

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

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING
COMMITTEE
CITY AREA 2 FEBRUARY 2006

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

Item Page	Application No Officer	Parish/Ward Recommendation Ward Councillors
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1	S/2005/2345	ST MARK & STRAT
	Miss L Flindell	REFUSAL
	MIDSUMMER HOMES LTD 51 HULSE ROAD SALISBURY SP1 3LU DEMOLITION OF EXISTING BUILDING AND ERECTION OF 1 HOUSE AND GARAGE	Cllr Nettle Cllr Paisey Cllr Mrs Warrander

2	S/2005/2591	ST MARTIN & MIL
	Mr R Hughes	APPROVED WITH CONDITIONS
	BAYVIEW DEVELOPMENTS LIMITED 20 NORTH STREET SALISBURY SP2 7SG INTERNAL AMENDMENTS TO FORM ONE DWELLING FROM TWO FLATS (AMENDMENTS TO PLANNING PERMISSION S/2004/2064)	Cllr Howarth Cllr Tomes
3	S/2005/2603	ST MARK & STRAT
	Mrs J Wallace	APPROVED WITH CONDITIONS
	O2 (UK) Limited SALISBURY RUGBY CLUB CASTLE ROAD SALISBURY SP1 3SA ERECTION OF 15M TELECOMMUNICATIONS MAST WITH ASSOCIATED EQUIPMENT CABINET	Cllr Nettle Cllr Paisey Cllr Mrs Warrander

4	S/2005/2571	ST MARTIN & MIL
SV	Mr R Hughes	APPROVED WITH CONDITIONS
	GILL THOMPSON SALISBURY COLLEGE SOUTHAMPTON ROAD SALISBURY SPO1 2LW REDEVELOPMENT OF THE COLLEGE CAMPUS INCLUDING EXTENSIVE REFURBISHMENT OF EXISTING BUILDINGS, NEW BUILD, EXTERNAL WORKS AND INCLUDING ALTERATIONS TO VEHICULAR ACCESS POINTS	Cllr Howarth Cllr Tomes
5	S/2005/2297	ST MARK & STRAT
SV	Mrs B Jones	APPROVED WITH CONDITIONS
	SOUTH WILTSHIRE GIRLS GRAMMAR SCHOOL STRATFORD ROAD SALISBURY SP1 3JJ SINGLE STOREY LINKED MUSIC BLOCK WITH ASSOCIATED TEMPORARY WORKS	Cllr Nettle Cllr Paisey Cllr Mrs Warrander
6	S/2005/2344	ST MARTIN & MIL
SV	Mr S Llewelyn	APPROVE SUBJECT TO S106
	PARSONS & JOYCE CONTRACTORS LTD ST MARTINS CHURCH HALL EYRES WAY SALISBURY SP1 2TF DEMOLITION OF EXISTING CHURCH HALL AND ERECTION OF 10 NO 2 BEDROOM APARTMENTS WITH ASSOCIATED PARKING	Cllr Howarth Cllr Tomes

Part 1

Applications recommended for Refusal

1

Application Number:	S/2005/2345		
Applicant/ Agent:	MORGAN CAREY ARCHITECTS		
Location:	51 HULSE ROAD SALISBURY SP1 3LU		
Proposal:	DEMOLITION OF EXISTING BUILDING AND ERECTION OF 1 HOUSE AND GARAGE		
Parish/ Ward	ST MARK & STRAT		
Conservation Area:	LB Grade:		
Date Valid:	17 November 2005	Expiry Date	12 January 2006
Case Officer:	Miss L Flindell	Contact Number:	

REASON FOR REPORT TO MEMBERS

Councillors Warrander and Paisey have requested that this item be determined by Committee due to:
the interest shown in the application
the controversial nature of the application

SITE AND ITS SURROUNDINGS

Prominent corner site at roundabout junction with Hulse Road/Butts Road and Ashley Road. There is an existing single storey vacant commercial building on the site, with hard surfaced yard and two gated vehicular accesses from Ashley Road. Concrete block walling contains the site.

The site extends and falls westwards to the banks of the River Avon with concrete walling separating the riverbank and trees thereon covered by a Tree Preservation Order.

The surrounding development is characterised by two storey terrace and semi-detached red brick and rendered dwellings.

THE PROPOSAL

To demolish the existing building on the site and replace with a single residential dwelling and garage including the creation of a new vehicular access from Hulse Road.

PLANNING HISTORY

S/1992/1505 CHANGE OF USE TO SOFT FURNISHING/UPHOLSTERY WORKROOMS WITH SHOWROOM AC 08-Dec-1992

S/2002/0495 ERECTION OF SINGLE DWELLING FOLLOWING DEMOLITION OF EXISTING BUILDING APPC 25-Apr-2002

S/2002/2353 ROM LIGHT INDUSTRIAL TO STUDY SUPPORT CENTRE (EDUCATION D1) APPC 20-Jan-2003

S/2004/1404 DEMOLITION OF EXISTING BUILDING ERECTION OF ONE HOUSE + TWO FLATS + ACCESS WITH ON SITE PARKING REF 02-Sep-2004 Dismissed at appeal 21.06.2005

CONSULTATIONS

WCC Highways - No objection

Housing & Health Officer - No observations

Wessex Water Authority- The development is located within a sewered area, with foul and surface water sewers available. The developer has proposed to dispose of surface water to soakaway. It will be necessary if required for the developer to agree points of connection onto our systems for the satisfactory disposal of foul flows and surface water flows generated by the proposal. Although not shown on the public sewer record drawing, we understand there may be a sewer crossing the site that by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records thus indicating these as public in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus.

With respect to water supply, according to our records, there is a public water main crossing the site. WW normally require a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is recommended that the developer should agree with WW prior to the commencement of any works on site, a point of connection onto Wessex systems and any arrangements for the protection of infrastructure crossing the site.

English Nature -

River Avon System SSSI/SAC - English Nature is satisfied that the method statement enclosed with your letter is sufficient to prevent pollution of the River Avon System during the works proposed.

Protected Species – All species of bats are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 under the Wildlife and Countryside Act 1981 (as amended). The ODPM/Defra Circular relating to PPS 9 para 98 states that the presence of a protected species is a material consideration when a local planning authority is considering a development proposal, that, if carried out, would be likely to result in harm to the species or its habitat. Particular weight should be attached where a European species (listed in Annex IV to the Habitats Directive) is concerned.

Under the Conservation Regulations 1994, Regulation 3(4), the LPA is the competent authority having regard to the requirements of the Habitats Directive in the exercise of its functions. Development in a non-dwelling house which affects European Protected Species will require a licence from the DEFRA.

Environment Agency - No objection subject to the principles included within the Design Statement being incorporated within the planning application documents. We also wish to make the following comments.

Land Drainage Consent

Any works within 8m or to the riverbank of the Avon, a statutory main river at this location, will require prior Land Drainage Consent from the EA under Wessex Water Bylaws 1981. Further details and an application form for Land Drainage Consent may be obtained from Mike Holm (01258 483 237)

Pollution Prevention

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 local 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 BRE EcoHomes standards or similar. This allows the maximum preservation of natural resources during construction and improves energy efficiency during subsequent use.

Water Efficiency

Water efficiency measures should be incorporated into this scheme. These could include water butts, rainwater recycling and the use of water efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage. A copy of the Agency publication 'Conserving Water in Buildings' is available upon request.

Arboricultural Officer No objections subject to tree retention condition (SC56 reason 0141) and tree protection condition (SC66 reason 0147)

REPRESENTATIONS

Advertisement	Yes, expiry date 22/12/2005
Site Notice displayed	Yes, expiry date 30/12/2005
Departure	No
Neighbour notification	Yes, expiry date 9/12/2005
Third Party responses	No

MAIN ISSUES

Principle

Scale and design, impact on street scene and residential amenity

Flooding and impact to SSSI/SAC and Protected Species

Impact to trees covered by a TPO

R2

POLICY CONTEXT

Adopted Salisbury District Local Plan policies G1 (Sustainable Development), G2 (General), D2 (infill development), H8 (HPB), C10 (Development affecting SSSI/SAC), C12 (Protected Species), G4 (Flooding), CN17 (Development affecting trees covered by a TPO)

PPG 3- Housing

PPS 9 – Biodiversity and Geological Conservation

Circular 06/2005 – Biodiversity and Geological Conservation

PLANNING CONSIDERATIONS

Principle

The site is located within an established residential area to the north of the city centre within the Housing Policy Boundary of Salisbury, where residential redevelopment is permitted except as provided for by other policies in the local plan.

The principle of residential redevelopment of the site has been accepted as planning permission has recently been granted for the conversion of the existing building to residential (S/2005/1328).

Scale and design, impact on street scene and residential amenity

The dwelling is designed as two, 2 storey 'pavilions' with single storey link. This design in principle reduces the appearance of bulk, and takes advantage of south and west sun creating a sustainable building, in accordance with policy G1 of the Adopted Local Plan.

Policy G1 of the Adopted Local Plan also promotes the effective use of land in urban areas. However, PPG 3 (para 54) makes it clear that whilst new development must make the best use of available land this should not compromise the quality of the environment.

The local plan policies seek to only allow the redevelopment of a site for residential purposes where they show a high quality design that respects and enhances the character and appearance of the local area.

Looking at the design of the proposed dwelling more closely, one 'pavilion' has a ridge and gable ended roof, the other has a mixture of gable and hipped roof. There is a mixture of roof forms in the area including simple pitched gable ended terraces to the north (No 53 Hulse Road); hipped roof terraces with projecting gable bay windows to the east opposite the site; simple hipped roofs to the semi-detached dwellings to the north and No 47 Hulse Road to the south is a single storey bungalow with simple pyramid shaped roof with central chimney. Whilst there is a mixture of roof forms in the vicinity of the development site, each individual dwelling is characterised by consistency in roof form. It is considered that the mixture of roof forms on the proposed dwelling makes the design too complicated and incongruous with the surrounding character of development with consistency and uniformity in roof form.

The 'pavilion' fronting Hulse Road also has a higher eaves height than the pavilion to the rear of the site and higher eaves height to the adjacent dwelling No 29 Hulse Road, which is not considered to respect the scale of the adjoining development.

The NE elevation of the proposed dwelling fronting Hulse Road has a large projecting first floor window, which dominates this elevation. Dwellings in Hulse Road are characterised by having bay windows looking onto the street, but it is considered that the window as proposed on the NE elevation will have an adverse and incongruous impact on the street scene where traditionally ground floor openings are of greater/or equal prominence to first floor openings. The prominence of this window also dilutes the entrance to the dwelling (to the side within the single storey link).

The rear pavilion also has windows in the south elevation to the first floor bedroom, which will overlook the rear garden of the adjacent dwelling No 49 Hulse Road, introducing overlooking to the adjacent dwelling, which does not currently exist and it is considered that through building to two storey at the rear of the site will have an adverse impact to the living conditions of the residents of 49 Hulse road in relation to overlooking and loss of outlook.

Planning applications S/2004/1404 and S/2004 2431 for redevelopment of the site to create two flats and one house were both dismissed at appeal. The inspector concluded that the both schemes by reason of their massing and dominance within the street scene would harm the character and appearance of the area and would also harm the living conditions of the residents of 49 Hulse Road in relation to overlooking and outlook.

As discussed above, whilst the design of the proposed dwelling in principle reduces the appearance of bulk, it is considered that the design is inappropriate to the character and appearance of the local context and would have an adverse impact on the living conditions of 49 Hulse Road in relation to overlooking and outlook.

Flooding and impact to SSSI/SAC and Protected Species

The site is outside the designated floodplain, but adjacent to the River Avon System Site of Special Scientific Interest and Special Area of Conservation. This site has protection under national and international legislation. The agent has included a method statement detailing how the river system will be protected to prevent pollution to the River Avon System during the works proposed and English Nature considers that the method statement is sufficient to prevent pollution of the river. The Environment Agency has also raised no objection subject to the principles included within the Design Statement being incorporated within the planning application documents (this could be dealt with via condition)

Planning authorities are required to take account of the presence of protected species, when considering applications for planning permission. Paragraph 99 of Circular 06/2005 states 'bearing in mind the delay and cost that may be involved, developers should not be required to

undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development'. It is considered that as planning permission has recently been obtained to convert the building from a school to residential dwelling (S/2005/1328), that it would be unreasonable to request a survey now. The protected species legislation applies independently of planning permission, and the developer has legal obligations towards any protected species that may be present.

Development affecting trees covered by a TPO

The Council's arboricultural officer has raised no objections to the proposed development subject to conditions.

R2

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 of the local plan, applicants are required to enter into a unilateral undertaking and provide a commuted financial payment. Applicants are now required to sign agreements during the course of the application. The applicant has signed and returned the agreement. However, payment is only requested if the council is minded to approve the scheme. To secure the provision of an agreement in the event of an appeal, it will be necessary to include a reason for refusal relating to policy R2.

