. Again the Heads of Terms cover this issue.

PLANNING HISTORY

The site is allocated in the Salisbury District Local Plan (Policy H2F) for housing development. The site is also subject of the Development Brief which is adopted as Supplementary Planning Guidance.

Members should also note that part of the site (the north western corner) was subject of a planning application for a community hall and car park in 2003. However, following discussions with the community hall association, the developers and SDC, it is currently planned to place the community centre on a slightly different location adjacent to the public open space. A separate planning application is expected shortly for the community centre.

CONSULTATIONS

WCC Highways - The percentage increase in traffic levels on the local network as a result of the development is shown not to be significant. Whilst this analysis is accepted, it is the view of the Highway Authority that the introduction of further measures to support public transport, cycling and walking should be made as a result of the development. Particularly, funding towards a new bus lane on Downton Road. Also, introduction of an on carriageway cycle lane on the north side

WCC Library/ Museum - A condition is needed to secure a watching brief during development

Housing & Health Officer - The EIA identifies and evaluates all the major issues and I have no concerns about the principle of the proposal. Some attenuation measures may need to be implemented. It is considered essential that all sewers, manholes, pumping stations etc are built to adoptable standard and are adopted by the Water Authority. Permeable paving/surfacing should be used where possible. Oil/silt interceptors should be used for roads and parking areas, sustainable urban drainage systems should be installed.

Wessex Water Authority- The anticipated point of connection for the new development will be the existing 225mm diameter public sewer in Downton Road. There is already an adopted foul sewer at the northern site boundary. There is sufficient capacity at the sewage treatment works to accommodate the anticipated foul flows from the development. There is sufficient water resources in the area to accommodate the anticipated peak demands from the new development.

Environment Agency - No objections subject to conditions

HSE - No objections

DEFRA - It appears that this proposal does not involve any loss of best and most versatile land

English Heritage - It would appear that the archaeological mitigation measures have been comprehensively covered by Wessex Archaeology and I do not consider that I need to make any additional comments on the report, provided these measures are incorporated in the development and Scheduled Monument Consent from the DCMS is obtained for the elements of the proposals which fall within the scheduled area, I am satisfied that any issues relating to the historic environment have been adequately dealt with in the EIA.

County Ecologist - Recommends that a condition is placed on the scheme that requires the production and implementation of a detailed Construction Environmental Management Plan that incorporates detailed method statements as appropriate. I would recommend that the proposed wildflower meadow, hedgerow planting and proposed erection of bird and bat boxes are required as a condition. However, I would also recommend that a Habitat Management Plan is prepared and implemented as part of an appropriate legal agreement. I would endorse the proposed mitigation for lighting impacts on bats and would recommend that this mitigation is made a condition.

English Nature No objections subject to conditions

REPRESENTATIONS

Advertisement Yes. Expiry 18/6/05

Site Notice displayed Yes. Expiry 18/6/05

Departure No

Neighbour notification Yes. Expiry 10/6/05

Third Party responses Yes. 15, letters (including 28 page letter from Rowbarrow Residents Association)

Healthy belt of trees along Downton Road should not be removed or affected

Secondary access should be repositioned due to impact on amenity and removal of existing landscaping

Object to the apartment style building, which are not in keeping with the area

No objection to a development of a similar style and size to existing Westbury estate

Too many dwellings, will have adverse impact on parking, more rubbish and waste.

Height of Country house are out of keeping. This is not Bath.

Large population of skylarks on the proposed site

Development does not take account of residents in Ancient Way

Development is elevated and will have significant visual impact

Overlooking will be created

Fail to see the need for a new shop, this will cause traffic and antisocial behaviour

New shop and community centre will cause light pollution

Will devalue properties

This development will look the same as all the others

Oppressive to residents in Downton Road, particularly in winter

Darkness at night will be lost

Object to shop and its location, should be moved into the new estate

Not in favour of community hall

Meadowland will be lost

Character of area has changed over recent years and is now very urban

Density and height of dwellings need to be reduced.

Car parking for shop and community centre should be combined
 Dwellings should be designed in west county style, set among the meadowland
 Number of dwellings should be no more than 120
 New development would exacerbate existing traffic hazards
 Development should be in character with local environment, extensive use of rendering should not be permitted
 Shop will not be viable
 Construction traffic entering and exiting the site only to be permitted to use entrance nearest Downton Road
 A liaison process with the residents association be established to monitor dust and other impacts on adjacent residential properties and to clean up any pollution
 Parking should be looked at carefully, so that surrounding highways are not affected
 Planting needs to be maintained properly
 A second line of trees along Downton Road is essential
 33. Object to vehicular access off Rowbarrow, due to highway safety issues, as well as noise and disturbance issues regards amenity.
 34. Access should be directly off Downton Road
 35. Development would increase traffic along Downton Road
 36. Opposed to the shop. Will cause noise and disturbance issues. We already have a shop. it is unclear as to whose interests the RRA actually represent, and I (the writer) do not wish to have my address listed on any of documents or representations
 Letter from RRA indicating 19 homes are involved in the "current campaign", and confirmation that RRA does not represent all the views of all the residents.
 Reiteration by RRA of the need to have a well designed scheme
 Comments by the RRA on the various conditions in the officers report, with reiteration that the original 120 dwellings be adhered to, that noise and disturbance issues be looked at more closely, and queries regards the average figure of 1.5 parking spaces per dwelling perhaps including the community centre parking. Traffic issues have not been fully addressed.
 No objection to position of secondary vehicular access
 42 Access via park and ride?

MAIN ISSUES

Principle and policy
 Impact on surrounding areas and landscape
 Impact on adjacent amenities
 Impact on highway safety

POLICY CONTEXT

Due to the scale of this proposal, much of the Central Government Guidance is relevant to this proposal, and most if not all of the policies in the Development Plan are directly or indirectly related and relevant to this proposal. The EIA covers these issues and policies in detail. However below is a brief list of some of the most relevant policies:

Government Guidance - PPS1 PPG3 PPG9

Structure Plan policies – DP1 DP3 DP5 DP7

Salisbury District Local Plan policies:

H2F (site allocation policy) H25 (Affordable housing) , G1,G2 (general development policies),G3 G4 G8 (water and drainage issues) G9 (Planning obligations) D1, D7 (extensive development and design),R2,R4 (recreational open space and facilities) C7 (Special Landscape Area) , CN20-23 (Archaeology) TR1 TR12 (Transportation)

PLANNING CONSIDERATIONS

The EIA contains a detailed assessment of the likely impacts of the development and any mitigation measures needed to limit such impacts. In effect, the document therefore lists and addresses the various planning considerations related to this development, and it is therefore this document which must be analysed when assessing the impacts of this scheme.

However, the EIA is a large and complex technical document, at it is not possible to reiterate all the details of that document in this report. Instead, for the sake of brevity, the following paragraphs contain a summarised, easily digestible version of the details and conclusions contained within the EIA.

Members and other third parties should refer to the actual EIA document for detailed assessments of the impacts of the scheme and any mitigation measures.

1. PRINCIPLE AND POLICY

The site is allocated in the Salisbury District Local Plan (Policy H2F) for housing development. The policy states that:

“Land at Downton Road is allocated for residential development, including housing, open space, structural landscaping and ancillary community facilities in the form of a local shop and surgery. A mix of housing types and sizes will be sought, including a minimum of 25 percent of affordable housing in accordance with the identified need in Salisbury. The development of the site will be phased whereby no more than half the houses are to be constructed until the off site highway improvements have been implemented and the community facilities have been provided. Planning Obligations will be sought where they are necessary, relevant to planning and directly related to the proposed development. A development brief will be prepared for the site”.

The site is also subject of an adopted Development Brief which is Supplementary Planning Guidance. Key development principles outlined in the Development Brief are:

*Create a high quality built and natural environment – creating a place
Make the development fit in with its surroundings
Make the best use of the site
Make the development accessible for all
Respect the natural environment and promote bio-diversity
Create a development that can adapt to change
Design development that integrates sustainable use of resources
Integrate the proposed community hall with the development
Provide a range of house types and sizes including at least 25 percent affordable Housing
Provide appropriate and accessible open space including a childrens play area
Make any necessary contributions to the improvement of education in the locality
Provide a shop, doctors surgery and other community facilities where there is an established need for them*

As the scheme has been submitted in outline form only (except for highway details) this current scheme should be considered primarily in terms of the likely impacts and mitigation measures outlined in the EIA, apart from the highway matters, for which detailed plans are available for consideration.

2. ARCHAEOLOGY AND CULTURAL HERITAGE

There are a number of known archaeological sites and findspots within the general vicinity, including the Iron Age settlements of Little and Great Woodbury. A small part of the site actually lies within the boundary of this scheduled monument. Other archaeological remains include an upstanding round barrow along with ring ditches, pits and ancient field boundaries to the north of the site, and other features to the west of Odstock Road. There is evidence of prehistoric activity within the potential development site.

Linear ditches and associated features will be affected by construction activities, such as footings or services, and any currently unknown archaeological features could be similarly affected. The human burial in the east of the site and any associated burials which are currently identified will also be affected. The construction programme will however have no visual impact of the setting of the Scheduled Monument.

Mitigation measures

An archaeological desk based assessment has been undertaken, followed by an initial trial trenching evaluation. Mitigation measures undertaken thus far have been aimed at three separate archaeological issues:

provision of information regarding the location and plan of known archaeological remains within the site
details of the location and nature of previously unknown archaeological features
provision of information regarding the nature of features identified as cropmarks

Further mitigation measures will include the detailed excavation of the identified human burial and watching briefs during construction in certain parts of the site.