CONCLUSION

This application has been considered against the relevant policies from the Adopted Local Plan. The site is located within the HPB where the principle of residential development is accepted subject to being considered against other relevant policies within the local plan. The principle of residential redevelopment of this site has also been established under a previously extant planning permission. However, it is considered that the proposal by reason of the varied building heights, roof forms and prominence of the projecting first floor window to the NE elevation that the design of the proposed dwelling fails to respect the more uniform and traditional character of the surrounding development with subsequent adverse impact to the street scene. The proposed dwelling also has a first floor window on the south elevation of the rear 'pavilion' considered to result in undue overlooking to the garden of the adjacent dwelling. The application is considered to be contrary to policies G2 and D2 of the Adopted Local Plan and guidance contained within PPG 3 – Housing.

RECOMMEND REFUSAL

REFUSAL

REASONS FOR REFUSAL:-

(1) It is considered that the design of the proposed dwelling by reason of the varied building heights, roof forms and prominence of the projecting first floor window to the NE elevation fails to respect the typically uniform character and appearance of the surrounding development and local context with subsequent adverse impact to the street scene. The proposed dwelling also has a first floor window on the south elevation of the rear two storey element of the dwelling, considered to result in undue overlooking to the garden of the adjacent dwelling, with subsequent adverse impact to residential amenity. The application is considered to be contrary to policies G2 and D2 of the Adopted Local Plan and guidance contained within PPG 3 – Housing.

(2) The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.

INFORMATIVE:

It should be noted that the reason given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement of public recreational open space.

Part 2

Applications recommended for Approval

2

Application Number:	S/2005/2591		
Applicant/ Agent:	BAYVIEW DEVELOPMENTS LIMITED		
Location:	20 NORTH STREET SALISBURY SP2 7SG		
Proposal:	INTERNAL AMENDMENTS TO FORM ONE DWELLING FROM TWO FLATS (AMENDMENTS TO PLANNING PERMISSION S/2004/2064)		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	14 December 2005	Expiry Date	8 February 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

REASON FOR REPORT TO MEMBERS

Councillor Howarth has requested that this item be determined by Committee due to: the controversial nature of the application

SITE AND ITS SURROUNDINGS

The site is located in the Conservation Area, and surrounded by residential and other mixed commercial development. There is an existing vehicular access off North Street.

At the time of writing, the structures on the site, including the three storey town house (No.20 North Street), have been demolished, and the site levelled.

THE PROPOSAL

It is proposed to alter the design of the approved 9 dwelling proposal by changing the internal layout of two of the approved flats fronting onto North Street into one 2 bed dwelling. The external design of the scheme remains largely as previously approved under S/05/2064, other than a change of material from render to brick on the east façade of the terrace, and the bricking up of a dummy doorway on the façade facing North Street.

PLANNING HISTORY

S/04/2175 – Demolition of No.20 North Street and existing yard buildings, and erection of 7 houses, and 2 flats, and alteration of existing access and car parking. Refused by CAC, but allowed on appeal.

S/05/0428 – Demolition of No.20 North Street and existing yard buildings. Approved.

S/05/0427 – Demolition of No.20 North Street and existing yard buildings, erection of 5 town houses and 3 flats including on site parking and amenity space. Approved.

S/05/2064 – Amendments to design of S/04/2175. Approved 5/12/05.

CONSULTATIONS

WCC Highways	- No objections
Housing & Health Officer	- No observation
Wessex Water Authority	- Apparatus on site need to be protected
Environment Agency	- No objection

REPRESENTATIONS

Advertisement	Yes. Expiry 26/1/06
Site Notice displayed	Yes. Expiry 26/1/06
Departure	No
Neighbour notification	Yes. Expiry 11/1/06

Third Party responses One letter raising concerns about impact on property in water lane regards overshadowing

MAIN ISSUES

Differences between approved and proposed scheme and the impact of those differences on Conservation Area, Residential amenity, and highway safety.

POLICY CONTEXT

PPG3

R2 D2 G2 G1 CN8

PLANNING CONSIDERATIONS**1.Principle**

Planning permission for 9 dwellings has been allowed on the site. As a result the main issue for determination is the impact of the differences between the proposed and the approved schemes.

2.Impact on Conservation Area/Design

Whilst the LPA considered that the original design was unacceptable (see S/04/2175), the Inspector found the design acceptable. The LPA then approved the external appearance as part of S/05/2064.

This scheme only envisages internal alterations to the approved scheme, with limited external alterations, which would not differ significantly from the approved scheme.

It is therefore considered that the internal layout change proposed does not materially alter the scheme significantly in a manner that would affect the judgement reached by the Inspector.

3.Impact on residential amenity

Whilst the LPA considered that the original scheme would have several negative effects on adjacent amenities, the Inspector reasoned that it would be acceptable. The LPA then subsequently approved application S/05/2064, with a condition relating to insertion of windows in the southern flank wall of the building to which this latest application relates.

The proposed changes relate only to internal alterations, and therefore the overall design of the building remains as approved by the inspector. Therefore, the use of this building for one dwelling rather than two smaller dwellings would in the opinion of the LPA, cause no greater harm to adjacent amenities than the scheme approved by the inspector.

The conditions added previously relating to withdrawal of permitted development rights for extensions and window insertions will however protect adjacent amenities to a certain degree, above and beyond the conditions imposed previously by the inspector.

4.Highway safety

The Inspector considered that given the city centre location, 6 parking spaces serving 9 dwellings would be an acceptable ratio.

Given that 6 parking spaces are maintained as part of this revised scheme, that the number of dwellings is effectively reduced to 8, and that WCC Highways have no objections to the revised layout, it is considered that an objection on parking and highway safety grounds could not be supported on appeal.

RECOMMENDATION: APPROVE

CONCLUSION – REASONS FOR APPROVAL

THE SITE ALREADY BENEFITS FROM PLANNING CONSENT FOR 9 DWELLINGS AND 6 PARKING SPACES. THE REVISIONS TO THE SCHEME TO PROVIDE 8 DWELLINGS AND 6 PARKING SPACES WOULD HAVE NO GREATER IMPACT ON THE CONSERVATION AREA, ON ADJACENT AMENITIES, OR ON HIGHWAY SAFETY THAN THE PREVIOUSLY APPROVED SCHEME.

APPROVED WITH CONDITIONS

Conditions and Reasons:

REASONS FOR APPROVAL:

The site already benefits from planning consent for 9 dwellings and 6 parking spaces. The revisions to the scheme to provide 8 dwellings and 6 parking spaces would have no greater impact on the conservation area, on adjacent amenities, or on highway safety than the previously approved scheme.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

Reason 1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1)of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED).

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D03A)

Reason 2. To secure a harmonious form of development.

3. No work shall start on site until large scale (1:10) details of the new windows, window cills, doors, porch canopies, dormers and access gates have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (D07A)

Reason 3. To secure a harmonious form of development.

4. No development shall take place until full details of both hard and soft landscape works, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason 4. In the interests of visual amenity.

5. No dwellings shall be occupied until car and cycle parking spaces have been laid out within the site in accordance with the submitted plans; such spaces should be kept available for use at all times.

Reason 5. In the interests of highway safety.

6. Notwithstanding the provisions of Classes A-E of Schedule 2 Part 1 of 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 dwellings, or the erection of any structures and enclosures.

Reason 6. In the interests of amenity.

7. There shall be no windows inserted in the east elevation of the end of the terrace or the south elevation of the dwellings adjacent to the southern boundary (adjacent the public house and no 24/22 East Street).

Reason 7. To ensure adequate privacy for the occupants of neighbouring premises.

INFORMATIVES

1. The developer should note that Salisbury District Council has adopted a strategy relating to the issuing of new parking permits within the city centre parking zones. This strategy affects future occupants of your development, in that future occupiers may be refused parking permits. We would be grateful if this information could be conveyed to future purchasers and occupiers of the dwellings.

2. Please note that Wessex Water has highlighted that some of its apparatus may cross the site and need to be protected during development.

3. This decision has been in accordance with the following policies of the Adopted Salisbury District Local Plan:

Policy	Purpose
R2	- Recreational Open Space
D2	- Infill Development
G2	- Residential Amenities
G1	- General Development & Sustainable Development
CN8	- Protection of Conservation Areas.

Application Number:	S/2005/2603		
Applicant/ Agent:	DAVID HEELAS		
Location:	SALISBURY RUGBY CLUB CASTLE ROAD SALISBURY SP1 3SA		
Proposal:	ERECTION OF 15M TELECOMMUNICATIONS MAST WITH ASSOCIATED EQUIPMENT CABINET		
Parish/ Ward	ST MARK & STRAT		
Conservation Area:		LB Grade:	
Date Valid:	21 December 2005	Expiry Date	15 February 2006
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

REASON FOR REPORT TO MEMBERS

Councillor Paisey has requested that this application be determined by Committee due to the controversial nature of the application

SITE AND ITS SURROUNDINGS

The proposed site is on the northern edge of the Salisbury Rugby Club ground, adjacent to the industrial buildings occupied by Janspeed and others. The proposed mast, which would be a new structure would be sited further to the northeast than the existing mast for Vodafone, which was erected last year.

The Rugby Club sports field, together with Hudson's Fields creates an open area between the residential areas on Castle Road and Stratford Road and visually the area appears as part of a much larger open area, which extends from Old Sarum into the edge of the city at Fairford Avenue.

THE PROPOSAL

The proposal is for a structure of 15metres with 3 antennas at the top and, two equipment cabins and an electricity cabinet at its base. The pole will be a new structure, not a replacement for a floodlighting column. The mast is intended to provide O2 coverage over part of the northern section of the City of Salisbury area, linking in with existing masts to improve the telecommunications network for the city.

CONSULTATIONS

Environmental Health – no objection subject to the Council's precautionary policy being applied

PLANNING HISTORY

80/1071	Provision of training floodlights for rugby training at Hudson's Field	AC
80/1448	Provision of floodlights	AC
04/501	Replacement of existing lighting pole with column to support floodlights and 3antenna with associated equipment cabins	AC
04/2605	Erection of slim line monopole to replace existing flood light pole and associated equipment for 3G	Refused Appeal allowed
		See attached
05/0253	Replacement of floodlighting pole with monopole antennas and external cabinets for telecom base station for O2 (UK) Limited	Refused

REPRESENTATIONS

Advertisement	Yes expiry date 26 January 2006
Site Notice displayed	Yes, expiry date 26 January 2006
Departure	No
Neighbour notification	Yes, expiry date 5 Feb 2006
Neighbour response	1 letter of objection received which raised the following issues
Concerns re impact on health	

Concerns re health and safety during construction period. Vandals damaged premises whilst Vodafone mast was being erected
Mast will be an eyesore

MAIN ISSUES

- 1 Visual Impact/Impact on adjacent Conservation Area/Old Sarum
- 2 The need for the tower
- 3 SDC Precautionary Health Policy

POLICY CONTEXT

G2, C7, PS7 of Replacement Adopted Salisbury District Local Plan

PLANNING CONSIDERATIONS

History

In 2004, planning permission was granted by the City Area Committee, to Vodafone for the replacement of one of the four 15metre floodlights on the Salisbury Rugby Club's practice pitch for a column mast of 17.7metres. This mast has been constructed and the floodlights erected at approximately 15metres.

Hutchinson '3G' made a substantially similar proposal for a mast in late 2004. That involved replacing another lighting pole on the north side of the practice pitch with a 16.7metre column and a small, micro-wave dish at 14metres. The floodlights were to be put on the column just below the dish. City Area Committee considered this proposal early in 2005 and resolved to refuse the application. Subsequently the applicant appealed.

The inspector allowed the appeal. (see attached Inspectors Report) He considered that replacing floodlighting columns was 'one of the least intrusive means of providing such installations' and he adds in his report that 'though I have driven along Castle Road on a number of occasions recently, I had not previously noticed that a neighbouring pole had been replaced by a mast'.

In 2005, before the decision on the appeal, O2 made an application to replace a lighting column at the Rugby Club with a mast. This proposal was however, different from the previous applications, in that the column to be replaced was located on the northeast corner of the main playing pitch. That floodlight column was also approximately a metre above the pitch and just within the Salisbury Conservation Area, which covers the Old Sarum Ancient Monument.

The application was refused under delegated powers, because it was considered that removing the 14metre flood lighting column and replacing it with a 17.5m pole would be visually very prominent in the landscape and have a detrimental impact on the Conservation Area, views to and from Old Sarum Ancient Monument.

The applicant did not appeal.

Following the refusal, under delegated powers, of the proposal to replace the floodlighting column on the northern edge of the main pitch, O2 have been actively seeking an alternative. Initially, O2 considered other locations but these either proved unsuitable due to problems in achieving the required levels of coverage, were close to housing, were visually intrusive or the owners were unwilling to allow installations on their premises. O2 therefore investigated the other floodlighting columns around the pitches. However, they too proved unsuitable as they are either within the Conservation Area, which is designed to protect views to and from Old Sarum or are along the southern boundary immediately adjacent to the houses in Fairfield Avenue which back on to the sports ground. The proposed, alternative is a new installation.

1. Visual Impact/Impact on adjacent Conservation Area/Old Sarum

The proposed site of this 15metre column mast and its associated equipment again like the earliest two applications is on the northern side of the practice pitch, adjacent to the small group of industrial buildings and outside the Conservation Area. There are long views to and from the Old Sarum Ancient Monument but, the Inspector when allowing the Hutchinson '3G' appeal said that when viewed from Old Sarum, it was his opinion that the Vodafone mast and the proposed Hutchinson one would be seen largely against a background of roofs and houses and that the

masts would have 'much less effect on views towards Salisbury than the houses and industrial estate that intervene in this view'. In his report he says that 'in practice I doubt that either the existing or proposed mast would be noticed by those not looking for them'

This proposal is to site the new installation on the very edge of the practice sports pitch adjacent to the boundary of the neighbouring industrial unit. This is different though from the other masts as it is proposed to create an entirely new structure to sit alongside the existing columns. The new structure would be a third column on the northern edge of the practice pitch. The mast would have a total overall height of 15metres. The antenna would be close together in a shroud, in a similar manner to the other 'telecom' masts. This column mast can be slightly shorter than the others, which have been approved and yet still be able to cover the required area, as it is located higher up the hill.

There is a small group of deciduous trees near to the site, which are approximately 7metres high. These existing trees and the industrial buildings will effectively screen the base of the mast and the ground equipment, when viewed from Old Sarum to the north. From other locations sited, as it will be on the edge of the sports field, it will not be particularly visually intrusive. When viewed from Castle Road or Fairford Avenue it will be seen against the background of the higher land and the ridges of Old Sarum. However as the mast will have equipment cabins etc alongside its base, it is proposed hide this clutter from the general view.

Concerns were expressed with previous applications regarding the intrusive visual impact of more than one telecommunications mast, however, mast and site sharing are encouraged by Government advice. Mast sharing in this location would be unacceptable as a accommodating an additional operator on either of the approved structures would not be structurally feasible. Mast sharing would involve the replacement of one of the poles by another structure such as a lattice tower (which could accommodate more than one operator) and this would be visually very intrusive.

2. The need for the tower

National Telecommunication Policy is set out in PPG8. The Government's general policy on telecommunications is to facilitate the growth of new and existing systems and Planning Authorities are to be alive to the special needs and technical problems of telecommunications development. Material considerations include the need to develop and expand the network. O2 have established to their satisfaction that there is an existing deficiency in this area and have been looking for a site in this area.

3. Health

Government advice on health issues following the independent reviews is that there is no proven health hazard provided the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines are adhered to. In order to allay public fears regarding the effects of radio frequency (RF) emissions from antenna upon the health and well-being of the public. In September 2000 Salisbury District Council adopted a precautionary policy regarding telecommunications installations. As the Inspector says in his appeal decision 'Both health risks and fear of such risks can be material considerations in planning decisions. However government advice as set out in PPG8 is that where proposals meet the guidelines for public exposure set by ICNIRP it should not be necessary to consider further the health aspects and concerns about them' There is no support in the Governments advice for a precautionary approach beyond that set out on PPG8.

Though PPG8 does not endorse exclusion zones around schools, assurances regarding the level of emissions from this proposal were sought, because the proposal is quite close to the Griffin School on castle Road and many children use the Rugby Club pitches, particularly the practice pitch. O2 have confirmed that their new installation will comply with ICNIRP guidelines and that even in combination with the other two masts in the vicinity the level of emissions will still be well below those guidelines

Conclusion

It is appreciated that telecommunication operators (O2 in this instance) have a requirement to provide mobile phone coverage, and the Local Planning Authority accept that it is very difficult to identify an ideal site within the northern part of the City of Salisbury, because by their very nature, telecommunication poles are noticeable in the landscape. Whilst this new pole will not

replace a floodlighting column, this proposal will mirror the earlier permissions in terms of overall height and design and it is likely that when erected that it will be so similar to the other poles that the new pole will be no more visually intrusive than the other columns on the site. It is therefore considered that the suggested position of the mast; adjacent to the industrial units and two other telecommunications poles where it will not be prominent in the landscape, is considered an acceptable solution to the problem of providing such an installation and would be in accordance with Local Plan policies.

At the time of writing this report the period for publicity had not expired. Therefore a proviso that no new issues raised by representations is included in the report.

RECOMMENDATION: SUBJECT TO NO SUBSTANTIVE NEW ISSUES BEING RAISED BY REPRESENTATIONS BEFORE THE EXPIRY OF THE PUBLICITY PERIOD, THAT THE DECISION BE DELEGATED TO HDS TO

APPROVE for the following reason:

the pole would be of a similar height to the existing lighting columns around the practice sports field and it is considered that on balance the visual impact of the installation would be acceptable in accordance with local plan policies.

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B) 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. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

(2) Notwithstanding the provisions of Class A Schedule 2(Part 24) of the Town and Country Planning General Permitted Development Order (or any order revoking or re-enacting that Order) there shall be no installation, alteration or replacement of telecommunications apparatus unless otherwise agreed in writing by the Local Planning Authority

Reason: To enable the Local Planning Authority to retain control over development in the interests of amenity.

(3) Prior to the commencement of development, details of the colour of the pole, the antennae and the associated equipment cabins shall be submitted to and approved in writing with the Local Planning Authority and shall remain so in perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of visual amenity

INFORMATIVE 1

And in accordance with the following policies of the Adopted Salisbury District Local Plan.

G2 General criteria for development
C7 Landscape setting of Salisbury
PS7 Telecommunications policy

Application Number:	S/2005/2571		
Applicant/ Agent:	MRS ABI MCGILLVRAY		
Location:	SALISBURY COLLEGE SOUTHAMPTON ROAD SALISBURY SP1 2LW		
Proposal:	REDEVELOPMENT OF THE COLLEGE CAMPUS INCLUDING EXTENSIVE REFURBISHMENT OF EXISTING BUILDINGS, NEW BUILD, EXTERNAL WORKS AND INCLUDING ALTERATIONS TO VEHICULAR ACCESS POINTS		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	14 December 2005	Expiry Date	8 February 2006
Case Officer:	Mr R Hughes	Contact Number:	01722 434382

REASON FOR REPORT TO MEMBERS

Councillor Howarth has requested that this item be determined by Committee due to:

the controversial nature of the application

SITE AND ITS SURROUNDINGS

The college campus is located on a prominent corner site on the edge of the city centre, adjacent to the main A36 Churchill Way, and adjacent to an established residential and commercial area. The site is currently serviced off several vehicular access points, and contains several mature trees.

THE PROPOSAL

It is proposed to alter the existing vehicular access arrangements, with a new access onto the Churchill Way east, and two new access points onto the A36 Southampton Road. The existing arts building (Nadder and Bourne buildings) would be demolished, and a new block erected. The remaining Avon & Wylde building is to be reclad and reordered. A new landscaped square would be created to the north of Avon & Wylde buildings. In essence, the total area of the campus of 18,500 sq m will be reduced by 5000sq m (28 percent).

The Master Plan indicates that redevelopment would be carried out in two phases. Phase 1 would involve the refurbishment of the existing Avon and Wylde buildings, together with the creation of the new vehicular access off/to Churchill Road, refurbishment of the car park, and landscaping of the Churchill Way and Southampton Road elevations. Phase 2 would involve "demolition or disposal" of remaining building stock, the construction of the new building to complete the courtyard, completion of Southampton Road car park and new access off Southampton Road, together with remaining landscaping.

A travel plan and transport assessment has been submitted with the application, and also an arboricultural statement relating to existing trees on the site.

However, Members should note that this is an outline application, with only means of access and siting submitted for detailed approval. Therefore, if the application is permitted, the details of the external appearance, landscaping, and design could be changed upon receipt of a future reserved matters application. Members should also note the way in which the Master Plan hints that the buildings may be demolished or disposed of.

PLANNING HISTORY

Various applications for works, including:

S/2002/0382 – Replacement nursery buildings. Withdrawn

S/01/0360 – New Aerobics studio. Withdrawn

S/00/896 – Demolition and new student residences. Ap 2001 subject to a S106, the heads of terms of which included the College entering into a Travel Plan, and providing a recreational facility (gymnasium) on site.

CONSULTATIONS

WCC Highways - No objections in principle, but some concerns expressed regards submitted travel plan, concern about future usage of the redundant land for excessive parking, construction traffic using Marina Road, and also amending plans needed regards the cycle and pedestrian crossings at the access points.
Housing & Health Officer - Conditions needed related to hours of work/demolition, scheme for pollution and noise emissions, and an assessment of air quality.
Wessex Water Authority - Awaited
Environment Agency - Awaited
Highways Agency – No objections in principle, subject to conditions
HSE – No comments given

REPRESENTATIONS

Advertisement Yes. Expiry 26/1/06
Site Notice displayed Yes. Expiry 26/01/06
Departure No
Neighbour notification Yes. Expiry 9/1/06
Third Party responses 3 letters stating the following:

Concern regards construction traffic using Marina Road and impact on amenities
Concern regards future use of redundant land and impact on amenities
No objections in principle to refurbishment works
The Arts building should be retained
A pedestrian underpass or bridge is needed to the car park over the A36

MAIN ISSUES

Principles and policy
Design, visual impacts
Impacts on amenities
Impact on highway system
Tree impacts
S106 issues

POLICY CONTEXT

PPS1, PPS6, PPG13

G1 G2 D1 PS1 SDLP

PLANNING CONSIDERATIONS

Principles

Policy stance

Both National and Local policies are generally in favour of the improvement in educational and other community facilities, with policy PS1 supporting community facilities on the edge of settlements, and national policies supporting such facilities on sustainable sites, close to transport and other infrastructure.

The supporting documentation concentrates on the redevelopment of the existing campus site, and says little about the possibility of moving and relocating the college facility elsewhere (particularly considering that many of the perceived negative aspects mentioned in the Master

Plan revolve around the problems experienced by the college due to its close proximity to the busy A36).

However, there would seem to be very limited opportunity to relocate the large college campus elsewhere within the city centre area, much of which is designated as a Conservation Area, contains numerous listed buildings, and has limitations on building heights, design etc. Whilst there may in principle be land on the edge of Salisbury which could in theory house a new college campus, it is considered that in principle, the college is located in a sustainable location, which allows the campus to be accessed via a number of means other than the private car. The college will also have other knock on impacts (socially, and economically) for the adjacent city centre and surrounding area, which may be affected by its relocation.

It would therefore seem that a college in the current location would generally accord in principle with various planning policies, subject to the impacts of any redevelopment.

Need for the proposals

The college have submitted a detailed assessment document outlining what changes are planned and why. Only a short summary of these issues is possible in this report, and Members should read the entire document for all the issues surrounding this scheme.

Current problems with existing Campus structures

By the applicants own submission, they believe that *“the college is dowdy uninviting and has fallen into disrepair. Situated next to a ring road on one side with another busy road on the other, the college suffers from noise and pollution. Lecturers and students struggle to hear one another because of the traffic, and in summer rooms are unbearably warm and stuffy. Clearly, not an environment which supports effective learning.*

Overall, the size of the main Southampton Road Campus is too big, resulting in gross inefficiency compared with other colleges of a similar size.....Resources currently directed at maintaining an inefficient site need to be released and diverted into supporting the core business of teaching and learning”

The submitted report indicates in detail the current problems, ie:

- Weatherproofing – Water ingress through roof and external envelope
- Noise- Poor acoustic separation between classrooms and disturbance from traffic
- Fumes – Ingress from main road system
- Comfort – Ventilation and heating problems
- Flexibility/Adaptability – Does not meet modern requirements
- Services/Equipment – Antiquated lifts, WC’s etc
- Efficiency – Current buildings are not efficient to run
- Utilisation – Current buildings are vastly underused

The applicants submitted statement states that the Bourne building is in greatest need of remedial work, being furthest from the space norms being considerably oversized, followed closely by the Avon and Wylde buildings, which are moderately oversized and significantly undersized respectfully.

The Master Plan

The applicants submitted statements list in detail the intentions and ambitions for the site, namely that a strong feature of the Plan is to visually reconnect the college with the city, focused upon the Cathedral Spire. The development will facilitate clear circulation and orientation around the campus for both students and visitors, and promote greater interaction between the arts and technical components of the campus. The Master Plan envisages various and numerous improvements, including the following:

- Improved Environment for Learners, Staff and visitors
- Reduced Environmental Impact through sustainable design features
- Reduce the size of the estate

More adaptable accommodation
Improve disabled access
Improved security
Improved nursery care
Improved leisure facilities
Improved integration with the Local Business Community
Improved site circulation

The planned improvements have several land use planning repercussions, which are described and assessed in the following sections.

Design and sustainability issues

The applicants submitted details outline in detail the reasoning and ethos behind the design, and the works to be undertaken. In general terms, the existing Avon and Wylie buildings will be stripped back to the concrete structure and steel mansard roof. These will then be entirely refurbished to meet current environmental and accessibility requirements, replacing all existing cladding, services and finishes.