The impacts of the archaeological features will be reduced to acceptable levels through a phased programme of mitigation. The removal of parts of the site from potential arable farming will have a long term benefit in that archaeological remains in this area will no longer be subject to the annual cycle of ploughing and secondary cultivation. The development will have no impact on the setting of the Woodbury Iron Age Settlements Scheduled Monument.

Separate Schedule Ancient Monument consent will also be required because of the proximity of the site to protected areas, although this is a separate process which does not affect the outcome or determination of the this application.

Officer comments on EIA

WCC Archaeology and English Heritage have raised no objections to the proposal, provided the conclusions of the EIA are abided by. A suitable archaeological condition has been suggested below.

3.ECOLOGY

The site is located approximately 300m from the River Avon Csac, with highly permeable geological conditions beneath the site.

It has been agreed that the proposed development does not require an Appropriate Assessment under the Habitat Regulations. The proposed development is unlikely to have a significant impact on the River Avon.

The EIA indicates that the site is dominated by semi-improved grassland of low habitat value, and surrounded by trees and hedging of intermediate habitat value. There is no evidence of badgers on the site, although bats are known to forage in the grassland. Several common bird species were recorded. No evidence of reptiles or amphibians was recorded during the survey, although there is evidence of foxes.

Potential significant impacts - During construction

The development proposals will result in the permanent loss of semi-improved grassland which is of a low to intermediate ecological value as a food source and nesting area for wildlife. This impact is considered to be of minor significance. The impact on breeding birds is considered to be of minor to moderate significance.

The removal of vegetation from the site, ground regrading and general construction activities are likely to result in increased volumes of surface water run-off being generated at the site. Under normal conditions, it is considered unlikely that run off from the site would discharge directly into the River Avon. However, in the event that untreated contaminated run off was to enter local drainage ditches, temporary, localised ecological impacts of minor significance may arise.

The EIA indicates that mitigation measures might include that construction works will be undertaken following good practice guidelines to minimise disturbance. Site clearance will take account of the bird breeding season. Early on in the process, a temporary ditch will be constructed along the northern boundary of the development to contain surface water. This will

not impact on the adjacent tree screen. Other measures will include siting compounds away from sensitive areas. An Environmental Management Plan will cover these issues.

Post construction impacts

The generation of additional surface water run off will result in a slight alteration to the local ecology in the vicinity of the site, particularly within the beech tree belt. Changes in the local ecology arising from increased surface water run off are anticipated to be minimal and of minor significance. Street lighting will increase the lighting levels on the site, with the species most likely to be affected include bats, birds moths and insects.

In mitigation, the EIA indicates that the existing tree belt alongside Downton Road will be retained and the area between the trees and the development will be managed as a public open space and will comprise an informal rich wildflower/meadow grassland to encourage wildlife. The existing hedgerow on the north eastern boundary of the site adjacent to the Crest Dairy will be enhanced by new planting, which will be native in origin. Tree planting will be undertaken on the southern and eastern boundaries of the site to integrate the development in to the local area. The proposed planting and informal grassland area will provide foraging habitat for wildlife, this planting will reduce the impact of artificial lighting on bats and breeding birds. The reaction of bird boxes on walls of the new buildings or existing semi mature trees will potentially enhance the area for wildlife. Foul water from the new development will be discharged into existing sewer facilities and surface water run off will be managed through interceptors and Sustainable Urban Drainage.

The EIA concludes that providing that the necessary mitigation measures and appropriate landscaping design and maintenance are implemented, operation of the development will not adversely affect the protected species currently utilising the site. The long term residual impact during operation is considered to be of minor significance.

Officer comments on EIA

English Nature are now happy with the scheme. Therefore, their conclusions of the EIA on this matter are considered acceptable.

LANDSCAPE AND VISUAL IMPACTS

The EIA contains a detailed assessment of the landscape qualities of the areas surrounding and including the application site. This includes an assessment of the key viewpoints, particularly from an to Old Sarum, and the various surrounding footpaths.

The EIA concludes that there would be no direct impacts on the Avon Valley Floodplain. However, it does indicate that the only area with direct impacts would be to the South Barrow Slopes. In particular:

Construction impacts

There would be a loss of the open character of the area, although this impact is minimised by keeping development lower down the hill. Also, a length of approximately 15 metres of the structured planting along Rowbarrow would be removed. The planting to be removed is on the eastern edge of the structured planting and has not established well. A small section of planting would also be removed, opposite Millenium Close, for a footpath access to the site. There would also be some significant visual impacts during construction due to the nature of the works, which include the removal of a significant amount of chalk and the regrading of the land.

Post construction impacts

In year 1, the open character would be replaced by built development, with some parts of the development more readily visible than others depending on viewing location. However, given the built up character of the area and the positioning of the development further down the slope, impacts are judged to be slight adverse. In year 15, the EIA indicates that the development impact would be negated by the mature planting.

Cumulative impacts

The EIA also assesses the cumulative visual impact of this proposal in conjunction with other large development proposals in Salisbury, with particular regard to the Park and Ride site and the Harnham Relief Road. With regards the latter, the EIA concludes that it is unlikely that the two sites could be seen together from the majority of viewpoints, although probably visible together from distant viewpoints. With regards the former site, the EIA concludes that whilst both sites may be seen together from a number of view points, the existing landscaping and planting would minimise impacts.

Officer comments on EIA

The surrounding land to the south and west is within the Landscape setting of Salisbury designation covered by policy C7 of the Salisbury District Local Plan. The land to the north and north west is already developed for established residential and other use.

The site is located on rising land and forms a small part of a larger field, which is visible from many locations in the immediate and wider area, including from other higher land to the north across the city, including the Old Sarum Ancient Monument.

However, the application site itself occupies the lower north western corner of the existing larger field, and the visibility of any development on this land would be largely confined to the areas immediately around the site, as when allocating the site for development, the site area was restricted in size. Furthermore, the adopted Development Brief indicates clearly that no development should breach the agreed contour line, thus restricting the visibility of the development from long distance views.

Even from the Downton Road, the development would be partially screened by the existing mature tree line running adjacent to the north of the site boundary, particularly in summer months when the trees are in leaf.

The development would therefore be most visible and most apparent from the area around the existing Rowbarrow Road, looking from the west and north west. However, the supporting information indicates that the development would be cut into the existing land creating a stepped development, thus reducing the overall apparent heights of the proposed development. It is therefore likely that given the significant set back of the development from Rowbarrow Road, the development is likely to be seen against rising higher land to the south.

The development would of course be also visible from the east (from the existing Park & Ride site and adjacent footpath) and surrounding open (and higher) land to the south. However, from these directions, the development would be seen against other development to the north of the application site, including the city centre.

The indicative layouts and other ancillary details of the scheme do, however, seem to be in accordance with the principles of the Development Brief, in terms of the positioning of dwellings, and the Country House concept, which the Brief generally supported.

IMPACT ON AMENITIES (DESIGN AND VISUAL)

The EIA does not have a specific chapter titled “amenities” but instead addresses the various impacts on amenities in its separate sections. Whilst those sections are also summarised elsewhere in this report (see noise etc) , it is considered appropriate that at this point in the officers report, after the above discussions on design issues, that the likely impact of the development on the amenities of existing adjacent residents be considered.

A total of 10 letters of objection have been received regards this proposal, the contents of which have been fully considered, summarised, and listed elsewhere in this report.

In a visual sense, given the set back nature of the scheme with respect to adjacent dwellings in the existing Rowbarrow area and along Downton Road, and given its relatively secluded and screened location described elsewhere in this report, it is unlikely that the scheme would result in any significant impacts on adjacent amenities, in terms of overlooking, overshadowing, dominance etc. In terms of loss of outlook, it is obviously the case that the residential aspects of dwellings facing onto the site will be altered by this proposal. However, this would be inevitable with any residential development of the site and members should therefore take into account the significant weight carried by the allocation of the site and the Development Brief in the determination of the application. Notwithstanding this matter, the illustrative sketches submitted with this application indicate that the mature tree line adjacent Downton Road is to remain unaffected, and furthermore, the development itself would be sited and set back from the existing boundaries of the existing field by quite a significant distance. As such a relationship is considered to be acceptable in many respects, it is suggested that a condition be attached to any consent which will in, broad terms, restrict the siting of any future development to approximately this positioning.

In terms of general disturbances, the introduction of a significant number of houses on this site is obviously going to alter the status quo, due to the noise and other disturbances caused by the general comings and goings on new residents of the development. The EIA covers these issues and these are summarised elsewhere in the report.

TRANSPORT

The EIA considers the impact of the scheme once complete and during construction. It also assesses the cumulative impacts of the scheme in the context of other schemes, in particular the Harnham Relief Road and the Park and Ride. A Transport assessment has also been submitted.

Potential significant impacts - Construction Phase

The EIA indicates that the development would generate the need for four delivery lorries during the daytime and around 25 vehicles associated with construction staff. In addition to this demand, there is likely to be around 8 delivery lorries during the daytime associated with the removal of earth material from the site. The vehicles associated with construction staff are anticipated to arrive at the site in the morning, between around 7.30am and 8.00am and would leave the site at the end of the working day around 1630hrs. The lorries delivering materials to the site would be distributed throughout the course of the day.

There may be a temporary disruption to bus services on Rowbarrow during the construction of the footway/cycleway on the south side of the road.

The main periods of transportation of material, plant and works would be carefully timetabled to avoid periods of peak traffic flow on Downton Road, Odstock Road and Rowbarrow.