This outline application is accompanied with indicative illustrations of the proposed new cladding of the Avon and Wylie buildings. The applicants are currently proposing the introduction of double skin technology along the south façade of Avon building to control the environmental loads on the teaching areas. A glazed louvred rain screen façade and second inner thermal façade would act as an effective buffer to Southampton Road. Glazed louvers would control sunlight on the south façade of Avon, and light shelves would reflect light deep into the building. The glazed façade would extend above roof level and form a solar chimney. When heated by the sun, the air in the chimney rises leaving a vacuum which draws stale air from the teaching spaces. In turn, the vacuum draws fresh cool air from the north which is shielded from the roads and therefore clean.

A new double storey circulation spine will unite the college campus, allowing a view of the Cathedral to the west. A new landscaped square will also be built. A new building will be constructed, adjacent to the eastern end of the existing Avon building.

In officers opinion, the existing Avon and Wylie buildings are of no particular architectural distinction, although there are not considered to be visually detrimental, being typical of the educational buildings and materials of the period. Provided the existing facades are replaced with facades of equal or improved attractiveness which enhance the entrance to the city, then in principle, there appears to be no policy objection to the works.

It is considered that as described, the proposal has the potential to create an attractive, sustainable design, which would result in the overall campus being less prominent from Southampton Road, given the demolition of the large scale Bourne building. The resultant campus would also be more cohesive and generally offer a more attractive and legible environment for users.

However, members need to note that this application is only in outline, and detailed design matters have been reserved, to form part of a future application. As a result, the design issues and plans submitted by the applicant as part of this application must be seen as indicative only, and possibly subject to change. The future use of the redundant land, particular in the short term, is also of concern given the potential for the creation of a boarded up derelict site. A condition has been suggested which will hopefully alleviate a significant amount of any future visual blight.

In officers opinion, the setting of the adjacent St Martins Church (and grounds) would remain largely unaffected, given the substantial screening of this ecclesiastical site by mature planting, which already limits views of the (larger) campus from the church and its grounds.

Impact on residential amenities

The existing campus is located within close proximity to existing residential dwellings. The existing Bourne building is a significant structure, and dominates the skyline and views from adjacent properties to the east of the campus. Given its height and fenestration, rear gardens and their associated properties are dominated by this building and have a significantly reduced sense of amenity, due to the significant loss of privacy created.

The removal of this building would therefore significantly improve the amenities of adjacent residents in the short term. However, some of that improved amenity would hence be lost again when the new extension works are completed, given that such a building would probably have east facing windows, and a height similar to the existing Avon building. Being located further to the west however than the existing Bourne building, the new extension is likely to have a far less oppressive presence than its predecessor. Members should however note that the College wish to sell off the existing car park area adjacent to the dwellings, the future use and development of which is likely to have some impact on the amenities of occupiers, although as no scheme is currently before the LPA, the impact of such a future scheme can only be guessed at. The short term maintenance of this land can however be controlled to some extent by the suggested conditions below.

Otherwise, it is considered in general that the scheme once built, would overall, have less of an impact on adjacent amenities than the existing campus, due to the likely reduction in overlooking, and dominance. It is considered that any changes in terms of the number of students/vehicles are likely to be minimal overall, and adjacent residents would be unlikely to notice a considerable difference between existing activity and future activities.

The EHO has indicated that several conditions should be imposed, which would limit the impact of the development on adjacent amenities. These are suggested below. However, it is considered that an assessment of air quality as suggested by the EHO would be unreasonable as the college and its usage will remain largely unchanged by this proposal, and the final scheme may actually improve the situation regards air quality.

Impacts on amenity related to the use of the highway system are described in the relevant section below.

Impact on highway system

The existing college campus and its various users obviously have a certain impact on the level of vehicular and pedestrian flow around the highway system. The redevelopment scheme envisages changes to the vehicular access off the main A36 to the west and south of the campus. The new accesses off Churchill Way would be designed to allow heavy goods vehicles to access the campus, without the need to turn or reverse before unloading and leaving the site.

Also, the provision of a total of 122 car parking spaces served off the revised A36 access points. The vehicular access off Marina Road would become redundant, although pedestrian access with the college campus would be retained. (A further 168 vehicular parking spaces would be provided/retained on the existing tollgate road site, which remains unaltered). Overall, a total of 20 car parking spaces would be removed compared to existing levels.

As part of the application, the applicants have submitted a travel plan, which promotes the use of more sustainable forms of transport to access the site. The new north/south avenue planned for the campus site will "encourage" the use of the existing footpath through St Martins Church yard and St Martins Street as a suitable pedestrian access to and from the site, although changes to this route are not planned, and the highway system is outside the control of the applicants.

The Highways Agency has stated that it has no in principle objections to the proposal, but wished to see "conditions" relating to dropped curbing for cyclists, and adequate HGV turning on site. An amended plan has been requested of the applicants, and is awaited, showing these changes. WCC Highways has raised similar issues, and has requested that conditions be attached regards a travel plan, cycle and pedestrian crossing points, the future use of redundant land, and construction traffic routes.. Several third parties have raised concerns regards the

likely future impact of the development on the surrounding highway system, and residential amenities.

In essence, due to the nature of this application, the number of “users” of the campus will be likely to remain largely unchanged, and hence the actual impacts of users of the college on the surrounding highway system (including the continuing pedestrian use of St Martin Street etc) is unlikely to alter significantly. However, the possible use and reuse of Marina Road by construction traffic, and its possible future use by a user not connected with the college, could raise amenity and highways issues not connected with this application. Furthermore, the short term use of the redundant land for possible additional parking associated with the college would be at odds with its stated intentions to make the site more sustainable.

At present, the college car park and campus can be accessed by vehicular and pedestrian traffic via Marina Road and its access onto Tollgate Road, with obviously repercussions for residents of that road. If vehicular movements associated with college were to be removed, and the main entrance to campus is redesigned to channel users off the Southampton road area, then it is considered that in the short term prior to the possible future redevelopment of the site for other purposes, there might well be a significant reduction in vehicular traffic experienced in Marina Road.

Notwithstanding the above, given the in principle support of WCC Highways and Highways Agency regards the scheme and the proposed new vehicular access arrangements off the A36, it is considered that the scheme would be unlikely to have any more impact than the current access arrangements, and indeed, there may be a slight improvement to traffic flow due to the redesigned access points, subject to suitable conditions as suggested below.

Landscaping and Tree impacts

Within the college grounds, mature Ash and Pine trees run parallel to the west elevation of the Wylie building, and a mature Willow tree exists adjacent to Southampton Road. There is also an existing conifer hedge along the frontage of the College, together with a number of other less mature trees dotted around the site.

The Master Plan shows the Willow to be retained as a focal point, and the mature Ash and Pine trees will also be retained, firstly for visual reasons, but also to provide natural shading to the building. Some pruning is envisaged. The applicants indicate that the trees can be retained as the proposed new outer skin would not project any further towards the trees than the existing façade.

The conifer hedge running along the southern boundary of the site is to be removed, and the area re-landscaped with more native planting. Additional planting is shown along the new avenue and with the central square areas, as well as dotted around the new car parking areas.

The retention of the mature Pine and Willow is welcomed, although based on current information, the LPA still remain concerned that the construction works can be undertaken without jeopardising the future health of the trees. Therefore, when a further reserved matters application for landscaping is submitted, the LPA will expect a method statement explaining how the existing trees are to be protected during construction.

It is considered that the existing conifer hedging is of no particular arboricultural merit, although it does tend to soften the rather urban character of the A36. Its replacement with a new landscaped and planted area is therefore considered acceptable, subject to details, that will have to be submitted at a later date as part of a reserved matters application.

Overall, with the retention of the mature trees adjacent to the south and western facades, it is considered that the scheme could improve the visual appearance of the site.

However, full details of landscaping have been left as a reserved matter, to be submitted in detail at a later stage. Therefore any assessment of the existing proposed plans needs to be undertaken with caution. Furthermore, additional details of how the mature trees will be protected during and after construction has taken place are awaited, and will be reported at the meeting.

S106 and phasing issues

S106 requirements

As part of previous application S/00/0896 regards the student residence, the college entered into a S106 legal agreement with the Council to provide a fully equipped gymnasium on site. The agreement stipulates that this facility should have been provided on site.

A previous application S/2001/0360 for an aerobics and fitness studio which was intended to provide such a facility was eventually withdrawn in 2004, following protracted and unresolved discussions with the LPA and the highway authority and following the colleges own financial problems.

As a result, as part of this current outline application, is wishing to provide an on site gymnasium, which according to the Master Plan will be a central resource for the colleges new courses in Sport and Exercise Science, and be made generally available as a general student recreational resource.

It is considered that such a provision would meet the requirements of the S106 agreement, and due to the stipulation within the S106, the provision of such a facility is agreeable in principle. (A refusal based on the principle of such provision as part of this application would therefore be difficult to support).

Phasing

With regards the phasing of the project, (outlined in detailed elsewhere in this report and in the Master Plan (page 28)), Members should note that the master plan casts some doubt on whether the Nadder and Bourne buildings would in fact be demolished or whether they will be "disposed of". It would therefore be theoretically possible for some of the refurbishment works to be undertaken to the Avon and Wylde, for the new building to be erected, and for the other buildings to remain in their current state, and possibly reused (for educational purposes) by either Salisbury College or other third party, possibly without further planning permission being required. As such a scenario will have knock on implications for the visual appearance of the site, the likely impact on amenities of surrounding residents, and the impact of the scheme on the surrounding highway system, officers advise that suitable restrictive conditions may be needed to ensure that the campus is redeveloped as suggested by the Master Plan (ie that the Bourne and Nadder building be removed, and the site re-landscaped as suggested by the plans).

CONCLUSION – REASONS FOR APPROVAL

Subject to some continuing concerns regards the protection and retention of existing trees and highway details, it is considered in principle, that the proposed changes would be acceptable, and would subject to details and restrictive conditions, have no significant impacts on the surrounding environs.

RECOMMENDATION: SUBJECT TO THE RECEIPT OF SUITABLE AMENDING PLANS REGARDS THE OUTSTANDING HIGHWAY MATTERS, AND INFORMATION IS RECEIVED WHICH ENSURES THAT THE LONGEVITY OF THE MATURE TREES ON SITE WOULD BE SUITABLY PROTECTED TO THE SATISFACTION OF THE LPA, THEN:

APPROVE, subject to the following conditions:

(1) Approval of the details of the 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.

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)

(2) Plans and particulars of the reserved matters referred to in condition 01 above, relating to the 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.

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)

(3) 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: 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)

(4) The development hereby permitted shall be begun either before the expiration of three 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: 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)

(5) The Bourne and Nadder buildings as shown on the submitted Master Plan shall be demolished in their entirety and removed from the site in accordance with a scheme to be agreed in writing with the Local Planning Authority, prior to any demolition works taking place. The scheme shall include a time scale for the demolition of the buildings, method of demolition, construction traffic routes, and details of how adjacent residential amenities are to be protected from dust and noise emissions. The development shall be carried out in accordance with the agreed scheme.

REASON: For the avoidance of doubt. In order to protect amenities

(6) The redeveloped car parking and bicycle parking, and the new landscaping, shall be provided and made available on site prior to the "new building" being erected on site.

REASON: In order to ensure that the campus encourages sustainable travel patterns

(7) No development (demolition or refurbishment works or new access works or new car parking) shall commence until a method statement detailing how existing trees on the site are to be protected during the course of construction has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: In the interests of the long term visual appearance of the site

(8) There shall be no demolition or construction works carried out outside the hours of:

0800hrs to 1800hrs - Monday to Friday
0800hrs to 1300hrs – Saturday

with no works on Sundays or public holidays.

REASON: In order to limit the impact on surrounding amenities

(9) Before development commences, a scheme for the future maintenance of the redundant land as annotated on the approved drawings shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out as agreed, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of visual amenity

(10) Before development commences, a Travel Plan shall be submitted which encourages users of the college facilities to utilise sustainable modes of transport to access the site, other than by means of the private motor car. The recommendations and aims of the agreed travel plan shall be carried as agreed.

REASON: In order to encourage the use of more sustainable modes of transport.

(11) Before any development commences regards the new vehicular access points, a detailed scheme showing cycle and pedestrian crossing points which are satisfactory to the highway authorities, shall be agreed in writing by the Local Planning Authority. Development shall be carried out as agreed.

REASON: 0052 In the interests of highway safety.

INFORMATIVE

With regards the above outline permission, this permission relates solely to detailed approval for the siting of the development, and the access works. A further reserved matters application (s) will be required for the design, external appearance, and landscaping details.

The applicants should note that the LPA regard this site as visually important. Therefore, any detailed design scheme should enhance the entrance to the city centre, whilst protecting and enhancing where possible surrounding amenities.

This permission does not in principle accept the reuse of the "redundant land". Any future reuse of this land will require a further planning application, which will be assessed on its own merits, including any future reuse of Marina Road for access purposes.