The transportation of materials, plant and personnel would be undertaken outside sensitive periods.

Impacts following construction

The EIA indicates that a package of measures will provide mitigation for the development as they do not form part of the on site works or access proposals:

Contribution towards increasing the coverage of the existing cycle routes in Salisbury

Contribution towards improving bus stops including real time information

Contribution towards Downton Road bus lane, and

Funding of a cycle lane on carriageway on the north side of Rowbarrow

An increase in traffic of 10 percent or more would be experienced on Rowbarrow during the morning and evening peak hours and over a typical day. The proposed development would give rise to a doubling of traffic flow on Rowbarrow. However, as the resulting future traffic is well below the capacity of the link and the proposals include the construction of a footway/cycleway

which would improve facilities for pedestrian, the impact is considered to be of negligible magnitude and significance.

The improved bus stop with passenger information and the contribution to the mitigation measures would provide a benefit for the residents of the proposed development and the existing public transport passengers. The proposed new footway/cycleway would increase accessibility for cyclists over a wider area, and potentially reduce the conflict between pedestrians /cyclists and vehicles on Downton Road and improve pedestrian and cycle links between Downton Road and Odstock Road.

Officers comments on EIA

WCC Highways and Highways agency have no objections to the scheme, subject to various contributions to highway infrastructure. These can be secured with a suitable legal agreement. Also, conditions can be imposed relating to the restricting of vehicular movements to and from the site during construction. Therefore, the proposal is considered acceptable on this basis.

LAND QUALITY AND GROUND CONDITIONS

The EIA assesses the potential impacts of the proposal on human health, soil, geological resources and controlled waters arising from the prevailing ground and ground water conditions. It also considers the mitigation measures that will be implemented as part of the development process. Potential and existing sources of ground contamination in and around the site are examined to determine the likelihood of significant levels of contamination affecting future users and occupants of the proposed development. Potential contamination has been taken to include possible historical use of the land and surrounding area.

Mitigation measures – Construction phase

The EIA recommends that a detailed ground investigation is undertaken prior to construction works to determine the potential for contaminants to be present and to identify the underlying geology and hydrogeological regime. Gas monitoring could be included. However, if such features are found during the ground investigation or construction phase, they can be mitigated either with engineering solutions or alterations to the master plan. The EIA goes on to indicate that this matter will be addressed via a Environmental Management Plan for the site.

Mitigation measures – operational phase

The drainage strategy implemented during the operational phase will minimise the risk of contaminated surface water run-off from the site access roads directly entering the subsurface. Oil receptors will be provided if required and some form of Sustainable Urban Drainage System (SUDS) will be implemented at the site. No further mitigation measures are recommended for implementation during the operational phase.

Officers comments:

The Environment Agency and Wessex Water have no objections to the proposals subject to various conditions. Therefore, subject to conditions, including the drawing up of an Environmental Management Plan, the proposal is considered acceptable with regard to the above issues.

WATER RESOURCES

The EIA outlines the results of a study of the existing hydrological and drainage conditions at Downton Road and an assessment of the potential impacts of the development on these conditions. The site is located approximately 1KM to the south and west of the main stretch of the River Avon, although it is within 500m of the Avon Navigation which part of the River Avon system. The study area includes the site itself and an area 2 KM around the centre of the site, and expanded where necessary.

Construction phase impacts and mitigation measures

Ground Compaction, earthworks, site regrading

The EIA indicates that an appropriate temporary drainage system to reduce surface water run off and maximise ground water recharge rates during construction will be installed. This will include an interceptor ditch located along the northern boundary of the site, and surface water drainage collection channels.

Construction vehicles and general site operations

All site works will be undertaken with suitable temporary drainage measures installed and in accordance with the Environment Agency's guidelines, and will be in accordance with the Environmental Management Plan.

Mobilisation of Historic Contamination

Any areas of contamination encountered during the course of construction works or identified by intrusive site investigations will be remediated during the development works.

Impacts and mitigation measures after construction

Changes in Natural surface and Groundwater Regime

The site will be drained via SUDS techniques, and a series of measures are incorporated into the development proposals to ensure that potential changes to the local hydrological regime are properly mitigated. (As described in detail in Technical Volume 8 Infrastructure).

Risk of Contamination reaching the Natural water environment

Surface water quality in the local area will be controlled by the use of a combination of passive SUDS techniques with silt traps and petrol interceptors where appropriate, prior to final release to ground water via soakaway(As described in detail in Technical Volume 8 Infrastructure).

Water demand

To reduce the water demand for the proposed site, and hence the volume of water abstracted and the required abstraction rate, a sustainable water supply strategy will be implemented at the development as part of the Environmental Management Plan. The strategy will incorporate techniques to minimise water usage, maximise the recycling and reuse of surface water run off (eg grey water recycling etc) and the installation of low water use devices.

Officers comments:

The Environment Agency and Wessex Water have no objections to the proposals subject to various conditions. Therefore, subject to conditions, including the drawing up of an Environmental Management Plan, the proposal is considered acceptable with regard to the above issues.

WASTE AND MATERIALS MANAGEMENT

The EIA also identifies the potential impacts that may arise from waste generated during the construction and operational phases of the development are identified, with the overall aim of developing a strategy for legislative compliance and good practice in the storage, transfer, and disposal of waste arising from both phases of the development. It also outlines the opportunities for implementing waste mitigation measures during each phase of the development in order to ensure that waste management practices are consistent with both Central government and local authority waste policies and targets. This will highlight the opportunities and constraints for managing solid waste arising from the proposed new development in a sustainable manner with the aim of reducing the potential impacts on the environment.

Construction impacts and mitigation

A waste management plan comprising measures to reduce the impacts of construction wastes will be implemented through the Environmental Management Plan. This will include appropriate targets and objectives for the minimisation and recycling of any materials during each stage of the construction phase. It will also contain an action plan for the types and quantities of materials that are required for each phase. As part of the planning and consideration of materials, materials from the current BRE "Green Specification Guide" will be used, which will ensure that there is further reduction in the environmental impact of construction materials.

Where appropriate, provision will be made within the development for the allocation of waste receptacles for the segregation of recyclables and general waste streams throughout the construction process. The reuse and recycling of materials on site will be encouraged. In addition, the EIA mentions the following measures:

- Dedicated and Colour coded skips for segregated waste for reuse and recycling
- Efficient planning and timing of material deliveries
- Dedicated haulage routes agreed with SDC and WCC to avoid peak periods
- Emphasis on using locally sourced recycled materials

Post construction impacts and mitigation

Appropriate provisions will be made within the development for the storage of waste receptacles for the segregation of recyclables and general waste streams during operation of the development. It is proposed that these matters be the subject of appropriate conditions or a legal agreement. The EIA indicates that the following measures will be adopted once the scheme is built to encourage recycling:

- Waste Information Guide – Information leaflet regarding waste collection and recycling tips which will be given to each householder, shop owners, and users of community centre
- Waste Storage Provision – Provision will need to be designed into the development for segregating recyclables and residual waste. For those dwellings with gardens, storage provision will need to be allowed for the following:

- Waste receptacle for residual waste
- Black box for mixed recyclables
- Single green sack for green waste
- Storage area for cardboard for recycling

For residents with no garden, communal storage areas will need to be allocated for the storage of residual waste and a black box for mixed recyclables as a minimum. The EIA recommends that a centrally located communal refuse store be provided at ground level for the storage of recyclables and residual waste.

For the community building, the EIA recommends that an area is allocated for the provision of receptacles for the segregation of wastes. Green waste associated with the maintenance of the Public Open Space and landscaped areas will be composted off site. The provision of bins at intervals throughout the open space is recommended, including dedicated bins for dog owners.

Waste Collection- This will need to be agreed with SDC. However, the EIA outlines how this could be achieved for the various waste streams.

Communal Bring Site Provision- This would be located in the car park area associated with the community building as a central collection point for recyclable materials. It is recommended that collection banks are provided, although the number and type of banks to be provided will need to be confirmed with SDC.

Officer comments:

It is possible to ensure that many of the above measures are implemented both during construction and post construction. This can be achieved via suitable conditions, and/or as part of the requirement of the legal agreement. As a result, subject to such provisos, it is considered that the proposal would be acceptable.

INFRASTRUCTURE

The EIA also includes an appraisal of the availability of services for the development, both during construction and once the development is completed. The report outlines the following issues:

Construction impacts and mitigation

During construction, a temporary drainage system will be installed to reduce surface water run off and maximise ground water recharge rates. Measures to prevent direct discharge of surface and groundwater generated into the unnamed ditch or the existing surface water drainage system and measures to avoid water contamination will be implemented at the site through the Environmental Management Plan.

Post construction impacts and mitigation

Once development is complete, the EIA indicates that a "Water Conservation Strategy" will be put in place. This will incorporate techniques for minimising usage into the housing design, including metering of water supply, dual flush toilets, and the provision of water butts. The EIA goes further, stating that rainwater harvesting and storage will be implemented within the development. However, the recycling and reuse of grey water in the houses, will only be utilised if practical and economic. The EIA indicates that the water saving measure could reduce water demand on the site by approximately 30 percent.

In addition to water conservation measures, the principles of SUDS will be incorporated into the development, including the use of porous pavements, and the use of soakaways were applicable. Surface water run off will be attenuated on site through storm water balancing and a network of channels within grassed open spaces.

The BREEAM standards will be used as a reference point, and a low energy strategy will be adopted. Buildings will embrace the principles of low energy design and will be designed to minimise heat loss. Design features will include reduced heat loss through insulation, providing houses with good solar gain, shelter belt planting and avoiding exposed locations. The layout will maximise passive solar gain.