The redevelopment scheme hereby approved shall provide the recreational facilities which satisfy the requirements of the legal agreement subject of application S/01/0360.

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

Policy G1 Purpose: Sustainability

Policy G2 Purpose: Highways and amenities

Policy D1 Purpose: Design and visual impact

Policy PS1 Purpose: Provision of Public/community facilities

Application Number:	S/2005/2297		
Applicant/ Agent:	PRS ASSOCIATES LIMITED		
Location:	SOUTH WILTSHIRE GRAMMAR SCHOOL STRATFORD ROAD SALISBURY SP1 3JJ		
Proposal:	SINGLE STOREY LINKED MUSIC BLOCK WITH ASSOCIATED TEMPORARY WORKS		
Parish/ Ward	ST MARK & STRAT		
Conservation Area:		LB Grade:	
Date Valid:	11 November 2005	Expiry Date	6 January 2006
Case Officer:	Mrs B Jones	Contact Number:	01722 434388

REASON FOR REPORT TO MEMBERS

Councillor Nettle and Councillor Paisey have both requested that this item be determined by Committee due to:
The local interest in the application.

SITE AND ITS SURROUNDINGS

South Wilts Grammar School for Girls is situated on Stratford Road, and is set back from the roadside, with a low brick boundary wall and lawn area separating the buildings from the public highway. A number of mature trees form the northern boundary, within the curtilage of 14 Stratford Road. The trees are not currently protected.

The proposed area for the music block extension lies to the rear of the existing music building, and close to the boundary with the rear garden of No 14. The Design and Technology block from the western boundary, with the English block to the south.

The site lies outside the Housing Policy Boundary and Conservation Area, and lies within the curtilage of the grammar school. The main issues for the application are design and scale, impact of the block on neighbouring amenities, impact on trees and highway safety.

THE PROPOSAL

The applicant is seeking to provide a linked extension to the existing music block at South Wilts Grammar School, and provide a temporary contractor's access through the front boundary wall with compound at the front of the school. Some small trees would be removed to make way for the compound.

The new music block would be located adjacent to the existing music facility and linked to it, also providing new disabled access. The siting close to the north boundary is governed by the need to avoid a Wessex Water sewer that runs east/west along the English block.

One teaching room, two large practice rooms and 7 small practice rooms would be provided in the building. Walls would be brick with roof tiled, all to match the existing buildings. The building itself would form two distinct portions. The northern section would have a lower roofline, and would contain the 7 small practice rooms. 7 windows with acoustic louvers would be provided on the north elevation. The main portion of the building would have a steeper pitched roof, incorporating three north facing rooflights (serving corridor below) and 3 roof vent stacks to serve an internal ventilation system. The site levels east to west slope downwards towards the design block, and the eye level for windows at the west end is therefore above the fence level separating the school from the garden of No 14.

The external walls would be of heavyweight cavity masonry and the roof would be double lined and insulated with interlocking tiles to reduce noise transfer. The windows would be double glazed, obscured and fixed (openable only in emergencies). The windows facing the boundary would not be used for ventilation, which is to be provided by a silent, slow running ducted metal

extract fan system, with fans being mounted within the pitched roof space with external terminals facing away from the north boundary. The louvre inlet grilles facing the boundary would be small with noise attenuation built in.

PLANNING HISTORY:

Various S/05/1349	Various extensions and mobile classrooms Single storey music block with associated temporary works	AC	Since 1974 WD
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A previous application for the development was submitted in 2005, but was withdrawn, due to the lack of arboricultural details.

CONSULTATIONS

WCC Highways	- No Objection subject to conditions (see below)
Environmental Health	- No observations. No history of complaints.
Arboricultural Officer	- Objection to current scheme. Members will be updated subject to receipt of amendments to the scheme (see below).

REPRESENTATIONS

Advertisement	Yes	(Major Application)	Expiry 15/12/05
Site Notice displayed	Yes		Expiry 15/12/05
Departure	No		
Neighbour notification	Yes		Expiry 5/12/05

Third Party responses Yes **1 letter from neighbours, not objecting to the new building, but concern regarding the 7 practice room windows. Would wish to see double glazing, fixed shut. Building only 2m from boundary, and due to site levels, windows would overlook garden.**

The applicant has indicated that it may be possible to move the building a further 1m away from the north boundary. Amended plans are awaited and Members will be updated.

MAIN ISSUES

Scale, Design and Neighbouring amenities
Trees
Highway Safety

POLICY CONTEXT

Adopted SDLP G2, PS5, D3

MAIN PLANNING ISSUES

Principle

Policy PS5 supports the principle of development of new educational facilities, provided they are of a permanent construction. The proposal would be of a permanent construction, forming an extension to an existing school building, in accordance with Policy PS5.

Scale and Design

Policy G2 and D3 provide policy guidance for the design of new extensions, which should be compatible with the design and character of the existing property, using complimentary materials and be carefully integrated in relation to other properties. The new music block would be sited to the west of the existing music block, and only the northern most portion would be visible from Stratford Road. The existing music block is a single storey brick building with a hipped, tiled roof.

Various windows exist on the elevations. The proposed block would be single storey, and would match the materials in the existing building. Acoustic louvres to windows on the north elevation practice rooms would be provided, to minimise noise disturbance to both neighbours and pupils in other nearby classrooms. The proposals are therefore considered to be well integrated within the existing school complex, and would not be visually detrimental to the layout of the buildings.

The building would be constructed from brick, with dark brick plinth courses. Rooflights and windows would be white pvcu, with timber doors. The designs are well integrated with the existing shape and scale of the existing music building, and materials would be acceptable, to match the existing, in accordance with Policy D3.

Neighbouring Amenities

Whilst the site is excluded from the existing Housing Policy Boundary, residential development adjoins the school to the north and south. The proposed music block would be sited closer to dwellings to the north than the existing blocks. However, the applicant has suggested that it may be possible to move the building further from the north boundary (due to the use of beam and pile close to the sewer) and Members will be updated at committee.

There are existing openable windows on the front and rear elevations of the music block close to the boundary with 14 Stratford Road, and these windows do not appear to benefit from any acoustic treatments. Seven practice room windows are proposed, and would face towards the rear garden of No 14 Stratford Road. The dwelling itself would be some 25m from the nearest window. It is considered that subject to conditions restricting the days and times of use of the building, use of acoustic louvres, and windows being double glazed and fixed (openable only in emergencies), the development would not have any additional material noise impact on neighbouring amenities.

Due to the difference in site levels, some of the windows are likely to overlook the adjoining garden, as head height would be above the fence height. The applicant has indicated that they would accept obscured glass for the windows, and this is considered to overcome the overlooking concerns.

In the wider context, the proposed block lies within the existing school complex, and is unlikely to generate any additional impact on amenities in the vicinity of the school, in accordance with Policy G2. Subject to the comments and conditions made by Highways, the proposed access and compound would not have any lasting impact on amenities, and would be in accordance with Policy G2, subject to the compound being removed once works are complete.

In conclusion, the proposal would make effective use of an existing urban site, would respect the existing features and materials of the existing buildings, and subject to appropriate conditions for the windows, there would be no detrimental impact on neighbouring amenities, in accordance with Policies G1 and G2.

Highway Safety

Permission is sought to provide a temporary contractor's access through the existing brick wall to the front of the school, including a contractor's compound adjacent to the music block. The brick wall would be reinstated upon completion of the works. The Highway Authority has noted that the temporary construction access is proposed, but no details are provided. This route would require the construction of a heavy duty vehicular footway crossing constructed to Highway Authority specification, and the footway should be reinstated on completion of the works. An informative is advised on this basis. No objection is raised to the development, subject to two further conditions.

Trees

A number of mature trees form the northern boundary to the site on the adjacent property. A timber fence currently separates the site from the trees. Beam and pile foundations are proposed to protect poplar trees within the root protection zone of the development. Surface water discharge would be dispersed under the new building into the root zone, to supply moisture to the roots, with protective measures to avoid undermining the pile surrounds and

foundations. The plans as submitted show conflicting information about whether the irrigation system would be above, or below ground. Below ground would detrimentally affect root systems in the root protection zone, and the applicant has been asked to clarify.

Some small trees at the front of the school would be removed to make way for the contractors' compound. Larger trees would be protected as proposed in the statement. Landscaping would be generally reinstated according to the submitted details (2 trees and 2 shrubs). An arboricultural method statement has been submitted and has raised two main concerns for the tree officer:

It is considered that the proposals (as submitted) for the proposed contractors' compound and site access may harm existing tree roots at the front of the site. These trees, including a mature beech, are considered to be of amenity value. Furthermore, the new building would be built upon approximately 50% of the tree protection zone for a group of poplars to the rear of the existing music block, and on a neighbour's land. This would be contrary to the new British standard. *On the basis of the information submitted to date* in the arboricultural method statement, the tree officer is not satisfied that the building can be accommodated on the site without significant root damage to the poplars, threatening their viability. The arboricultural statement currently contains conflicting information.

However, officers consider that it may be possible to overcome many of the concerns currently held, and Members will be updated upon receipt of amended details, as late correspondence.

RECOMMENDATION:

SUBJECT TO THE RECEIPT OF SATISFACTORY AMENDED DETAILS FOR OBSCURED AND FIXED WINDOWS IN THE NORTH ELEVATION
AMENDED SITE PLAN, SHOWING THE EXTENSION MOVED FURTHER AWAY FROM THE NORTH BOUNDARY
AMENDED TREE PROTECTION AND SITING DETAILS FOR THE PROPOSED CONTRACTORS' ACCESS AND COMPOUND
CLARIFICATION OF TREE PROTECTION MEASURES FOR POPLARS ON THE NORTH BOUNDARY
SPECIFICATION DETAILS FOR THE BEAM AND PILE FOUNDATIONS:

APPROVE

REASONS FOR APPROVAL

The proposed development seeks to make effective use of urban land and would not adversely affect highway safety, neighbouring amenities or trees on the adjacent property. The proposal would be in accordance with the adopted policy context of the Salisbury District Local Plan.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

2. Before development commences, full details of the acoustic treatment for all windows of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The new music block hereby approved shall not be used until the development has been implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that neighbouring amenities are not unduly disturbed by noise from the development.

3. There shall be no use of the music block extension hereby approved until fixed (non openable) windows on the north elevation have been installed with acoustic louvres and obscured double glazing, in accordance with details and sections to be submitted to and approved in writing by the Local Planning Authority before development commences. The windows shall be maintained in this condition thereafter.

Reason: To ensure adequate privacy for the occupants of neighbouring premises and to ensure that neighbouring amenities are not unduly disturbed by noise from the development.

4. The practice rooms of the music block hereby permitted shall not be used outside the hours of 8.30am to 18.00pm, Monday to Friday and 9.00am – 13.00pm on Saturdays. There shall be no use on Sundays or Bank Holidays.

Reason: To ensure that neighbouring amenities are not unduly disturbed by noise from the development.

5. The materials to be used in the construction of the external surfaces of the music block hereby permitted shall match those used in the existing school buildings (D01A)

Reason: To secure a harmonious form of development

6. The temporary construction access, measured from the back of the existing footway for a distance of 10 metres, shall be suitably consolidated and surfaced (not loose stone or gravel) in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of highway safety

7. Upon the completion of the development, the temporary construction access shall be removed and the footway and school boundary wall on Stratford Road shall be reinstated to their original condition, using replacement matching kerbstones and matching materials.

Reason: To ensure that the footway is reinstated and provided to a satisfactory standard in the interests of highway safety

Further conditions relating to tree protection will be recommended as late correspondence, subject to receipt of amended plans.

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

G1 Sustainable Development
G2 General Principles for Development
PS5 Education
D3 Design

INFORMATIVE

The temporary construction access would require the construction of a heavy duty vehicular footway crossing, constructed to Highway Specification and the footway should then be reinstated upon completion of the works. The contractor should contact Wiltshire County Council to gain approval for these works (please contact Jackie Baldwin on 01225 713352).

Application Number:	S/2005/2344		
Applicant/ Agent:	C CRAWLEY		
Location:	ST MARTINS CHURCH HALL EYRES WAY SALISBURY SP1 2TF		
Proposal:	DEMOLITION OF EXISTING CHURCH HALL AND ERECTION OF 10 NO 2 BEDROOM APARTMENTS WITH ASSOCIATED PARKING		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:		LB Grade:	
Date Valid:	17 November 2005	Expiry Date	12 January 2006
Case Officer:	Mr S Llewelyn	Contact Number:	01722 434659

REASON FOR REPORT TO MEMBERS

Councillor Tomes has requested that this item be determined by Committee due to the controversial nature of the application

SITE AND ITS SURROUNDINGS

This is the site of St Martin's Church Hall that is located on the eastern side of Eyres Way within a residential estate, known as the Friary, which lies to the southern side of the City Centre. The site backs onto the ring road (A36 Churchill Way South) to the east. The site measures approximately 0.36 hectares in area and is, at present, occupied by St Martin's Church Hall and its associated vehicular access and car parking area. The existing building is finished in a buff coloured brick and is of an elongated form that extends back into the site and is two-storeys in height to the front and rear elevations and has a pitched roof form. The side elevations of the building are recessed at the first floor level about halfway along its length with flat roof, single storey sections at ground floor level at these points.