Officers comments:

The Environment Agency and Wessex Water have no objections to the proposals subject to various conditions. Therefore, subject to conditions, including the drawing up of an Environmental Management Plan, the proposal is considered acceptable with regard to the above issues.

NOISE AND VIBRATION

With regard to the construction noise, the EIA indicates that this can be avoided by taking a considerate and neighbourly approach to relations with local residents. Works should not be undertaken outside the usual core hours of the industry, generally taken to be 0730 to 1830 hrs Monday to Friday and 0800hrs to 1300hrs on Saturdays, with no working on Sundays or Bank Holidays.

It goes further and indicates that where ground and site conditions permit, consideration should be given to the use of quieter methods of piling methods, such as continuous flight auger.

Whilst the EIA indicates that the need for noise mitigation measures is considered not to be critical, it states that due regard will be given to minimising the noise exposure at the properties when designing the layout of the site. According the EIA, this may including orientating the outermost properties adjacent to Downton Road such that their view of the road is reduced. It states that the internal noise limits set in the British Standards may be exceeded within the properties located along the north-eastern boundary during both the daytime and night-time periods with windows open. The EIA therefore envisages that habitable rooms should not be located on the façade adjacent to Downton Road. Furthermore, it recommends that some form of acoustic screening be erected between the properties and the road.

Officers comments:

The Council's EHO has no objection in principal to the proposals, but has highlighted the possible need for mitigation measures along the northern boundary of the site, due to the proximity of, and the general disturbances caused by traffic along Downton Road.

This raises a difficult issue, particularly in design terms. It is considered that the development, if built, should not have any definite fronts or backs particularly facing towards public realms, where it is important that facades of dwellings face the street scene, in order to provide a pleasant environment and to limit possibilities for crime.

The applicants agents have responded by indicating that in their opinion, these matters can be resolved by relatively simple design matters, such as appropriate glazing.

However, as this is an outline application where design and external appearance has been reserved, it is considered that this outline application can be approved, with design matters discussed at some point in the future. It is hoped that it may be possible to achieve an attractive design, whilst also addressing any concerns regarding noise and general disturbance issues.

A condition can be attached to any consent regards the hours of operation on the site, as indicated by the EIA.

AIR QUALITY

The EIA has considered the following issues:

- the existing air quality at the site
- the processes of site clearance, construction and landscaping operations, and their impacts on local air quality
- the impacts the development will have on air quality once it is operational

The report indicates that there is a potential for the generation and release of dust from construction processes. However, these impacts will be localised due to the fact that the dust is relatively heavy. Depending on wind speed and turbulence, it is likely that that the majority of dust will be deposited in the area immediately surrounding the source (up to 200m away). Properties to the north east of the site are most likely to experience nuisance, including properties along Downton Road and Rowbarrow.

The EIA recommends a number of measures which should be implemented as appropriate, including the covering of vehicles carrying loose aggregates, regular inspection and cleaning of local highways and site boundaries, careful location of site plant, no unauthorised burning of any material anywhere on site. It also states that liaison with SDC will be maintained throughout the construction process.

In summary, the EIA indicates that through good site practice and the implementation of suitable mitigation measures (including adequate control of HGV movements arising from on site pre construction earthworks), the impact of dust will be reduced and excessive releases prevented. After construction, the results of the EIA show that the development would cause a small increase in pollutant concentrations but would not exceed the statutory objectives. The impacts of the development is not considered to be significant when comparing the increases in pollution concentrations caused by the proposals against defined significance criteria.

Officers comments:

Some concern has been expressed by local people regards the pollution/disturbance impacts of the development. Suitable conditions can be imposed on the construction works which will mitigate some of the impacts listed above. On this basis, the proposal would be acceptable.

LIGHTING

The EIA assessment considers the potential lighting impacts during the construction and operational phases, particularly in relation to local sensitive receptors. These include properties along Rowbarrow and Downton Road and the Crest Dairy located in the south east corner of the site, and the night time amenity of the surrounding area.

Construction impacts

During construction, light pollution impacts will be mitigated by implementing best practice during construction, through the Environmental Management Plan, which will include measures for specified working hours, location of lighting to be agreed with SDC, lighting times to be limited, security lights angled below 70 degrees and directing of light into the centre of the site away from sensitive areas. Potential sky glow will be minimised by the use of modern floodlights with appropriate shields to avoid upwards light spill. The EIA indicates that the existing tree belt will help reduce light pollution levels.

Post construction impacts

The lighting strategy in the new development will be designed on the current best practice and technology, with street lighting agreed with WCC. The report indicates that the lighting is likely to be of a design suitable for a rural location, which would permit no more than 2.5 percent sky glow upward lighting ratio. Overall, the EIA seems to conclude that the existing and new landscaping would limit the amount of light pollution to an acceptable level.

Officer comments on EIA:

The County Ecologist has raised issues relating to the impact of lighting on protected species, and some concern has been expressed by adjacent residents. If Members are concerned about this issue, suitable conditions can be imposed relating to lighting schemes, so that any adverse impacts can be reduced. On that basis, it is considered that the proposal would be acceptable.

GROUND WORKS

The proposed development will take place on the lower slopes of chalk downland and the ground surface is characterised by shallow to moderate gradients. In order to prepare the site, it will be necessary to create level platforms to accommodate the development to ensure that the new housing sits well within the landscape. The preparation of the site would lead to the excavation of weathered and hard chalk which will require removal and management.

The EIA estimates that, as a worst case scenario, approximately 42000cubic metres of material will be excavated from the site, but this does not include the reuse of chalk for landscaping purposes. The report also indicates that topsoil will be stripped and retained on site for use in landscaping.

It is anticipated that the scheme will be constructed over approximately 3 years and divided into three phases. The approx volumes of excavated material generated during each construction phase are:

- Phase 1 – 6456 cubic metres
- Phase 2 – 12846 cubic metres
- Phase 3 - 22, 769 cubic metres

With regards the management of excavated chalk, the report outlines four options:

Re use on site - Some chalk will be reused on site where possible (landscape areas/bunds etc)
Disposal on adjacent land - this is discounted in the EIA due to the significant visual impacts involved

Off site management – The number of lorry movements estimated to remove 42,000 cubic metres of chalk off site is approximately 5329. This results in an anticipated 7 to 16 lorry movements a day throughout the 3 years of construction. Prior to transportation, some excavated chalk may be temporarily stored on site, and to minimise visual impacts, the majority of the material would, it is envisaged be stored between the existing tree belt and the edge of the development. The EIA claims that this would not affect the trees.

Combination of Chalk Management option – This was discounted due to visual impacts

In conclusion, the EIA considers that option c is the most acceptable option, but recommends that lorry movements be phased throughout the construction periods, so that the number of lorry loads to and from the site can be reduced as much as possible. This would be enshrined in a Soil Handling Strategy.

Officer comments:

It is accepted that a significant amount of chalk will have to be removed from the site, and that the only appropriate way is to remove it from the site by vehicle. No matter what restrictions are placed on the scheme, it is likely that adjacent residents will, during construction, suffer a reduced level of amenity due to the actual ground works themselves, and the removal of waste from the site itself.

However, if Members approve this application in outline form, the regrading of the ground will be an unavoidable necessity if the site is then to be developed for housing given the currently gradients of the site. On that basis, it is considered that conditions can be imposed to at least reduce the likely impacts on adjacent amenities, in terms of restrictions on times of operations, lorry movements, and phasing.

SOCIAL AND ECONOMIC

The EIA also contains a chapter assessing the impact of the works and the development itself on the social and economic life of the area, assessing population changes, and employment opportunities.

It is considered that most of the issues covered here have already been considered as part of the Local Plan allocation process, or are either not material to the determination of this planning application (ie the likely increase in population size), or have been dealt with else where in the EIA and this report.

However, the EIA does indicate that 33 percent affordable housing is to be provided, and that contributions will be made toward educational improvements off site. Highway contributions are also confirmed.

These matters can be secured via a S106 agreement.

CUMULATIVE IMPACTS

The EIA also contains a chapter assessing the impact of the development itself combined with other developments in the area, on the surrounding area. It concludes that subject to the implementation of the proposals and associated planning conditions and agreements, together with the application of appropriate statutory standards of development control and environmental regulation at the other development sites, there will be no significant adverse cumulative impact.

It is considered that most of the issues covered here have been dealt with else where in the EIA and this report.

COMMENTS OF SDC INDEPENDENT CONSULTANT

Members should note that the Council's Independent EIA consultant has carried out an assessment of the applicants EIA. Overall, the EIA appears to have been carried out in an acceptable fashion in accordance with Best Practice guidelines. However, the assessment has highlighted the following general issues:

There is some confusion regarding whether the construction period would be 2 or 3 years, and 2 or 3 phases

It would have been useful if the ES had included information detailing the evolution of the masterplan

Within the noise assessment, the provision of baseline noise levels from road traffic should have been provided

There are a few occasions when mitigation has not been clearly identified, and mitigation measures not been described at all

More information needed regards the content and implementation of the Environmental Management Plan is needed.

The assessment has also highlighted the following specific issues in relation to the various topics (as outlined in your report):

Archaeology

The assessment raises only minor concerns regarding the description and detailing of the various mitigation measures

Landscape and Visual

The report states that operational visual impacts, in close proximity to the development site, have not been described, although later in the same paragraph it indicates that there is sufficient guidance on landscape and visual impact assessment to support a systematic approach to the assessment.

Transport

Information describing the routes that construction vehicles will have to follow and the likely content of the Traffic Management Plan would have been welcome.