There is an existing tarmac vehicular access from Eyres Way that runs adjacent to the northern boundary of the site and leads to a parking area that is located towards the rear of the site and to the northern side of the existing building wrapping around the eastern elevation of the adjacent block of flats at Nos20-30 Eyres Way.

There is fairly dense and mature tree and landscape screening to the eastern boundary of the site to the A36, as well as tree screening to the boundary between the parking area and the adjacent flats at Nos20-30 Eyres Way. There is also landscape screening to the southern boundary of the site with Nos2-16 Eyres Way, as well as to the front of the existing building. The site is subject to a Tree Preservation Order. Post and rail fencing demarcate all the boundaries of the site.

Within the immediate vicinity of the appeal site, the surrounding area is of a residential character including two-storey housing and blocks of flats. Immediately to the south of the site is a terrace of two-storey almshouses, known as Nos2-16 Eyres Way, with parking provision to the front. This terrace of properties extends back into the site and is angled within the plot in relation to their frontage with Eyres Way. To the north of the site is a three-storey block of flats, Nos20-30 Eyres Way, which has a pitched roof form and a rendered finish. These flats are separated from the northern boundary of the site by a grassed amenity area that is enclosed by post and rail fencing. The principal elevation of these flats faces across this amenity space towards the appeal site with a narrow blank gabled elevation fronting onto Eyres Way. On the opposite side of the road to the appeal site is a two-storey terrace of residential properties that are set back from Eyres Way by fairly shallow front gardens.

THE PROPOSAL

This application seeks planning permission to demolish the existing church hall and to erect a block of 10no 2-bed apartments. It is proposed that all of the apartments will be provided for affordable housing. The proposal also includes associated parking provision (a total of 10 spaces) to be accessed from Eyres Way, the provision of a cycle store accommodating a total of 10 cycle spaces and a bin store for general and recyclable waste.

PLANNING HISTORY

S/2004/0056 An earlier application seeking outline planning permission to demolish the existing church hall and to erect 12 x 2-bed and 2 x 1-bed apartments (14 in total) with associated parking provision (detailed approval sought for siting and means of access) was withdrawn in May 2004.

S/2004/1736 Most recently, outline planning permission was refused to demolish the existing church hall building and to erect a block of 10 flats with associated parking provision (detailed approval sought for siting and means of access). This application was refused for the following reasons:

1. The proposed development would be contrary to Policies D1 and D2 (i) of the Adopted Replacement Salisbury District Local Plan (June 2003) that seek to ensure that development is acceptable in the context of the character and appearance of the area. In this instance, the proposed development by virtue of the overall size and forward siting of the proposed building footprint in conjunction with the resultant scale and massing of building to provide the proposed level of accommodation would constitute an intrusive form of development that would be harmful to the street scene and character of the area and would represent an overdevelopment of the site.

2. The proposed development fails to make provision towards recreational open space contrary to the requirements of Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003). As such, it would put an additional demand on existing recreational facilities and would set a precedent that would make it difficult for the Council to implement this policy effectively in the future”.

An appeal was lodged against this refusal of outline planning permission but was dismissed by the Planning Inspectorate in July 2005.

CONSULTATIONS

WCC Highways: No objection.

Highways Agency: No comments to make.

WCC Waste Planning: No objection.

WCC Library/ Museum: No objection, subject to the imposition of a condition requiring that an archaeological watching brief be undertaken during the initial stages of construction.

Environmental Health: No objection.

Arboricultural Officer: No objection, subject to the imposition of conditions.

REPRESENTATIONS

Advertisement	Yes - expired 22/12/05
Site Notice displayed	Yes - expired 22/12/05
Departure	No
Neighbour notification	Yes - expires 02/02/06
Third Party responses	Yes

One letter of representation has been received in response to this application that raises the following concerns/objections to the proposed development:

The development of this site with 10 flats represents an overdevelopment of the site; The proposed level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity; and There are no amenities in the road for children so that they will be out playing that will be dangerous given the extra volume of traffic that will be generated.

POLICY CONTEXT

The following policies of the Adopted Salisbury District Local Plan (June 2003) are relevant to the current proposal:

G1, G2, G4, D2, D6, H8, CN11, CN17, CN21, CN23, TR11, TR14 and R2.

MAIN ISSUES

1. Principle of Development
2. Visual Impact
3. Residential Amenities
4. Noise Issues
5. Highway Issues
6. Impact on Trees/Landscaping
7. Archaeological Issues
8. Flood Risk
9. Provision of Recreational Facilities
10. Sustainable Development – Waste Audit and Provision for Recycling
Affordable Housing

PLANNING CONSIDERATIONS

1. *Principle of Development*

The site lies within the Salisbury Housing Policy Boundary and the principle of infill residential development is therefore considered acceptable, subject to the proposed development complying with the other relevant policies of the Local Plan. Policy D2 that relates to design states that proposals for street and infill development will be permitted where the proposals respect or enhance the character or appearance of an area.

The proposed development, however, would result in the loss of the existing church hall facility that provides a community facility within the Friary Estate. Although Policy PS3 of the Adopted Salisbury District Local Plan that considers development proposals affecting community facilities is not directly applicable to this proposal given the location of the site within the Salisbury Central Area, it is nevertheless considered appropriate to give some deliberation to this matter.

With regards to this issue, the applicant has confirmed that the existing building is now vacant and is redundant except for the storage of some tables given that the function of the church hall has been transferred to part of the St Martin's Infant School. This replacement facility therefore remains within reasonable walking distance of the existing church hall building and the Friary Estate. Consequently, while it is acknowledged that the facility has been relocated away from the Friary Estate that is a little unfortunate it is considered that the existing user groups will not actually lose a facility altogether. Furthermore, there are numerous other church halls and community facilities that exist within Salisbury that are reasonably accessible given the proximity of the Friary Estate to the central core of the City. In light of the above, it is not considered that the loss of the existing church hall provides justification for an 'in principle' objection to the proposed development.

The acceptability of the proposed development, therefore, rests with the detailed considerations as set out below.

2. *Visual Impact*

This section of the street scene of Eyres Way is of a mixed character consisting of properties of varying forms, styles and designs, although it is predominantly characterised by properties in residential use. In this respect, the eastern side of Eyres Way is characterised by the residential developments of the group of two-storey almshouses (Nos2-16 Eyres Way) and the three-storey block of flats (Nos20-30) to either side of the application site, as well as the existing church hall building itself, that are all set in relatively large and well landscaped/treed plots that provides a spacious and sylvan character to this side of the street scene. The opposite side of Eyres Way,

however, consists of a more dense form of development in the style of two-storey terraced dwellings of a more traditional appearance and domestic scale that provides a more urban character to the street scene.

In determining the previous application for the redevelopment of this site that sought outline planning permission for the demolition of the existing church hall building and erection of a block of 10 flats, Members concluded that the proposed development by virtue of the overall size and forward siting of the proposed building footprint in conjunction with the resultant scale and massing of building to provide the proposed level of accommodation would constitute an intrusive form of development that would be harmful to the street scene and character of the area and would represent an overdevelopment of the site. Although this application only sought approval of the siting and means of access it was also supported by indicative elevations and floor plans of a proposed building and it was therefore considered appropriate to afford some weight to these details in determining the proposal. The plans submitted in support of this proposal indicated that the proposed building would occupy a largely similar footprint to that of the existing building, although it would be of a different form and would project further forward within the site towards the boundary to Eyres Way. In this respect, it was proposed that the main body of the proposed block of flats would encroach approximately 2 metres beyond the forward building line of the existing church hall building, while it would extend about 4.5 metres further forward at its furthest extent to the tip of a V-shape projection to the front elevation.

An appeal was subsequently lodged against this refusal of outline planning permission and although it was ultimately dismissed, the conclusion of the Appeal Inspector in respect of the reason for refusal is of particular relevance to this current application. In this respect, the Appeal Inspector noted that the reason for refusal refers to the overall size and forward siting of the proposed building footprint in conjunction with the resultant scale and massing of the building and that these factors are considered to constitute an intrusive form of development that would be harmful to the street scene and character of the area and to represent an overdevelopment of the site. However, in determining this issue, the Appeal Inspector concluded *"I am satisfied having regard to the size and context of the appeal site, including the siting and appearance of adjoining buildings, that these need not cause the problems identified by the Council or be in conflict with Policies D1 and D2 (i) of the Replacement Salisbury District Local Plan, 2003"*. In dismissing the appeal, the Inspector also commented that the design of the proposed building indicated on the illustrative plans would also have been acceptable had the design and external appearance not been reserved for subsequent approval, but given that the proposed footprint of the building including a number of V-shaped projections, in the absence of the same commitment to the final design it would be wrong to give outline permission for a building of this particularly detailed form. In conclusion, the Appeal Inspector stated, *"...whilst I do not consider the appeal scheme to raise any substantive issues of legitimate concern as regards to its impact on the character and appearance of the locality, the technical drawbacks are such that I must dismiss the appeal. A subsequent full application for permission rather than the hybrid submission in this appeal would, together with a fully completed Obligation, enable the Council to resolve the outstanding technical points"*.

In considering the current proposal, it is evident that as with this previous application the proposed building will occupy a largely similar footprint to that of the existing building although it too would project further forward within the site towards the frontage boundary to Eyres Way. In this regard, the front elevation of the proposed building would extend about 4 metres beyond the forward building line of the existing building. Nevertheless, despite the forward encroachment of the proposed building in relation to that of the existing church hall, it is considered that it would still respect the forward building line of the developments to either side and in fact would still be set back behind the building line of the adjacent block of flats at Nos20-30 Eyres Way. The physical impact of the proposed building to the street scene, however, cannot be considered in relation to the issue of its' siting alone but must be considered in conjunction with the overall scale and massing of the building. In considering the overall scale and massing of the proposed building it is acknowledged that it would be greater than that of the existing building. However, it is evident from the submitted street scene elevation that overall scale and massing of the front elevation of the proposed building would not be significantly greater than the existing church hall building and although this steps up to a 2½ storey element across the central section of the building that has a wider footprint and higher ridge line this section of the building is set well back into the site (some 5.5 metres behind the forward building line of the existing building). Furthermore, the submitted street scene elevation also indicates that the proposed building

would have a lower overall ridge height than the adjacent block of flats at Nos20-30 Eyres Way and given the lower eaves and ridge heights to the front and rear sections of the proposed building it is considered that it would provide a transition between the more domestic scale properties at Nos2-16 Eyres Way and this adjacent block of flats. In light of these considerations, and having regard to the conclusions of the Appeal Inspector in the determination of the previous application, it is considered that the street scene elevation demonstrates that a development of the overall scale and massing and on the siting that is proposed by this application can be reasonably accommodated within this site and without appearing unduly dominant within the street scene. The siting of the proposed building would also be such that the existing important trees and landscape planting within the site can be retained and as such it is considered that the proposal would respect and preserve the spacious and sylvan character that currently exists to this side of the street scene.

With regards to design, the proposed building would be of a more traditional rather than modern style that would allow it to integrate satisfactorily with the existing development but at the same time also enhancing the quality of development in the immediate vicinity. While it is acknowledged that the proposed building is of a fairly large overall scale and massing, it is considered that the proposed design employs sufficient detailing to provide a good degree of articulation to the building that in turn serves to break up the overall massing of the building. In this respect, the built form is made up of two storey elements to the front and rear of the building whilst stepping up to 2½ storeys over its central section and also having a wider footprint at this point. The proposal also includes a projecting gable to the central section of the building that accommodates the principal entrance and staircase, projecting bay windows to the east and west elevations, as well as porch canopies and the inclusion of fenestration details such as the first floor oriel/bay windows to the southern elevation, all of which aid to break up the overall massing of the building. Furthermore, the submitted plans indicate the use of a variety of material finishes that will also serve to break up the mass of the building and could give it something of an arts and crafts feel depending upon the specific materials that are used. The proposed building also incorporates a reasonable degree of detailing through the use of porch canopies, window sills and headers, projecting bays and oriel/bay windows all of which will add interest. Consequently, it is considered that the proposed development would be an acceptably high quality of design that would allow it to not only integrate comfortably into this section of the street scene but too also enhance the visual character of this section of Eyres Way and the surrounding area. Furthermore, it is also considered that the proposed development would conform to the Government guidance contained in PPG3 that advocates that Local Planning Authorities should promote the more efficient use of urban land.

Finally, with regards to the issue of design and the impact of the proposed development on the character of the surrounding area, in accordance with Policy D6 of the Adopted Salisbury District Local Plan the overall ridge height of the proposed building would be significantly lower than the critical height of 12.2 metres so that the views of the Cathedral spire rising above the roofscape of the city would not be adversely affected.