Land Quality and Ground Conditions

Within the land quality and ground condition sections, extra information is required, which either describing the works required to identify the location of the solution features, or identifying the locations of the solution features

Infrastructure

It is not clear if the construction of the new connection to the water distribution system is likely to have any impacts on Britford Primary School. Clarification would therefore have been welcome.

Noise and vibration

No evidence is provided to demonstrate that the Local Authority have been involved in the decision to allocate the site as NEC B rather than NEC C, and information outlining the local authority's opinion on the attribution of NEC's should have been included to justify the conclusions drawn.

It would have been useful if the location of the noise sensitive receptors had been provided and any significant impacts likely to affect them identified.

The ES should clarify whether piling is likely to be required during construction

Additional information should have been provided identifying results of the noise monitoring and how they have been used within the impact assessment.

Air Quality

Clarification is needed to confirm whether monitoring of emissions will be carried out, and what mitigation measures will occur if problems occur.

Lighting

The assessment is generally happy with the EIA regarding this matter, apart from stating that the transparency of this section could have been enhanced by the provision of definitions for the significance scale.

HDS comments on above

Whilst the applicant has been asked to clarify the issues raised above, Members should note the general agreement of the main consultees on these matters subject to conditions. It is therefore considered that should members resolve to approve the application, the above matters can be delegated to the HDS to resolve prior to a decision being issued, and to bring the matter back to Committee if matters remain unresolved.

CONCLUSION

The site is allocated in the Local Plan for residential development. The submitted scheme therefore broadly accords with this allocation and the adopted Development Brief. The EIA indicates that the surrounding environs will be largely unaffected by this proposal following mitigation. The consultees appear to agree with this stance subject to conditions. Whilst the development of this site will inevitably change the existing situation experienced by adjacent residents, the scheme would be in accordance with the adopted Development Brief, and would be designed so that any impacts would not be significant, in terms of general visual amenities, and general disturbances.

4.WCC Highways and Highways Agency have no objections to the proposal, and the EIA indicates that the traffic increase would not have a significant impact on surrounding highway systems.

In terms of the principles of development of this site for housing as proposed, the scheme is considered to be in accordance with Central government guidance, given in the various PPG's and PPS's and other guidance. Likewise, the scheme in principle would accord with the policies within the Development Plan. However, suitable conditions will be needed, as will a suitable legal agreement in order to provided the mitigation recommended in the EIA.

As the application site area exceeds 5 ha, this application must be referred to Secretary of State under the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000.

RECOMMENDATION: - RECOMMENDED TO THE SECRETARY OF STATE THAT;
SALISBURY DISTRICT COUNCIL IS MINDED TO APPROVE SUBJECT TO ALL PARTIES ENTERING INTO A S106 LEGAL AGREEMENT IN RESPECT OF:

- a)PROVISION OF AFFORDABLE
- b)PROVISION OF/CONTRIBUTIONS TOWARDS ON AND OFF SITE PUBLIC OPEN SPACE
- c)FINANCIAL CONTRIBUTIONS TOWARDSOFF SITE EDUCATIONAL FACILITIES
- d)BEFORE DEVELOPMENT COMMENCES COMPLETION OF THE EXCHANGE OF EQUAL AMOUNTS OF LAND WITH SDC TO ENSURE THAT THE OPTIMUM VIABILITY OF A SHOP CAN BE TESTED WITHOUT PREJUDICING THE PROVISION OF A COMMUNITY HALL.
- e)FINANCIAL CONTRIBUTION TOWARDS COMMUNITY HALL
- f)THE SITE FOR THE PROPOSED SHOP BEING MARKETED FOR AN AGREED PERIOD AND CONTINGENCY ARRANGEMENTS BEING AGREED, INCLUDING FUTURE TIMING AND LANDSCAPING, IN RELATION TO THE OUTCOME OF THE MARKETING REPORT AND THE FUTURE MAINTENANCE/USE OF THE SITE

- g) SUBJECT TO THE SHOP BEING MARKETED AND BEING A VIABLE PROPOSITION, A COMMITMENT THAT NO MORE THAN HALF OF THE DWELLINGS WILL BE CONSTRUCTED BEFORE THE COMMUNITY FACILITY (THE SHOP)
- h) CONTRIBUTION TOWARDS OFF SITE HIGHWAY FACILITIES/ INFRASTRUCTURE, INCLUDING CYCLEWAY AND FOOTWAY ALONG ROWBARROW.
- i) FUTURE MAINTENANCE SCHEDULE FOR LANDSCAPING
- j) PROVISION OF WASTE RECYCLING FACILITIES ON SITE (INCLUDING INDIVIDUAL HOUSEHOLDER FACILITIES)
- k) PROTECTION AND ENHANCEMENT OF EXISTING TREES AND LANDSCAPING OFF SITE
- l) A SCHEME FOR THE FUTURE MAINTENANCE OF THE SUSTAINABLE URBAN DRAINAGE SYSTEMS

Furthermore, condition 10,11,13, 14, & 20 need to conclude with a “trigger” to ensure that the various works are carried out in accordance with agreed details.

APPROVE: for the following reasons

The site is allocated in the Local Plan for residential development. The submitted scheme therefore broadly accords with this allocation and the adopted Development Brief. The EIA indicates that the surrounding environs will be largely unaffected by this proposal following mitigation. The consultees appear to agree with this stance subject to conditions. Whilst the development of this site will inevitably change the existing situation experienced by adjacent residents, the scheme would be in accordance with the adopted Development Brief, and would be designed so that any impacts would not be significant, in terms of general visual amenities, and general disturbances.

WCC Highways and Highways Agency have no objections to the proposal, and the EIA indicates that the traffic increase would not have a significant impact on surrounding highway systems.

In terms of the principles of development of this site for housing as proposed, the scheme is considered to be in accordance with Central government guidance, given in the various PPG's and PPS's and other guidance. Likewise, the scheme in principle would accord with the policies within the Development Plan. However, suitable conditions will be needed, as will a suitable legal agreement in order to provide the mitigation recommended in the EIA.

And subject to the following conditions

01 Approval of the details of the siting, design and external appearance of the building[s], and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. (A01A)

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.(0001)

02 Plans and particulars of the reserved matters referred to in condition 01 above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. (A02A)

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.(0001)

03 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (A03A)

REASON: 0007 For the avoidance of doubt.

04 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. (A04A)

REASON:0007 For the avoidance of doubt.

05 The details of the development which are required pursuant to the above condition 01 shall generally accord with the illustrative drawings which have been submitted in amplification of, but do not form part of, the outline application. (A05A)

REASON:0007 For the avoidance of doubt.

06 The vehicular access points and associated internal roadways shown on approved plan No. 1734.15c shall be constructed to base coat level prior to any other development taking place. All the highway features, including the new footways and cycleways along Rowbarrow, and all internal roadways shall be properly constructed to adoptable standard prior to first occupation of the dwellings, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure that the development is adequately served by acceptable highway linkages in the interests of sustainable development, highway safety, and residential amenities.

07 The number of dwellings on this site shall not exceed 130 houses.

REASON: In order to ensure that the impacts of the development do not exceed those outlined in the EIA, and to ensure that the scheme accords with the adopted development brief.

08 The shop hereby permitted shall not trade outside the hours of 7am to 10pm.

REASON: In the interests of amenity

09 Construction works shall be undertaken only between the hours of 0730hrs to 1830hrs on Mondays to Fridays, and between 0800hrs to 1300hrs on Saturdays. No working on Sundays or public holidays, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of amenity

10 Prior to development commencing, a Soil Handling Strategy indicating details of the location of the storage of any materials, plant, machinery, including excavated materials, and phasing of lorry movements, shall be submitted to and approved in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: In order to limit the impact of the proposal in the interest of amenity

11 Notwithstanding conditions above, prior to any construction works commencing, a detailed scheme which outlines the mitigation measures to be put in place with regards the construction works and the impacts on surface water drainage and adjacent amenities, including details of the foundation construction techniques, a noise protection scheme, temporary drainage system, routes and timing of traffic, location of site plant, cleaning of site and vehicles, and the covering of lorries carrying aggregates, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: In order to control pollution caused by the development

12 Prior to any development commencing, a Waste Management Plan shall be submitted to and approved by the Local Planning Authority. The agreed scheme shall include appropriate targets and objectives for the minimisation and recycling of any materials during each stage of the construction phase, and shall be carried out as approved.

REASON:: In order to ensure that the development includes sustainable waste recycling features.

13 Prior to any development commencing, details of lighting, in relation to both construction period and the post construction period, shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: In order to limit light pollution from the works.

14 No development shall commence until a scheme of water saving measures has been submitted to and agreed in writing with the Local Planning Authority in consultation with the Environment Agency. Development shall be carried out in accordance with the agreed scheme.

REASON: TO reduce the adverse affects of current water usage levels on the Hampshire Avon River Catchment and to protect future public water supplies in the area.

15 No works shall commenced, and the site shall not be cleared between the months of March to August respectively, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to avoid the bird breeding season and thereby mitigate the impacts on protected species.

16 No development approved by this permission shall be commenced until a scheme for the disposal of surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans and in the timescale agreed.

REASON: To prevent pollution of the water environment.

17 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by of the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

18 No development shall take place within the area of the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. (X03A)

REASON: In order to secure an archaeological evaluation

19 Prior to any development commencing, and in addition to the information submitted in pursuance of the above conditions, an Environmental Management Plan and Habitat Management Plan shall be submitted to and approved in writing. Such a Plan shall indicate all measures to be undertaken to mitigate the impacts of the various works, as outlined in the Environmental Impact Assessment submitted with the outline planning application. Development shall be carried out in accordance with the agreed scheme.