3. Residential Amenities

With regards to residential amenity, the most likely properties that may be affected by the proposed development are those on the adjacent sites to either side of the application site, these being the almshouses at Nos2-16 Eyres Way and the flats at Nos20-30 Eyres Way, rather than those on the opposite side of the road given the separation distance involved to those properties.

In considering the proposed siting of the proposed block of flats in relation to the neighbouring properties to either side, given that the proposed building would largely occupy a similar footprint to the existing building it is considered that it will still be sufficiently distanced from the neighbouring buildings so as not to cause any material loss of light. Although it is recognised that the overall scale and massing of the proposed building would be greater than that of the existing church hall building, given the separation distances that would be retained together with the fact that the tree/landscape planting along the southern boundary of the site would screen the building to some extent thereby reducing its physical impact in relation to Nos2-16 Eyres Way, it is again considered that no material harm would arise and that the proposed building would not have an overbearing presence.

With regards to the issue of potential overlooking, it is also considered that the proposed development can be accommodated within this site without giving rise to a material loss of privacy to the neighbouring residents. In this regard, a gap of approximately 20 metres would be retained between the main façade of the northern elevation of the proposed building and the principal front elevation of the adjacent block of flats at Nos20-30 Eyres Way that faces directly towards the site, while a more restricted gap of about 10 metres at its closest point is retained to the residential dwellings at Nos2-16 Eyres Way to the south of the site. With this in mind the internal layouts of the proposed flats have been purposely designed in such a manner that the principal windows serving the main habitable rooms (lounge/dining rooms and kitchens) are located to the front elevation facing Nos20-30 Eyres Way and the side elevations facing onto Eyres Way to the west and the A36 to the east where the separation distances involved to the neighbouring properties are sufficient so that no material loss of privacy would occur.

The windows located in the southern elevation where the relationship to the neighbouring properties (Nos2-16) is more sensitive due to their closer proximity, on the other hand, will serve the more secondary accommodation including the bedrooms and bathrooms. The internal layout of the ground and first floor flats that are located on the southern side of the building have also been purposely designed so that the kitchens are open plan to the lounge/dining rooms thereby negating the need for further windows in the southern elevation to serve these kitchens and in turn reducing the level of both real and perceived overlooking that could occur. It is acknowledged that the relationship to Nos2-16 Eyres Way is not ideal given the restricted separation distance and the consequent potential for some degree of overlooking to occur from the bedroom windows in the southern elevation of the proposed building. Nevertheless, given the nature of use of these rooms (i.e. as bedrooms - not principal habitable rooms), together with the fact that the existing tree/landscape planting along the southern boundary of the site would offer some screening as well, it is considered that this would not be so materially harmful as to justify refusal of this application. Furthermore, this relationship is not uncommon between properties in an urban area such as this. Therefore, on balance, it is not considered that this should justify refusal in this instance.

Despite this assessment, however, negotiations are continuing with the applicant to secure amendments to the fenestration detailing in the southern elevation of the proposed building in order to improve the relationship with Nos2-16 Eyres Way and in particular to minimise any potential overlooking. In this respect, it is aimed to amend the proposal so that the first floor bedroom windows in this elevation are designed to be V-shaped so that the views from the front portion of these windows are angled to overlook the parking area to the front of Nos2-16 Eyres Way, while the rear section of the windows will be either obscure glazed or provide a blank façade in order to avoid any potential for harmful overlooking of these adjacent dwellings.

In assessing this application, it is also appropriate to consider the amenities of the future occupants of the proposed apartments in terms of the quality of the accommodation and environment that is proposed. In this regard, the site is located immediately adjacent to the A36 (Churchill Way South) and therefore could potentially be subject to a significant level of noise from road traffic. This issue is discussed in more detail in the following section of this report, "Noise Issues", although it is concluded that subject to the implementation of appropriate mitigation measures an acceptable internal environment within the building can be provided. However, it is considered that the level of light within some of the rooms of the proposed flats, in particular the main habitable rooms (lounge/dining rooms and kitchens), may create living conditions that whilst not being unacceptable are also not ideal. This is considered to be particularly the case with regards to the flats on the southern side of the building where the kitchens are open plan to the lounge/dining rooms and are only served by a single bay window. This issue is further exacerbated at the eastern end of the building given the proximity of the trees along this boundary that will further diminish the levels of light that are achieved to the accommodation at this end of the building. Although it is considered that this issue does not provide grounds to refuse the application in itself, negotiations are continuing with the applicant to secure amendments to the proposal in order to improve the levels of light within the proposed flats. In particular, these amendments are focused around alterations to increase the size of the window openings in the eastern and western elevations of the building.

4. Noise Issues

The site lies immediately adjacent to the A36 (Churchill Way South) to the east and it is recognised that the amenities of the future occupants of the proposed development could potentially be subject to a significant level of noise and vibration from the road traffic. In support of the application, the applicant has therefore commissioned an acoustic survey to assess the impact of noise and vibration arising from traffic on Churchill Way South. At present, there is an existing tree and landscape screen adjacent to the eastern boundary of the site that serves as an important visual and acoustic barrier in providing some protection against the impacts of traffic noise from the A36. However, while it is proposed that this tree and landscape planting screen will be retained and reinforced, the results of the acoustic survey identify that the site is subject to significant levels of ambient noise and that typical noise levels on the site fall within noise exposure category 'C' as specified within PPG24. Noise exposure category 'C' advises that where residential development falls within this category that "*Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise*".

In view of the guidance of PPG24, consideration must be given to whether appropriate mitigation measures can be incorporated into the design to provide an acceptable environment within the proposed apartments for the future occupants. In this respect, the report recommends the incorporation of specified acoustic performance for glazing to the sensitive windows of the development. However, it also advises that whichever level of glazing is provided it is of course the case that when the windows are opened, the acoustic performance of the windows will be negated and it may therefore be necessary to provide alternative means by which habitable rooms may be ventilated whilst keeping the acoustic integrity of the façade. The report therefore identifies three potential options to achieve this although the applicant has subsequently confirmed their preferred option, this being an acoustic trickle vent. In conclusion, the report identifies that by specifying an appropriate performance for the glazing and by providing attenuated forms of ventilation to the most sensitive rooms that it will be quite possible to ensure that the internal environment within the building is well within normal design standards for such residential use.

The survey that has been undertaken also considered the existing ground vibration levels arising from the road traffic on the adjacent A36 (Churchill Way South). On this issue, the report concludes that the vibration values on site will be well within acceptable criterion, as defined in British Standard guidance, and that no additional measures will be required to address vibration on the site.

The Council's Environmental Health Officer has advised that the recommendations with regard to the acoustic performance of the glazing and attenuated ventilation detailed in the report are acceptable and no objection is raised to the proposed development. The implementation of these mitigation measures, however, will need to be secured by condition.

5. Highway Issues

With regards to highway issues, and in particular parking provision, an objection has been received to the proposal on the grounds that the level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity. The latest Government guidance contained in PPG3 and PPG13, however, seeks to reduce the reliance on the car and advocates the provision of a maximum of 1.5 off-street parking spaces per dwelling on average throughout a development. In this instance, the proposal includes the provision of a total of 10 parking spaces for the 10 flats proposed which equates to a ratio of 1.0 parking space per unit. In addition, it is also proposed that this level of parking will be supplemented by the provision of a secure and covered cycle store accommodating a total of 10 cycle spaces, 1 per apartment. Given the location of the application site within the Salisbury Central Area and its close proximity to the facilities and services of the City Centre and the public transport facilities (bus routes and railway station) that are available within reasonable walking distance it is considered that this is an acceptable level of vehicle and cycle parking provision to serve the development.

In relation to other highway aspects of the proposal, it is proposed that the existing vehicular access from Eyres Way will be utilised to serve the development to which no highway objection is raised. Similarly, WCC Highways have not raised any concern to the capacity of the existing road infrastructure to support the volume of traffic movements that will be generated by the development or in respect of highway safety.

6. Impact on Trees/Landscaping

As mentioned above, there is a fairly dense and mature tree/landscape planting screen adjacent to the eastern boundary of the site, while there are also trees located along the western boundary that separates the parking area within the site from the adjacent flats at Nos20-30 Eyres Way. In addition, there are also several trees located in close proximity to the southern boundary of the site, albeit that these are actually located within the grounds of Nos2-16 Eyres Way. The trees within the application site are covered by a Tree Preservation Order (TPO No.316).

In support of the application, an arboricultural impact appraisal has been submitted that identifies the constraints that the trees within the site impose on the use of the site and its potential redevelopment. This report identifies that although the existing building is within or close to the protection zones of several trees provided that protective fencing and ground protection are installed prior to the commencement of demolition and retained in place until the completion of development there should be no adverse effects on the retained trees from the demolition of the existing building. With regards to the proposed building, while it proposed to occupy a similar footprint to the existing building and is not itself within or so close to the surrounding trees that remedial foundation or construction methods will need to be implemented, it is acknowledged that the space for construction and the movement of materials is constrained on its southern and eastern sides. However, again, provided that protective measures in the form of protective fencing and ground protection are implemented no material will result from the development. The submitted arboricultural impact appraisal also identifies that the existing hard surfacing of the parking area is located within the protection zones of the trees adjacent to the eastern boundary but given that it is not to current standards it will be replaced. As such, it is identified that within these root protection zones the existing surfacing will be removed by hand and the replacement surfacing will have to be installed using a "no-dig" specification.

With regards to other arboricultural matters, while the proposed development does not require the removal of any of the existing trees within or adjacent to the site to accommodate the proposed development, it is proposed that the existing trees along the western boundary of the site that separates the existing parking area from the adjacent flats at Nos20-30 Eyres Way will be removed. In this respect, the arboricultural impact appraisal identifies that these trees consist of two Sycamores that have significant structural problems and poor long-term prospects while the other trees are an uneven line of straggly plum trees that are not of any high amenity value. However, the contribution of these trees as a screen to this boundary between the site and the adjacent flats (Nos20-30 Eyres Way) is acknowledged and it is proposed that suitable replacement trees are planted as part of the landscaping for the site. The Council's Arboricultural Officer raises no objection to the removal of these trees subject to suitable replacement planting.

In light of the above, there is no arboricultural objection to the proposed development subject to the implementation of appropriate protection measures. In this respect, it is considered appropriate to condition the requirement of the submission of an arboricultural method statement to include details such as the proposed specification and alignment of protective fencing, the specification for ground protection, the specification of the "no-dig" construction to the parking area, the routing of drainage and service infrastructure, any remedial foundation treatments that may be required for the construction of the cycle and bin stores, the material storage and concrete mixing areas etc. It is also considered that the imposition of a condition requiring the submission of a full landscaping scheme is appropriate in this instance.

7. Archaeological Issues

The application site is located within the Area of Special Archaeological Interest and the County Archaeological Officer has advised that the site lies close to the ring road that is known to overlie the bank and ditch that formed the city defences further north. The exact location or extent of

these defences, however, is not known at this location and it is possible that the construction of the proposed building may reveal information relating to them or the Franciscan Friary that is thought to lie to the west. In light of the fact that it is proposed to construct the new building in a similar location to the present building, it is therefore recommended that an archaeological watching brief be undertaken during the initial stages of construction. This would allow an archaeological contractor to identify and record any archaeological features that may be uncovered. This can be secured by condition.

8. Flood Risk

The site lies partly within the 1 in 100 year indicative flood plain of the River Avon and as a result the Environment Agency has verbally advised that the finished floor levels of the proposed building should be set a minimum of 0.6 metres above the 1 in 100 year indicative flood level to mitigate against the risk of flooding, albeit that the proposed footprint of the building would only marginally encroach within the flood plain. Following discussions with the applicant's agent, the proposed finished floor levels of the building have been amended, albeit only by approximately 0.3 metres, so that they would be set at a height of 10.4 metres above local datum in accordance with the requirement of the Environment Agency. As such, there is no objection to the proposed development although it is considered appropriate to impose a condition relating to the finished floor levels.

9. Provision of Recreational Facilities

In accordance with Policy R2 of the Adopted Replacement Salisbury District Local Plan the provision of recreation facilities must be considered for all proposals for new residential development. This proposal would involve the creation of 10no 2-bed apartments, although an existing 2-bed manager's flat would be lost as a result of the demolition of the existing building resulting in a net increase of 9no 2-bed apartments. A commuted payment of £10,719 towards the provision of off-site recreational facilities has therefore been calculated to be required pursuant to Policy R2. This can be secured via a Section 106 Agreement.

10. Sustainable Development – Waste Audit and Provision for Recycling

In respect of the proposed development, Policies 10 (Waste Audit) and 14 (Provision for Recycling) of the Wiltshire and Swindon Waste Local Plan 2011 are of relevance. Both of these policies seek to ensure that, from the outset, new development is implemented with the principle of sustainable development at its core. In this respect Policy 10 seeks to implement this approach through the requirement of applicant's to submit a waste audit to establish the volume, tonnage and nature of materials likely to arise from site demolition, excavation, clearance, preparation, storage and construction, and where these can be re-used within the development or off-site. Policy 14, however, seeks to ensure that waste can be easily segregated by occupiers of new development for collection or transfer to local recycling facilities and seeks the provision of local/neighbourhood scale recycling facilities where these would be appropriate to the scale of development proposed as well as encouraging the provision of designed-in facilities that allow the separate storage of kitchen, garden wastes and recyclable materials such as paper, glass, plastic and cans.