REASON: In order to mitigate the impacts of the proposal in accordance with the submitted EIA.

20 Soil Decontamination

Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied (T04A)

REASON: In order to ascertain the level of contamination on the site

21 Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

REASON: 0014 To secure a harmonious form of development.

22 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. (G22A)

REASON: 0031 To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

23 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (G23A)

REASON:0032 To enable the Local Planning Authority to secure the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.

24 Before the commencement of the development, or of any works on the site, and concurrently with the detailed design plans, a tree survey shall be submitted to the Local Planning Authority. The survey shall contain relevant details on all trees on or adjacent to the site, and with a stem diameter of 100mm or greater, to include the following:

Reference number, species, location, girth or stem diameter, and accurately planned crown spread.

An assessment of condition, and value.

Existing ground levels, including contours where appropriate, adjacent to trees where nearby changes in level, or excavations, are proposed.

Trees to be removed in conjunction with the proposed development shall be clearly marked as such on the plan.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable proper consideration to be given to the impact of the proposed development on existing trees, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development.

25 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed,

And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

H2F (site allocation policy) H25 (Affordable housing) , G1,G2 (general development policies),G3 G4 G8 (water and drainage issues) G9 (Planning obligations) D1, D7 (extensive development and design),R2,R4 (recreational open space and facilities) C7 (Special Landscape Area) , CN20-23 (Archaeology) TR1 TR12 (Transportation)

INFORMATIVE: -

As you are aware effective planning for the sustainable use of water in this catchment is essential in order to prevent/minimise a detrimental affect on the sensitive Hampshire Avon River. It is also essential in sustainable planning for future public water supply. Policy G3 in the adopted Salisbury District Local Plan supports this.

Unlicensed Abstractions

A search for licensed water abstractions in the area has been conducted, but it is not clear whether the presence, or lack, of unlicensed abstractions has been checked. As the site overlies a Major Aquifer there is a strong possibility of such abstractions being present. We would recommend that a search be carried out. Information regarding unlicensed abstractions should be available through the Local Authority's Environmental Health Officer.

Surface Water Drainage

The applicant does not specifically state how surface water will be discharged once the development is completed. We note the proposed use of Sustainable Drainage Systems (SuDS), although the applicant has not stated location/layout details at this stage. Guidance relating to this is available in the CIRIA document reference: C609, which outlines practices to be employed to maximise pollutant removal and groundwater protection.

Only clean, uncontaminated surface water should be discharged to any watercourse or soakaway.

Dewatering

The applicant has stated that they do not believe it will be necessary to dewater at the site. If it is discovered to be necessary, a Prohibition Notice may be required. The applicant should contact the Regulatory Water Quality team in this office for further information (01258 483370).

Flood Risk

This site is located in Flood Zone 1 which is land outside the floodplain as shown on the Environment Agency's Flood Zone Maps. Whilst the site is outside the floodplain, development in this category (i.e. over 5 ha) can generate significant volumes of surface water. The impact and risks posed by this will vary according to the characteristics of both the development and the catchment.

Land Quality and Ground Conditions

We note that it is recommended that a detailed ground investigation is undertaken prior to construction works. We would welcome the opportunity to consider the findings of such an investigation in due course.

Oil Storage/Pollution Prevention

Any storage of oils/fuels must adhere to the Oil Storage Regulations. Facilities for the storage of oils, fuels or chemicals should be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume that could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

If the capacity of any storage container is greater than 3500 litres the developer should refer to Guidance for the Control of Pollution (Oil Storage) (England) Regulations 2001 published by the Department for Environment, Food and Rural Affairs.

Safeguards need to be sought from the applicant to minimise detrimental effects to the water interests of the site and the risks of pollution during the construction phase.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

Sustainable Construction

We would encourage the design and construction of the development to include sustainable construction measures, such as those given in the Building Research Establishment (BRE) EcoHomes standards or similar. This allows the maximum preservation of natural resources during construction and raises energy efficiency during subsequent use. It also contributes to the creation of a pleasant living environment.

Development approved by this permission shall endeavour to achieve a 21% saving on current average levels of water consumption in new buildings (150 litres per head per day). Dwellings as part of the development should achieve ideally a credit rating of at least 3 (WAT 1) and 1 (WAT 2), as set out in "EcoHomes 2005 – Environmental Rating for Homes, Guidance, 2005, Issue 1.1", through the use of approved water efficient internal and external appliances, fittings and systems.

NOTES:

S/2005/1534	22/07/2005	16/09/2005	MR D HEATH
STMT	SAL	II	MACKENZIE OSBORN
Easting: 414832.1	Northing: 129672.1		

PROPOSAL:	WITHOUT COMPLIANCE -REVISION TO PREVIOUSLY APPROVED SCHEME TO ENLARGE DIMENSIONS OF THE GARAGE WITHOUT COMPLIANCE WITH CONDITION 4 OF S/2005/0378
LOCATION:	68 ST. ANN STREET SALISBURY SP1 2DX

REASON FOR REPORT TO MEMBERS

Councillor Tomes has requested that this item be determined by Committee due to:
The controversial nature of the application and the local interest.

SITE AND ITS SURROUNDINGS

The site forms the rear portion of the existing garden to 68 St Ann Street, which is a Grade 11 listed building. The applicant has previously sought approval for three dwellings (refused) two dwellings (refused, and dismissed at appeal) and the most recent current application was for one annexe (approved with restrictive occupancy condition).

The site currently provides parking for several vehicles, and general garden storage. The site is enclosed by a high wall and gate to the south, a brick wall with shrubs on the neighbouring side to east (Duino) and existing dwellings to the west (Prospect Place). The proposal includes provision of a double garage for No 68 to the north, with the remainder of the boundary provided by a fence, enabling access to the garden and pool of No 68.

THE PROPOSAL

The applicant previously sought under S/05/378 to create an annexe with two parking spaces, and a garage for No 68, with access from the south. The current application seeks to extend the dimensions of the approved garage from approx. 6.2m w x 4.7m h x 5.8m d to 7.5m w x 5.2m h x 7.1m d. The development would be without compliance with Condition 4 of S/05/378, which required the garage to be constructed in accordance with the approved drawings and dimensions.

PLANNING HISTORY

S/03/2036	Swimming pool building	A	23/12/03
S/01/651	2 two bed dwellings with access.	R	12/701
AD 24/5/02			
S/05/378	3 bed annexe and double garage	A	21/4/05

CONSULTATIONS

ARCHAEOLOGY	No objection subject to conditions
CONSERVATION	No objection in principle - response on revised plans awaited
(previously no objection subject to conditions)	
HIGHWAYS	No objection

REPRESENTATIONS

Advertisement	Yes	Expiry 1/9/05
Site Notice displayed	Yes	Expiry 1/9/05
Departure	No	
Neighbour notification	Yes	Expiry 23/8/05

Third Party responses Yes **4 letters of Objection** on grounds of creeping encroachment, adverse impact on Conservation Area, suggest resiting of garage on site of annexe, precedent, increased noise and disturbance, damaging to environment.

MAIN ISSUES

Principle

Impact on revised garage dimensions on:

neighbouring amenities

Listed Building and Conservation Area

Highway Safety

POLICY CONTEXT

Adopted SDLP G2, R2, H8, H33, CN3, CN5, CN8, CN9, CN22, CN10 and CN11.
(Housing)

PPG3

Principle

The principle for the annexe and garage development has been established under S/05/378. However, Condition 4 required the development to be built in accordance with the approved drawings. Therefore the applicant has applied once again for the same annexe development with amended garage proposals. The principle for the development has therefore been established, in accordance with Policy H8, which makes general provision for new residential development within the HPB of Salisbury.

Scale, Design and Impact on neighbouring amenities.

The site lies within the HPB for Salisbury and within the Conservation Area. The garage would be constructed from red brick with boarded doors and traditional hinges. Whilst the principle of the garage was accepted under the approved application, the revised dimensions of the garage are considered to result in a larger building that would have a more bulky, tall appearance. There would be some increased impact on the adjoining property (Duino) in terms of dominance, and the fact that the increased depth of the garage would close the gap between the approved footprint and an existing outbuilding within the curtilage of Duino. However, there is unlikely to be any material additional impact on an existing window on the west elevation of Duino.

The proposal is likely to increase the visual impact of the garage building on Duino in terms of dominance. The ridge of the roof would increase in height by approximately 40cm higher than the approved ridge, above the boundary wall. However, the occupiers have not raised an objection, and on balance of the considerations, the proposal is considered to be in accordance with Policy G2.

Notwithstanding the above, the applicant has been invited to amend the scheme with a reduced ridge height, which would reduce the impact on the adjoining property. These drawings have not yet been received but will be included as late correspondence if they are submitted.

Impact on the Listed Building and Conservation Area

The Conservation Officer previously raised no objection to the proposal. The proposed garage would not be prominent when viewed from Eyres Way. Whilst the proposal would increase the bulk and dominance of the building, it would not have any significant visual impact on the streetscene. The view of the Conservation Officer on any revised plans would be attached as late correspondence. The proposal is therefore considered to be in accordance with Policies CN3, CN5, CN8, CN9, CN10 and CN11.

Archaeology

The site lies on the southern edge of the probable extent of the medieval city of Salisbury. The area around St Ann Street is thought to have been the original area designated for the new city. The County Archaeologist has recommended that an archaeological watching brief should be carried out in the initial stages of construction, in accordance with Policy CN22.