In this instance, in accordance with Policy 10 the applicant has submitted a waste audit. This identifies that the materials of the existing building, such as roofing tiles, bricks and fixtures/fittings, that are in a suitable condition will be used for reclamation. All remaining brick rubble and excavated concrete will be taken to an appropriate landfill site where it cannot be used on the site for backfilling purposes or for the making of any temporary site entrances/roadways, while all other waste materials, such as wood, scrap metal, windows and internal fixtures/fittings, that cannot be retained on site will be sorted according to type and disposed of accordingly to appropriate recycling facilities. All materials leaving the site will be ticketed by the load and disposed of at licensed sites. With regards to the provision of recycling facilities within the development itself, it is proposed that there will be a communal bin store accommodating 3x750 litre capacity refuse bins and 4 separate recycling bins, while individual recycling facilities will be provided within each apartment. WCC Waste Planning have confirmed that the submitted proposals constitute an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development.

11. Affordable Housing

In accordance with Policy H25 of the Adopted Salisbury District Local Plan (June 2003), in relation to a site in an urban area such as this, where there is a demonstrable lack of affordable housing to meet local needs the provision of an element of affordable housing will be sought on appropriate sites where the site is of a hectare or more in area or the development is for 25 or more dwellings. In this instance, neither the application site area nor the scale of the proposed development meets these thresholds and therefore in accordance with Policy H25 this current proposal does not represent a qualifying site for the provision of affordable housing. Nevertheless, the applicants' propose that all of the apartments will be for affordable housing on the basis of a split of 70% rental and 30% shared equity provision. This is obviously welcomed as it meets one of the key objectives of this Council in delivering more affordable housing. However, given that this development does not automatically require the provision of an element of affordable housing under the terms of Policy H25 and it is judged that it would be acceptable in respect of all other material considerations even if the development were proposed as open market housing, it is not therefore justified to require that it is secured for affordable housing in perpetuity through a Section 106 Agreement.

CONCLUSION

The principle of the redevelopment of this site for residential purposes is acceptable in policy terms. It is considered that the submitted plans demonstrate that the redevelopment of this site with a block of 10 flats can be achieved in a built form that would be of an acceptable design, scale and massing and that would sit relatively comfortably in this street scene. The proposal also retains the existing trees and landscape planting both within and adjacent to the site which in turn will ensure that the proposed development respects and preserves the sylvan character that exists to this side of the street scene. The proposed development has also been designed in such a manner that it is considered that it would not materially harm the amenities of the neighbouring properties in terms of its physical presence or as a result of a material loss of light or privacy.

In respect of other issues, although the site is located adjacent to the A36 (Churchill Way South) and is subject to significant levels of ambient noise, the submitted acoustic and vibration report identifies that subject to appropriate attenuation measures, such as acoustic glazing and an attenuated form of ventilation, that the internal environment within the building will be well within normal design standards for residential use. The vibration levels recorded will also be well within acceptable criterion. The applicant has also proposed an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development. With regards to highway matters, the proposed development will be served by an acceptable means of access, while it is also considered that there is an adequate level of on-site vehicle and cycle parking provision given the location of the site in close proximity to the city centre and the services/facilities that it offers.

The site is located within an Area of Special Archaeological Interest, but it is not considered that this should be a constraint to the development but instead can be controlled by the imposition of a condition requiring that an archaeological watching brief be undertaken during the initial stages of construction. The site also lies partly within the 1 in 100 year indicative flood level of the River Avon, but the proposal has been amended to increase the height of the finished floor levels as mitigation against the risk of flooding.

The proposed development is freely offered by the applicant for 100% affordable housing on the basis of a split of 70% rental and 30% shared equity provision which is obviously welcomed as it meets one of the key objectives of this Council in delivering more affordable housing. However, it should be noted that in this instance it is not justified to require that the development is secured for affordable housing in perpetuity through a Section 106 Agreement. Finally, the requisite contribution towards the provision of off-site recreational facilities in accordance with Policy R2, however, can be secured via a Section 106 Agreement.

In light of the above, it is concluded that the proposed development represents an acceptable form of development in accordance with the relevant policies of the Adopted Salisbury District

Local Plan, but also in compliance with the Government's objectives as set out in PPG3 and PPG13 to make the more efficient use of urban land and to promote sustainable patterns of development.

RECOMMENDATION:

APPROVE

SUBJECT TO ALL RELEVANT PARTIES ENTERING INTO A SECTION 106 AGREEMENT UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 RELATING TO THE PAYMENT OF A COMMUTED SUM UNDER THE REQUIREMENTS OF POLICY R2 OF THE ADOPTED REPLACEMENT SALISBURY DISTRICT LOCAL PLAN (JUNE 2003) SALISBURY DISTRICT LOCAL

Cllr Nettle
Cllr Paisey
Cllr Warrander
And

Subject to no material or substantive new issues not covered above being raised by any further third party representations received before the expiry of the consultation period.

APPROVE SUBJECT TO S106

Conditions and Reasons:

1 :- REASONS FOR APPROVAL

It is considered that the submitted plans demonstrate that the redevelopment of this site with a block of 10 flats can be achieved in a built form that would be of an acceptable design, scale and massing and that would sit relatively comfortably in this street scene. The proposal also retains the existing trees and landscape planting both within and adjacent to the site which in turn will ensure that the proposed development respects and preserves the sylvan character that exists to this side of the street scene. The proposed development has also been designed in such a manner that it would not materially harm the amenities of the occupants of the neighbouring properties, while it would be served with an acceptable means of access and an adequate level of on-site vehicle and cycle parking provision.

In respect of other issues, subject to the implementation of appropriate mitigation measures the internal environment within the building will be well within normal design standards for residential use. The applicant has also proposed an acceptable approach to both waste auditing and management of wastes on site and to the provision for recycling within the completed development. Although the site is located within an Area of Special Archaeological Interest and is partly within the 1 in 100 year indicative flood level of the River Avon this can be controlled by the imposition of a condition requiring that an archaeological watching brief be undertaken during the initial stages of construction, while the proposal has been amended to increase the height of the finished floor levels as mitigation against the risk of flooding. Finally, the requisite contribution towards the provision of off-site recreational facilities in accordance with Policy R2, however, can be secured via a Section 106 Agreement.

As such, it is considered that the proposed development complies with Policies G1, G2, G4, D2, D6, H8, CN11, CN17, CN21, CN23, TR11, TR14 and R2 of the Adopted Salisbury District Local Plan.

And subject to the following conditions:

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. Details and samples of all external facing and roofing materials to be used in the construction of the building hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, no further windows (other than those expressly authorised by this permission) shall be inserted in the south (rear) elevation (such expression to include the roof and wall) of the building hereby permitted, unless otherwise first agreed in writing by the Local Planning Authority.

Reason - To avoid loss of privacy to the neighbouring properties.

4. Both in the first instance and upon all subsequent occasions, the windows coloured ORANGE on the approved plan on the southern (rear) elevation of the building hereby permitted shall be glazed with obscure glass in a form sufficient to prevent external views and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening.

Reason - To protect the amenity and privacy of the adjoining properties.

5. Prior to the commencement of development, details/a plan indicating the positions, design, materials and type of boundary treatment to be erected have been submitted to, and approved in writing by, the Local Planning Authority. The erection of the approved boundary treatment shall be completed before the flats are first occupied. Development shall be carried out in accordance with the approved details, maintained for a period of five years and thereafter retained.

Reason - In the interests of visual amenity and privacy for the occupants of the neighbouring properties.

6. No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development.

7. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.
Reason - To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complimentary, and to ensure a satisfactory appearance to the development.

8. An Arboricultural Method Statement providing comprehensive details of construction works in relation to trees being retained on, or adjacent to, the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development, including site clearance, tree works, storage of materials or other preparatory work. All works shall subsequently be carried out in strict accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a specification for protective fencing to trees both on the site and adjoining sites during both demolition and construction phases which complies with the British Standard 5837:2005 and details of the timing for the erection of protective fencing and a plan indicating the alignment of the protective fencing. It shall also include a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005. The protective fencing shall not be removed or breached during demolition or construction without prior written approval by the Local Planning Authority, but shall remain in place for the entire development phase and until all equipment, machinery, and surplus materials have been removed from the site. Within the areas so fenced there shall be no development or development related activity of any description.

The Arboricultural Method Statement shall also include a full specification for the construction of any arboriculturally sensitive structures including a full specification for the method of construction of any areas using a "no-dig" construction and the extent of the areas to be constructed using this specification, the design of the building foundations of any structures or part(s) of structures that are located within tree protection zones, changes in levels, methods of demolition and construction, and the alignment of service and piping infrastructure i.e. water, gas, sewage, electricity etc. It shall also include the control of potentially harmful operations such as the use of fires, the storage of materials and site huts, concrete mixing and the movement of people or machinery across the site etc. The Arboricultural Method Statement shall include details of any works requiring arboricultural supervision to be carried out and details for the provision for the supervision and inspection of the tree protection measures, such as the frequency of the supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits.

The Arboricultural Method Statement shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

Reason - To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

9. The development hereby approved shall not be occupied until the access, turning space and vehicle and cycle parking as indicated on the approved plan have been constructed and laid out, and these shall thereafter be retained and kept available for those purposes at all times.

Reason - In the interests of highway safety.

10. Prior to the first occupation of the development hereby approved the vehicular access and parking area as indicated on the approved plan shall be properly constructed, consolidated

and surfaced (not loose stone or gravel), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason - In the interests of highway safety.

11. Prior to the commencement of development, a scheme for the provision and implementation of surface water run-off limitation shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details.

Reason - To prevent the increased risk of flooding.

12. Prior to the commencement of development, details of the proposed finished floor levels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To protect the development from flooding.

13. No development shall take place until a programme of archaeological work has been secured and implemented in accordance with a written scheme of investigation to be submitted to, and approved in writing by, the Local Planning Authority.

Reason - The area is known to be of archaeological importance and it is important that any archaeological finds should be properly recorded and preserved.

14. The development shall be carried out in strict accordance with the measures detailed in the submitted waste audit and provision for recycling facilities that consists of a completed "Reclaiming Resources for the Community A Development Guide" and FDS Demolition Ltd letter dated 30 November 2004 and that were received with the letter dated 1st December 2005 from Parsons and Joyce Contractors Ltd. The measures for the provision for recycling facilities within the completed development shall be provided prior to the first occupation of the dwellings hereby approved in accordance with the submitted details and thereafter retained, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason - In the interests of sustainable development.

15. The development shall be carried out in strict accordance with the recommendations and remediation measures detailed in the submitted assessment of environmental noise and vibration prepared by Ian Sharland Limited and dated 25 November 2005, that include the provision of acoustic glazing and attenuated ventilation in the form of an acoustic trickle vent, unless otherwise first agreed in writing by the Local Planning Authority to any variation. The implemented scheme shall thereafter be retained.

Reason - In the interests of the amenities of the occupiers of the proposed development.

16. The demolition of the existing building, structures and foundations and the removal of debris resulting therefrom, together with the construction works of the development hereby approved, shall take place only between the hours of 8:00am and 7:00pm on Monday to Friday, 8:00am and 1:00pm on Saturdays and at no time on Sundays or Public Holidays, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason - To minimise the disturbance which noise during the demolition and construction works of the proposed development could otherwise have upon the amenities of nearby properties.

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

Policy Purpose

G1	General Principles of Sustainable Development
G2	General Criteria for Development
G4	Flood Risk

D2 Infill Development
D6 Salisbury Central Area
H8 Salisbury Housing Policy Boundary
CN11 Views Into and Out of Conservation Areas
CN17 Protected Trees
CN21 Archaeology
CN23 Archaeology
TR11 Provision of Off-Street Parking
TR14 Provision of Cycle Parking Facilities
R2 Provision of Recreational Facilities

Informative Notes:

1. In compliance with Condition No11 above, the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483382 / Fax: 01258 455998.
2. In conjunction with Condition No12 above, the applicant is advised that the finished floor levels must be set a minimum of 600mm above the 1 in 100 year indicative flood level. This is equivalent to 400mm above the height of the threshold to the entrance on the southern side of the existing building.
3. The applicant is advised that according to Wessex Water records there is a 375mm public surface water sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width either side of its apparatus for the purposes of maintenance and repair. The applicant is therefore advised to contact Wessex Water (Tel:01225 526000) to ascertain whether diversion or protection works are required and if so, to agree any arrangements for the protection/diversion of this infrastructure.
4. This permission shall be read in conjunction with the Section 106 Agreement, which is applicable to this application, in terms of its restrictions, regulations or provisions.