Conclusions

Whilst the proposed garage would have some additional impact on the neighbouring amenities of Duino to the west, the proposal is considered, on balance, to be acceptable within the adopted policy context of the SDLP.

RECOMMENDATION: APPROVE for the following reasons:

The proposed development is to vary the existing consent for a residential annexe and garage associated with No 68 St Ann Street within the Salisbury Housing Policy Boundary. The proposed alterations to the garage dimensions would satisfy the adopted policy context of the Salisbury District Local Plan and would preserve the existing character of the Conservation Area, would not harm the setting of the listed building, or be detrimental to highway safety or unduly disturb neighbouring amenities.

And subject to the following conditions:

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

2. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 68 St Ann Street, Salisbury. The annexe hereby approved shall not be sold, leased, rented, or otherwise disposed of as a separate dwelling unit at any time.

3. Notwithstanding the provisions of Class A To E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the building, nor the insertion or alteration of any windows, and no addition or alteration to the roof (including insertion of rooflights and dormer windows) unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

4. The development shall be carried out in strict accordance with the drawings (1005/3 Rev C) hereby approved showing omission of the dormer windows and chimney, or with any such details as may subsequently be submitted to and approved in writing by the Local Planning Authority.

5. The site access shall remain ungated at all times

6. Before development commences, the southern boundary wall shall be lowered to a height of 900mm in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. Any new or disturbed external surfaces of the retained portion of the boundary wall shall match those of the existing wall. All existing stone/brickwork shall be retained and repaired as necessary and any repointing shall be executed in a style and mix of mortar which matches the original wall.

7. No development shall take place within the area of the application until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which shall be submitted (by the applicant) to and approved in writing by the Local Planning Authority.

8. Detailed working drawings submitted at a suitable scale to show

Horizontal and vertical sections and details of all new windows (1:5 scale) and doors (1:10 scale).

Details of the rooflights (including brochure details) at 1:5 scale

Details and sections of the rooflights (which should be Conservation style rooflights) shall be submitted to and approved in writing by the Local Planning Authority before any works commence. Development shall be carried out in accordance with the approved details.

9. No development shall take place until a schedule and samples of external facing materials to be used for

the walls and roof of the annexe and garage have been submitted and sample panels of the brickwork showing the type and colour of mortar to be used shall be constructed on site and approved in writing by the Local Planning Authority before any development commences. The development shall be carried out in accordance with the approved details.

10. The garage and parking shown on the approved plans shall be retained at all times to provide parking for 68 St Ann Street and the annexe hereby approved.

11. Prior to the first occupation of the annexe, the first floor rooflight windows in the east and west elevations shall be glazed with obscured glazing and shall have restricted opening, to the satisfaction of the Local Planning Authority. The windows shall be maintained in this condition thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. It would not be in the interests of proper planning for the proposed building to be occupied as a separate unit of residential accommodation, given the proposed access arrangements and lack of amenity space.
3. To enable the Local Planning Authority to retain control over the development in the interests of amenity.
4. For the avoidance of doubt
5. In the interests of highway safety
6. In the interests of highway safety and to ensure sufficient visibility for vehicles entering and leaving the site and to maintain the present character and appearance of the wall.
7. In order to protect and conserve the area of archaeological interest.
8. To ensure the character and architectural integrity of the building, the amenities of its surroundings and the preservation of the character of the Conservation Area.
9. To secure a harmonious form of development.
10. In the interests of highway safety and to ensure that sufficient parking provision is maintained.
11. In the interests of neighbouring amenities and to prevent any undue overlooking of existing dwellings.

And in accordance with the following policies of the adopted Salisbury District Local Plan:

G2	General Principles for Development
H8	Housing Policy Boundary
H33	Accommodation for dependant persons
CN3, CN5	Listed buildings
CN8, CN9	Conservation Areas
CN10, CN11	Conservation Areas
CN22	Archaeology
TR14	Cycle provision
TR11	Car parking provision
&	
PPG3	Housing

INFORMATIVES

The integrity of Wessex Water infrastructure on site (including a 3m easement on either side of the apparatus) must be protected, and the applicant is advised to contact Wessex Water to agree any points of connection prior to any commencement of works on site.

In respect of Conditions 4 and 9, the applicant is referred to the schedule of materials on plan ref 1005/3 rev B. Bricks and tiles should be handmade and all paint colours for the timber are to be agreed with the Local Planning Authority.

NOTES:

S/2005/1546	01/08/2005	26/09/2005	LAINSWOOD HOMES LTD
FISH			MR A STOCKEN
Easting: 413667	Northing: 130414.8		

PROPOSAL:	FULL APPLICATION -PROPOSED RESIDENTIAL DEVELOPMENT OF 12 FLATS AND 8 CAR SPACES AND NEW VEHICULAR ACCESS
LOCATION:	LAND AT THE BOTTOM OF WILTON ROAD AND DEVIZES ROAD SALISBURY SP2 7EE

REASON FOR REPORT TO MEMBERS

Councillor Walsh has requested that this item be determined by Committee due to:
the prominent nature of the site
the interest shown in the application

SITE AND ITS SURROUNDINGS

The site is located in a highly prominent corner location abutting Wilton Road, Devizes Road (old spur), and onto St Pauls Road about itself. The site has apparently been historically used as a petrol filling station, the buildings now being mostly demolished, and the site hard-surfaced. During its operation, the site had accesses onto both the Wilton and Devizes Road.

The surrounding area is a mix of residential and commercial uses.

THE PROPOSAL

It is proposed to erect a block of 12 flats on the site, incorporating some on site parking for up to 8 vehicles, and a small landscaped area. Access is proposed via the Devizes Road spur.

The application is supported with a variety of literature, including:

- A short design statement
- A noise and pollution assessment
- A market assessment of the uses for the site
- Land contamination report

PLANNING HISTORY

Various applications for previous garage use, plus:

S/05/0878 – Erection of 12 flats and parking, access. Refused for the following reasons:

(1) The application site is located in a highly prominent and important position at the intersection of two major arterial roads on the edge of Salisbury's historic city centre. The nature, shape and size of the site, and its context with surrounding development and features represents a significant challenge for the redevelopment. The Local Planning Authority expects a high quality development for such an important location.

Notwithstanding the current vacant condition of the site, it is considered that by reason of its overall built form, layout, scale and density, together with the overly fussy elevational treatment, and its relationship and juxtaposition with adjacent development, the proposal would be likely to result in a poor quality and cramped form of development which would fail to address the design opportunities offered by this important site, and which would be detrimental to the general environment around the site, unsympathetic to its surroundings, and detrimental to the future

occupiers of the development. As such the proposal would fail to comply with the aims of Salisbury District Local Plan policies D1 and G2.

(2) The proposal would be contrary to policy R2 of the Salisbury District Local Plan in that no provision has been made towards public open space.

05/0081 – Erection of 12 flats. Withdrawn

CONSULTATIONS

WCC Highways - No objections, subject to conditions, and the existing concrete cross over across the footway on the Devizes Road being replaced with a new section of footway and a new vehicular footway crossing the access point.

Highways Agency - No comments as previously

Housing & Health Officer - No objections subject to conditions as previously)

Wessex Water Authority- Records show that site is affected by public foul and surface water sewer. Water apparatus to be protected during development.

Environment Agency - No objections, subject to contamination condition, and safeguarding water interests of the site.

REPRESENTATIONS

Advertisement Yes. Expiry 1/9/05

Site Notice displayed Yes. Expiry 1/9/05

Departure No

Neighbour notification Yes. Expiry 24/8/05

Third Party responses None at time of writing. Any comments received up to the date of the committee will be fully considered and report to city committee.

MAIN ISSUES

Principle

Impact on character of area

Impact on adjacent amenities

Impact on highway safety

Contamination

POLICY CONTEXT

PPG3 (Housing)

G1 G2 D1 D2 R2 E16 SDLP

PLANNING CONSIDERATIONS

Principle and loss of employment site

The site is located within the Housing Policy Boundary, and therefore, in principle, residential redevelopment of the site may be acceptable, under policy H16. However, it is also covered by policy E16, given its previous commercial use.

Whilst the previous use of the site was as a petrol filling station, and hence technically in “employment use”, it is considered that this site is not ideally located for such a reuse, and its actual employment generating potential (if rebuilt as a petrol filling station) would be limited.

Therefore, the site in theory could be redeveloped for another employment use, subject to the impacts of such a use. However, the agent has submitted some limited information regards the suitability of the site for a potential employment, or mixed employment/retail use. This evidence suggests that the site could not very easily be redeveloped for these purposes given the small scale of the site and the requirements of commercial users. Evidence has also been submitted which seems to indicate that there is a growing surplus of office accommodation in the city, with

the inference that demand is reducing for such development. However, no proper marketing exercise seems to have been undertaken.

Notwithstanding this evidence (which is not conclusive), Members need to consider carefully how the redevelopment of this site with non residential commercial uses might impact on the adjacent residential uses, in terms of noise and disturbance, and in terms of overshadowing/dominance etc.

For instance, a mixed development with ground floor retail use would raise serious noise and disturbance issues with regards the impact on the amenities, as well as serious issues regards access and design (Members should note that many months ago, a scheme was received for pre-application discussion indicating a mixed residential scheme with retail at ground floor level. This scheme did not receive a favourable response from the Design Forum, due in particular to the operation of the retail units, and blank facades facing Wilton Road, with loading area in full view of Devizes Road). An all-office accommodation scheme might be less problematically, but would seem difficult to achieve given the client requirements outlined in the agents evidence, and given the small and unusual shape of this site, which may well result in a tall office block which may have serious impacts on adjacent amenities.

The reuse of brown-field previously developed land in sustainable location for residential development is also the primary thrust of government guidance with PPG3.

It would therefore seem that an all residential scheme on this site would be a more appropriate compromise solution to the challenges offered by the site.

Impact on character of area

The surrounding area offers an eclectic mix of architectural styles and built form, ranging from modern two storey buildings, to older, more traditionally styled three storey town houses. However, this is a highly prominent site at the entrance to the city centre. Consequently, any scheme needs to be of a high quality, in terms of its overall design and architectural detailing, and needs to be appropriate for its important positioning within the urban fabric.

Since the previous refusal, the following design changes have been implemented by the agent:

Reduction in number of bay windows on street facing elevations

The scheme has been set back from the back edge of pavement, and is now separated from the street by a set of railings and a small area of private open space.

The cupola feature on the roof has been reduced in size

Number of windows in rear facades increased

Blind windows now inserted in Devizes Road facade

The scheme is considered to be sympathetic with the character of the surrounding area in terms of its architectural details and overall bulk, massing and height, and would, if handled and constructed properly, represent an imposing and attractive building, suitable for such an important site. To this end, the agent has supplemented his original drawings with a number of larger scale details of the various architectural features of the building. Subject to details of materials being agreed, it is considered that the resultant scheme would be acceptable.

Impact on amenities

The applicant has indicated that in their view, one of Members apparent concerns regards the refused scheme was the visual appearance of the rear elevations, which had been designed with minimal windows to avoid any undue overlooking of adjacent properties. Members apparently considered this approach unacceptable in design terms.

Since the previous refusal, the agent has therefore altered the scheme so that there are actually more windows in the rear elevations of the building.

There are two parts to the assessment of this scheme. Firstly, the likely impacts on occupiers of the new flats, and secondly, the likely impacts on adjacent amenities surrounding the site.

a) Amenities of occupiers

Members should note that the site is within the HPB. Secondly, the land immediately adjacent this site contains numerous residential dwellings, which front onto the main roads (particularly note the various dwellings fronting Devizes Road and adjacent to Churchill Way). Given this context, it may be difficult to argue that the use of this particular site for housing development would be any different from the use of adjacent land, particularly as the EHO has considered the submitted noise and pollution assessments submitted by the applicant and has now raised no objections to the scheme subject to conditions.

As a result, subject to conditions, it is considered that a refusal of permission based on the likely adverse impacts of the development on future residential occupiers would be difficult to support.

The creation of a small area of private open space within the site is considered a bonus in terms of residential amenities, given the city centre location of the site.

b) Amenities of adjacent neighbours

It is considered that the removal of the previous petrol station use would be likely to be of benefit to adjacent amenities, in terms of the reduction of general traffic, noise and pollutants, including the decontamination of the site. Conversely, the residential use of the land is likely to result in traffic movements well below that caused in the past by the previous use, and only a modest level of traffic would be generated by the 12 flats, particular given the lack of formal parking areas around the site (see highways section below).

In terms of general impacts such as loss of privacy and overshadowing, even with the recent amendments to include additional windows, the scheme has been carefully designed to avoid both any significant overlooking or overshadowing. This has been achieved by the avoidance of any significant windows on the internal courtyard elevations of the scheme which would otherwise face towards dwellings and rear gardens of buildings in Devizes and Wilton Road. Furthermore, both the Devizes and Wilton Road elevations have been “stepped” and lowered in height to two storey where it abuts adjacent development. This has two positive impacts. Firstly, it reduces the bulk and massing of the buildings as view from adjacent dwellings, and secondly obstructs less light than taller buildings would tend to do in this position (the existing dwellings largely being to the north of the new development).

In terms of its likely impacts on adjacent amenities, it is considered that the proposal reaches the right balance between built form and protection of amenities, given the cramped nature of the site.

Impact on highway safety/parking issues

The proposed use is likely to have a far lesser impact on highway safety than the use of the site as a petrol station, particular given that the access onto Wilton Road would no longer be used.

Secondly, whilst 12 flats are proposed, this site is located in a highly accessible and sustainable location close to services and facilities. Given the severe restriction on on-street parking around the site and the general area, it is therefore hoped that this development would be likely to attract occupiers without vehicles and also encourage others to use more sustainable means of transport other than the private car.

WCC Highways has indicated that it has no objections to the scheme or the level of parking, subject to conditions.

Given the close proximity of the site to the city centre, in officers opinion, this is a site where the level of available parking should be significantly reduced to encourage sustainable transport uses.

Contamination issues

The EHO has accepted the conclusions of the contamination report submitted, and finds the scheme acceptable subject to suitable conditions.

Open space issues

A small area of open space is provided on site for use by residents. This is considered to be sufficient given the central location of the site.

A unilateral agreement has been received regards the provision of a commuted sum towards public open space. Once this payment is received, the proposal would be in accordance with policy R2.

CONCLUSION

In principle, the redevelopment of this site for residential purposes is considered acceptable, and preferable to the previous petrol station use, and in line with government guidance.

In design terms, the scheme is a significant improvement compared to the previous scheme, and is now considered acceptable.

The redevelopment of the site for residential purposes is likely to have far less impact than the previous petrol filling station use, and the scheme has been sensitively designed to avoid any significant loss of privacy or overshadowing of adjacent neighbours. The use of the site for residential purposes has not been objected to by the EHO.

The redevelopment of the site is likely to have less impact in traffic terms than the previous commercial use, and given its sustainable location, is likely to encourage use of sustainable modes of transport other than the private car.

RECOMMENDATION: Subject to the receipt of a commuted sum towards the provision of off site public open space in accordance with Policy R2, then:

APPROVE: for the following reasons

In principle, the redevelopment of this site for residential purposes is considered acceptable and in accordance with the aims of policy E16, and preferable to the previous petrol station use, and in line with government guidance.

In design terms, the scheme is a significant improvement compared to the previous scheme, and is now considered acceptable.

The redevelopment of the site for residential purposes is likely to have far less impact than the previous petrol filling station use, and the scheme has been sensitively designed to avoid any significant loss of privacy or overshadowing of adjacent neighbours. The use of the site for residential purposes has not been objected to by the EHO.

The redevelopment of the site is likely to have less impact in traffic terms than the previous commercial use, and given its sustainable location, is likely to encourage use of sustainable modes of transport other than the private car.

And subject to the following conditions

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

02 Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

REASON: To secure a harmonious form of development.

03 There shall be no other windows inserted in the first and second floor courtyard elevation(s) of the building.

REASON: In order to protect adjacent amenities

04 Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority. The Investigation must include:

- A full desk top survey of the historic data
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages)
- A risk assessment of the actual and potential pollution linkages identified
- A remediation programme. The remediation programme shall incorporate a validation protocol for the remediation work implemented.

A validation report shall be forwarded to the Local Planning Authority prior to habitation of the premises.

REASON: In order to ensure a suitable scheme of decontamination for the site

05 The architectural features of the buildings hereby permitted shall be painted in a colour to be agreed in writing with the Local Planning Authority and such painting shall be completed within 12 months of the date of completion of the building(s). The colour so agreed shall thereafter be retained in perpetuity unless the Local Planning Authority gives written approval to any variation.

REASON: To secure a harmonious form of development.

06 Prior to occupation, the proposed hall window(s) in the rear courtyard elevations shall be glazed with obscure glass to the satisfaction of the Local Planning Authority and shall be maintained in this condition thereafter.

REASON: To ensure adequate privacy for the occupants of neighbouring premises.

07 Prior to the occupation of the development hereby approved, the existing vehicular access and public footway along the Devizes Road (spur) frontage of the Development shall be replaced by a new section of footway to adoptable standards, details of which are to be submitted to and agreed in writing by the Local Planning Authority, prior to commencement of development.

REASON: In the interests of highway safety and amenities

08 The landscaped amenity area and car and bicycle parking area shall be completed and made available for use prior to the first occupation of the residential units.

REASON: In the interests of amenity of the development

09 Prior to any development commencing, a scheme for the management of the construction of the proposal, including times of operations, and details of how adjacent amenities and the adjacent highway are to be protected, shall be submitted to and agreed in writing by the Local Planning Authority, and the scheme shall be developed as agreed.

REASON: In the interest of amenity

10. The development shall be carried out in strict accordance with the approved noise/pollution attenuation measures.

REASON: In the interest of amenity

11. No development shall take place until full large scale 1:10 details and drawings of all architectural features (including door surrounds, window heads/sills), windows, doors, rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

REASON: In the interests of visual amenity

12 The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

REASON:0052 In the interests of highway safety.

13 The shall be no entrance gates erected.

REASON:0052 In the interests of highway safety.

14 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety

15 Before development commences a scheme of water efficiency measures for the proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

REASON: In order to achieve the sustainable use of water resources

16 Before development commences, a scheme to minimise the detrimental effects to the water interests of the site and the risks of pollution during the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: to minimise the detrimental effects to the water interests of the site and the risks of pollution during the construction phase

INFORMATIVE

The proposed bicycle racks shall be of a Sheffield design. With regards this matter please liaise with WCC Highways.

Wessex Water has indicated that a number of its apparatus are located near the site, and these must be protected during development. Please contact Wessex Water with regards this matter.

And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

- G1 – Sustainable Development
- G2 – General Development Control Criteria
- D1 – Design Criteria
- D2 – Design Criteria
- R2 – Public Recreational Open Space
- E16 – Loss of Employment.

NOTES: