

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 22/06/2006

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
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1	S/2005/1781	ST MARTIN & MIL
4 - 30	Mr S Llewelyn	APPROVE SUBJECT TO S106
	TINTOMETER WATERLOO ROAD SALISBURY	Cllr Howarth Cllr Tomes
2	S/2006/0808	LAVERSTOCK - BISHOPDOWN
31 - 38	Mr A Madge	APPROVED WITH CONDITIONS
	LAND AT LONDON ROAD (A30) SALISBURY	Cllr Mrs Brown Cllr Cardy
3	S/2006/0807	LAVERSTOCK - BISHOPDOWN
39 - 47	Mr A Madge	APPROVED WITH CONDITIONS
	LAND AT LONDON ROAD (A30) SALISBURY	Cllr Mrs Brown Cllr Cardy
4	S/2006/0781	ST MARTIN & MIL
48 – 49	Charlie Bruce-White	APPROVED WITH CONDITIONS
SV 5:00 pm	6 ST ANN STREET, PROSPECT PLACE SALISBURY	Cllr Howarth Cllr Tomes

Part 1
Applications recommended for Refusal

No Refusals

Part 2

Applications recommended for Approval

1

Application Number:	S/2005/1781		
Applicant/ Agent:	GOADSBY AND HARDING (COMMERCIAL) LTD		
Location:	TINTOMETER LTD WATERLOO ROAD SALISBURY SP1 2JY		
Proposal:	DEMOLITION OF EXISTING BUILDINGS AND RE-DEVELOPMENT OF THE SITE WITH 11 APARTMENTS AND 13 HOUSES		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	LB Grade:		
Date Valid:	23 August 2005	Expiry Date	18 October 2005
Case Officer:	Mr S Llewelyn	Contact Number:	

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 0.47 hectares in area and is located at the eastern end of Waterloo Road from which it is accessed. It is currently occupied by Tintometer and at present contains a number of industrial style buildings, including a four storey mill building, a two-storey building that was formerly a pair of semi-detached cottages and that retains a domestic appearance and a number of other single storey buildings of an industrial character. These buildings are predominantly located on the northern section of the site and adjacent to the western boundary at the southern end of the site, while the remainder of the southern section of the site is largely hard surfaced and provides parking and loading and unloading areas. The site slopes gently downwards from north to south but is relatively flat across the site from east to west.

The area immediately to the western side of the site is predominantly of a residential character. Waterloo Road that provides access to the application site consists of terraced dwellings that are set immediately adjacent to the back edge of the pavement on its southern side, while the properties on the northern side of this road are more modern and include the courtyard development of Nos41-59 Waterloo Road that lies adjacent to the site and the recent residential development on the former BP depot. To the west of the site and accessed off Waterloo Road are Polden Road and Farley Road that are also both residential in nature. Polden Road is characterised by terraced dwellings set behind shallow front gardens, while Farley Road consists of semi-detached dwellings that are set immediately adjacent to the back edge of the pavement on its western side and detached and semi-detached properties on its eastern side that are set behind small front gardens. The western boundary of the site adjoins the rear gardens of these latter properties and is demarcated by a fence of approximately 1.8 metres in height.

The areas to the north, east and south of the site are characterised by development of a commercial/industrial nature. The southern boundary of the site adjoins the delivery yard/loading bay and the external shopping/storage area of Homebase that is situated on the adjacent retail park. A 1.8 metre high chain link fence demarcates this boundary, while there is a slightly higher brick and fenced screen behind to the storage yard/external shopping area of Homebase. To the east of the site are the premises of Naim Audio. The boundary to this side of the site consists of a mixture of 1.8 metre high chain link fencing, low close boarded fencing and retaining walls while it is also open along the length of the side elevation of the adjacent premises of Naim Audio. On the northern boundary of the site is a high retaining wall to Blakey

Road that is elevated above the site in the region of some 3-4 metres. A 1.8 metre high close-boarded fence is positioned on top of this retaining wall to delineate the boundary of the site to Blakey Road which provides access to a number of industrial and leisure premises on the opposite side of the road to the application site. The main railway line lies beyond these premises.

The site is located immediately adjacent to, but outside of the Salisbury Housing Policy Boundary.

THE PROPOSAL

This application seeks planning permission to demolish all of the existing buildings on the site and to erect a total of 24 dwellings, consisting of 13 houses and 11 apartments, to be accessed via the existing access to the site from Waterloo Road, together with on-site turning and parking provision. The proposal also includes the provision of a toddler's play area.

The application has been supported by a number of background documents, including a design statement, planning statements, transport statement, noise and vibration assessment report and a soil and contamination investigation report, that provide a significant level of detail covering various issues. This report, therefore, only seeks to summarise the main points raised in these documents that are pertinent to the main considerations.

PLANNING HISTORY

This site has been the subject of various applications relating to the commercial use. However, of particular relevance to the current proposal is the following application:

S/2004/2008 Planning permission was refused in December 2004 for the demolition of the existing buildings and redevelopment of the site with a total of 8 apartments and 16 houses together with associated vehicular access from Waterloo Road and on-site parking provision. This application was refused for the following reasons:

1. The proposal would involve the replacement of an existing employment site, and the relocation of the existing commercial user (Tintometer Ltd) to a settlement 10 miles from Salisbury. Given the lack of a convincing argument relating to the loss of the employment site, combined with the poor design of the scheme and the likely impacts on adjacent amenity, the proposal fails to demonstrate any significant environmental or conservation benefits which would outweigh the loss of an employment site, and fails to demonstrate why the proposed relocation is sustainable. The proposal is therefore considered to be contrary to Policy E16 and H22 of the adopted Salisbury District Local Plan.
2. The proposal seeks to remove a number of industrial buildings, two of which whilst not listed or otherwise protected appear to be of interest due to their links to the historic development of the area. They are therefore part of the cultural heritage of the District.

However, the submitted residential scheme is considered to be of a poor design which is not sympathetic to or in keeping with the traditional architectural vernacular or built form of the surrounding area. Consequently, and in the absence of an adequate Design Statement which indicates otherwise, it is considered that the proposal is not of a sufficiently high quality to justify the removal of the existing historical buildings, and therefore, the scheme is considered contrary to Policy G1 and Policy D1 of the Salisbury District Local Plan.

3. The proposal due to a combination of the large bulk and scale of the dwellings, the positioning of windows, and the close proximity with adjacent existing dwellings, would be likely to have a dominant and adverse impact on adjacent residential amenities, contrary to Policy G2 of the Salisbury District Local Plan.
4. The site is located within close proximity to a number of commercial uses. However, the Environmental Health Officer has reservations regarding the use of a passive ventilation system, and only limited details have been submitted with regards to the proposed acoustic fencing. In the absence of an agreed acoustic scheme, it is considered that the scheme would be likely to have an adverse impact on the amenities enjoyed by future occupiers of

the site, and furthermore, any boundary treatment may have an adverse impact on the character of the area and its visual amenities, due to its specialist design and size. The proposal would therefore be contrary to Policy G2 of the adopted Salisbury District Local Plan.

5. Whilst an on site play space has been shown on the submitted plans, the proposal conflicts with Policy R2 of the adopted Salisbury District Local Plan in that no provision is made for a contribution towards off site public open space and towards the maintenance of on site space.
6. The proposal is contrary to Policy G9 in that no provision is made for a contribution towards off site educational facilities”.

CONSULTATIONS

WCC Highways: No objection, subject to the developer contributing to a post-development parking review for Waterloo Road.

Highways Agency: No objection and has confirmed that it does not propose to give a direction restricting the grant of planning permission.

WCC Education: No objection subject to the developer contributing towards the expansion of secondary school places.

WCC Library/Museum: No objection.

WCC Waste Planning: No objection.

Environment Agency: No objection, subject to the imposition of conditions relating to an investigation of contamination investigation, the disposal of foul and surface water and water efficiency. Advice is also provided with regards to sustainable construction and pollution prevention.

Wessex Water: No objection. The development is located within a foul and surface water sewered area and the developer will need to agree a point of connection onto Wessex systems for the satisfactory disposal of foul and surface water flows generated by the proposal.

It is advised that design flow calculations will be required at the design stage and attenuation of surface water run-off may be necessary together with an off-site surface water link sewer.

It is also advised that according to Wessex Water records that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum, three metre, easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed.

Turning to water supply, off-site mains reinforcements may be required to ensure adequate supplies. An off-site link main may be needed to connect to the point of adequacy.

Design Forum: The Design Forum acknowledges that the general approach to the design and layout of the site has improved from the previous application, but whilst the design of the new terraces represents an improvement the design proposed for the flats is less successful and should be considered further. The Design Forum still has concerns over the proposal to demolish the existing Mill building and the application should be accompanied by a full historical survey of the design and construction of the building. The archway through the terrace of units 1-4 is unsatisfactory and the parking to the rear of this terrace could be accessed from the parking area adjacent to the block of flats that will give the terrace a much more coherent appearance. The introduction of narrow front gardens to the terraces introduces an alien character to the scheme as seen in the context of the surrounding streets. The terraces should be brought forward to the back edge of the footpath to continue the character of the surrounding area and to increase the depth of rear gardens.

Environmental Health: No objection subject to the imposition of conditions relating to noise attenuation and the implementation of remedial measures concerning site contamination.

REPRESENTATIONS

Advertisement	Yes - expired 06/10/05
Site Notice displayed	Yes - expired 13/10/05
Departure	No
Neighbour notification	Yes - expired 26/09/05
Third Party Response	Yes

Four letters of representation that have raised the following objections/concerns have been received to the proposed development:

The proposal is an overdevelopment of the site – the number of dwellings is too great for the area;

There is no need for a change of use of the land from industrial to residential. The new residential development on Waterloo Road has taken a long time to sell and implies that the take up of the proposed development may not be quick and that the land is better retained for industrial use;

The proposed treatment to the boundary with the properties in Farley Road is insufficient and will still allow people to overlook these properties and their rear gardens, particularly from the children's play area;

The proposed development fails to utilise the existing historic buildings that occupy the site and have significant historic and local value;

The proposal fails to meet the threshold for affordable housing provision by one unit;

The development would dramatically increase the traffic flow at all times of the day and week along Waterloo Road that already suffers from issues with parking and transport access that will be exacerbated by the development;

The increase in traffic along Waterloo Road would far exceed the present limited use from Tintometer Ltd. The traffic survey shows no increase in traffic but the details of this are disputed as a large percentage of the Tintometer staff either walk or cycle to work. There is currently no traffic from the site after 5:00pm or at weekends whereas the traffic movements from the proposed housing will be continuous and will impinge on the existing residents;

The proposed development includes the provision of 45+ parking spaces to serve the future residents but provides no benefit to the existing community at the entrance to the site where there are existing parking issues;

The proposed children's play area is tokenistic. Will this be accessible to residents in the surrounding area? Who will manage this play area? Could this area be redeveloped in the future?

There is very little green space within the development with some existing mature trees being felled. Although the developer will make a contribution towards the provision of off-site recreational provision this should be provided in the Waterloo Road area for the benefit of all local residents who do not benefit from the provision of any green space.

MAIN ISSUES

Principle of Development

Loss of Employment Land/Premises

- a) Environmental or Conservation Benefits
- b) Viability of Site/Premises for Employment Use

Design and Impact on Character of Area

Residential Amenities

Noise and Vibration Issues

Highway/Parking Issues

Affordable Housing Provision

Contamination

- 9. Sustainable Development – Waste Audit and Provision for Recycling
- 10. Archaeological Issues
- 11. Educational Infrastructure Requirements
- 12. Provision of Recreation Facilities

POLICY CONTEXT

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

G1, G2, G9, D1, H22, E16, CN21, CN22, TR11, TR14 and R2.

Policies 10 and 14 of the Wiltshire and Swindon Waste Local Plan 2011 are also of relevance to this proposal.

Also of particular relevance to this application is PPG3 "Housing".

PLANNING CONSIDERATIONS

1. Principle of Development

Tintometer Limited occupies the application site, although they are in the process of relocating to new premises within the Solstice Park development at Amesbury, and it therefore represents an employment site in terms of its land use. The current proposal, therefore, would result in the loss of an employment use on the site and replacement with a wholly residential scheme. As such, the proposed development falls to be considered against Policy E16 of the Adopted Salisbury District Local Plan (June 2003) that deals specifically with development proposals on land currently used or allocated for employment purposes for other alternative uses. Although there is a general presumption against the development of employment land/premises for other alternative uses that would result in the loss of employment opportunities, proposals for other purposes will be permitted where the alternative use is acceptable in principle and provides a similar number and range of job opportunities. The only other exceptions are where the land or premises are no longer viable for an employment generating use and/or where the redevelopment of the site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

Given that the application site is located outside of the Housing Policy Boundary but represents previously developed urban land, any proposal for its redevelopment for residential use must also be considered against Policy H22. In accordance with this policy, the residential development of such sites will only be permitted where the site is not identified for an alternative form of development in the Local Plan; it is well related to the existing pattern of development; and is accessible to public transport. However, in instances where the development involves land that is currently in employment use, Policy H22 also stipulates that such proposals will only be permitted if the business is relocated to an alternative site in the settlement that does not increase reliance on the private car or where it is demonstrated that the land and building(s) are unsuitable and not viable for alternative employment uses.

In addition to the above policies, the proposed development must also be assessed against the design policies of the Local Plan, and in particular Policy D1 that refers specifically to extensive development.

2. Loss of Employment Land/Premises

With regards to the future use of the site, it is common knowledge that Tintometer Ltd has secured new, modern premises at the Solstice Park development in Amesbury and it is therefore clear that they will have entirely vacated the site at some point in the very near future. The current proposal for its redevelopment for residential purposes, however, will obviously result in the loss of the existing employment land/premises. In determining the previous application for the redevelopment of this site for residential purposes it was concluded that there was insufficient justification for the loss of the employment site and combined with the poor design of the scheme and the likely impacts on adjacent amenity it was considered that the proposal failed to demonstrate any significant environmental or conservation benefits that would outweigh the loss of the employment site. In determining this current application it needs to be considered whether the latest proposal has overcome this objection. The key issues for Members to consider, therefore, are whether or not the proposed residential development will result in any environmental or conservation benefits that would outweigh the loss of the employment site and secondly, whether the land and buildings are unsuitable and no longer viable for an employment use.

In relation to these issues, the applicants have submitted a number of documents in support of the proposed development that include various planning statements prepared by Goadsby and Harding (agents for the application) regarding the suitability of the site in employment terms and the environmental benefits arising from the redevelopment of the site for residential use, independent reports by Myddleton and Major relating to the situation of demand and supply of industrial/business premises in Salisbury and the marketability of the application premises and the potential for conversion of the existing Mill building, as well as independent traffic survey data prepared by RPS.

These reports provide a significant level of information and it is therefore only intended that the following section of this report should focus on the salient issues that are pertinent to the debate.

a) Environmental or Conservation Benefits

In support of the proposed development, the applicant contends that the residential development of the site provides sufficient environmental benefits to justify the loss of the employment use on this site in accordance with Policy E16. These suggested benefits therefore need to be carefully considered.

Traffic Movements

Firstly, it argued that the proposed redevelopment of the site for residential purposes would provide significant benefits in terms of the number and type of vehicular movements taking place along Waterloo Road. In summary, the submitted transport statement indicates that the use of the site by Tintometer generated approximately 130 vehicle movements per day and 25 movements in the peak hours (two-way). By comparison, in accordance with the TRICS database that is a recognised means of calculating future traffic generation, it is anticipated that the redevelopment of the site with 24 dwellings would generate some 168 vehicular movements per day and around 14-17 movements during the peak hours. Based upon a daily trip rate of 7 vehicle movements per day, the proposed development is likely to generate additional daily traffic of 38 movements, the equivalent of the number of vehicle movements generated by 6 dwellings, in comparison to the total number of vehicle movements associated with the use of the site by Tintometer. The applicant, however, argues that this increase would be of limited impact, but more importantly the redevelopment of the site for residential purposes would result in different type of vehicle movements compared to the existing industrial use (i.e. car movements rather than commercial vans/lorries) and that the removal of heavy and light goods vehicles from Waterloo Road will reduce the level of noise and disturbance and substantially enhance the amenities enjoyed by residents, as well as providing highway benefit.

In addition to the above, the application has also been supported by a comparison of the trip generation from the proposed residential development to those arising from hypothetical B1 development that could occupy the site, based on TRICS data. On the basis of the information submitted, the report indicates that the residential development would generate total weekday trips of 111 vehicle movements compared to a B1 industrial development (based on 2000m² which assumes 40% site coverage) that is anticipated to generate 213 vehicle movements or a B1 office development that would produce almost 340 vehicle movements. Although the County Highway Officer considers that the figure relating to the proposed residential development (i.e. 111 vehicle movements) is perhaps on the low side, the figure of 168 vehicular movements generated by the proposed scheme indicated in the original transport statement still compares favourably to these alternative potential uses. As such, the applicant contends that the proposed development would result in significantly fewer vehicular movements along Waterloo Road than a potential B1 development of the site that would be substantially more beneficial to the amenities of the occupants of the properties in Waterloo Road.

In Officer's opinion, the removal of an employment use and the associated light and heavy goods vehicle movements may have some tangible benefits given the restricted width of Waterloo Road, which is residential in character, where the dwellings are set directly at the back edge of the pavement and are more likely to be affected by the noise and disturbance caused by larger commercial vehicles. Similarly, it is also considered that the significantly fewer vehicular movements that would be generated by the proposed residential development in comparison to the potential use of the site by an alternative B1 development that could also generate an increase in the number of movements from commercial vehicles than has previously been the

case also provides a material benefit to the amenities of the occupants of the properties in Waterloo Road. These views are also supported by WCC Highways that has advised that on the assumption that the site had not been previously developed, it is unlikely that the development of the site for commercial/industrial uses would be supported as it would introduce the movement of commercial vehicles to a residential road that is of restricted width to the detriment of highway safety. The removal of movements by commercial vehicles along Waterloo Road must therefore also be considered to provide some highway benefit.

Visual Impact

The applicant also argues that the redevelopment of the site for residential purposes will enhance the visual appearance of the site. At present, it is argued that the existing buildings and the site in general has a poor visual appearance and it does little to enhance the visual amenity of this part of Waterloo Road or of the surrounding area. The applicant further contends that if the site were reoccupied for industrial use it is unlikely that the visual appearance would be significantly different and while it is more likely that the site would be redeveloped for commercial/industrial purposes such a development is still likely to comprise conventional industrial 'shed' style buildings. In contrast, it is argued that a residential development of the site would utilise materials of a higher quality and would provide greater levels of landscaping that would enhance the visual amenities of the site and surrounding area. While it is acknowledged that a residential development is likely to be of a higher visual quality than a commercial/industrial development it is not considered that this is a sufficient argument to justify the loss of the employment site as this will be the case with all existing employment sites/premises. Furthermore, the redevelopment of the site will be subject to planning permission and therefore the Local Planning Authority can influence the quality of the development through the design of the buildings, materials and landscaping which may represent an improvement upon the existing situation whilst retaining the site in employment use.

Removal of Existing Buildings

It is argued that the demolition of the existing buildings on the site as part of the proposed scheme will provide a material improvement to the amenities of the occupiers of the adjacent residential properties. In particular, it is highlighted that the removal of the existing building adjacent to the western boundary of the site that contains a number of windows to its rear elevation that face onto the residential properties in Farley Road will result in the removal of the existing overlooking and loss of privacy to these properties, while the Mill Building that has an overbearing presence in relation to Nos49-59 Waterloo Road and overlooks the rear gardens of these properties will also be demolished. In response to this argument, it is recognised that the removal of these buildings will undoubtedly be of benefit to the amenities of the occupiers of the adjacent properties and that this issue must be given some weight. However, it is not the opinion of Officer's that this benefit can be solely achieved through the redevelopment of the site for residential purposes, but instead can be equally attained through the demolition of the existing buildings and redevelopment of the site for employment use. Consequently, it is considered that this issue should be afforded little weight as justification for the loss of this employment site.

Contamination

A contamination report has been submitted in support of the application that has identified the presence of contaminated soils underlying the site. Given that the proposed residential development contains grassed gardens and open landscaped areas it is recommended that the contaminants must be removed from the site and replaced with fresh, clean top soil. It is advised that a B1 development, on the other hand, would utilise an alternative regime ('capping') where the contamination would be retained in situ and capped resulting in the majority of the site being covered in hard standing. The applicant, therefore, contends that the removal of the contaminated material is again a particular benefit in redeveloping the site for residential purposes. The degree of benefit arising from the removal of the contaminants from the site however is questionable. In this respect, any benefit that is achieved is primarily limited to the application site itself rather than the wider surrounding area. Furthermore, any contaminated soil that is removed from the site will be transported to another location, albeit that this must be

to a licensed site, where it will still have to be managed/treated, while this is also less sustainable than treating the contaminants in situ.

Provision of Amenity Open Space

The proposed development incorporates the provision of a toddler's play area that is intended for use by both the future occupants of the development and the existing residents of the surrounding roads. In light of the fact that the surrounding area is largely devoid of any open space it is considered that the provision of this area within the scheme will provide an environmental benefit to the wider community beyond simply the residents of the development itself. Nevertheless, by itself, it is not considered that it provides adequate justification for the loss of the employment site but must be afforded some weight.

Provision of Acoustic Barrier

As part of the development, it is proposed that acoustic fencing will be erected to sections of the southern and eastern boundaries of the site to mitigate the impact of noise emanating from the adjacent industrial uses. The applicant claims that this will not only benefit the proposed dwellings from the noise emanating from the loading bay and external shopping area of Homebase immediately to the south of the site but also the existing properties in Farley Road and Waterloo Road. While it is accepted that there will probably be some benefit to the residents of the existing adjacent properties from the provision of this acoustic barrier, the extent of this benefit is uncertain, as no evidence of this has been provided. Nevertheless, it is not considered that this would represent a substantial benefit to the local environment that would justify the loss of the employment site.

Hours of Operation

The use of the site by Tintometer is long-standing and pre-dates the planning system such that there are currently no restrictions on the site relating to the hours of operation. Although this has not proven to be a problem with the use of the site by Tintometer the applicant argues that an alternative industrial user may exploit this situation with late night and weekend working practices and that the redevelopment of the site for residential purposes would negate this threat. While it is recognised that this situation is a possibility, this scenario could only arise in the event of an alternative user utilising the existing buildings and operating within the existing uses of the site as any redevelopment of the site or change of use would require the benefit of planning permission that would provide the opportunity to impose restrictions on the hours of operation. However, if such a situation arose and resulted in noise nuisance to the detriment of the amenities of the adjacent residential properties it may be possible that this could be controlled under separate legislation (i.e. environmental health).

Provision of Parking Spaces for Nos52&54 Waterloo Road

The proposed scheme includes the provision of two parking spaces to be allocated to the residents of the existing dwellings at Nos52&54 Waterloo Road who currently have to park on Waterloo Road. This will clearly be of benefit, as it will help to relieve the existing on-street parking problems along Waterloo Road to some extent. It does not, however, justify the loss of the site for employment use, while it could be argued that a similar arrangement could perhaps be achieved with a redevelopment of the site for employment use.

Removal of B2 (General Industrial) Use

The existing use of the site includes an element of B2 (general industrial) use that is derived from the glass blowing and use of furnaces on site and the applicant has put forward the argument that the removal of this use will be of considerable benefit to the overall environment. By definition, B2 uses are considered to be unacceptable in residential areas and although the general industrial processes that have been carried on by Tintometer have not generated any complaints from the residents of the adjacent residential properties an alternative B2 use may be more problematic. However, at the same time, it also needs to be considered that the scale of any B2 use on the site would be limited to that which currently exists without the benefit of further planning consent, while nuisance activities may be controlled under separate legislation.

Summary

In summary, it is considered that the proposed development of the site for residential purposes would offer some tangible amenity and highway benefits from the removal of commercial vehicle movements along Waterloo Road and the reduction in the number of vehicular movements in comparison to the use of the site by an alternative B1 development, while the provision of an amenity area within the scheme would also bring an improvement to the local environment. In relation to the other environmental benefits that have been suggested by the applicant it is considered that these are either not exclusive to the redevelopment of the site for residential purposes and could equally be provided by an industrial/commercial development of the site, or alternatively, are of only limited benefit to the local environment and as such would not outweigh the loss of the site for employment use. Overall, while it is acknowledged that the proposed development would result in some cumulative environmental benefits it is the opinion of Officer's that these would not be so significant as to justify the loss of the employment site and job opportunities that it provides.

b) Viability of Site/Premises for Employment Use

In light of this assessment, the key issue relating to the loss of the employment site therefore is whether the land and buildings are unsuitable and no longer viable for an employment use. In accordance with Policy E16, proposals for the redevelopment of an existing employment site for a non-employment use can also be permitted where the land or premises are no longer viable for an employment generating use. However, given the location of the site outside of the Housing Policy Boundary the current proposal must also be assessed in relation to Policy H22 which, in addition to other criteria, stipulates that proposals which involve land that is currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement that does not increase reliance on the private car or where it is demonstrated that the land and building(s) are unsuitable and not viable for alternative employment uses.

With regards to Policy H22, it is considered that the site complies with the three criteria of this policy in that it is not identified for an alternative form of development in the Local Plan; is well related to the existing pattern of development; and is accessible by public transport. However, as an existing employment site, the proposed development must also comply with the other criteria mentioned above. With respect to the former of these criteria it is debatable whether the proposal can be deemed to be fully in accordance with this policy given that Tintometer Ltd are relocating to Solstice Park in Amesbury which is clearly not part of the settlement of Salisbury and is in fact some distance away. While this is the case, the applicant has provided some indication of the measures that can be implemented to encourage sustainable travel patterns by the staff of Tintometer Ltd and why the relocation of this business to Amesbury will not increase the reliance on the private car. In this respect, the submitted details indicate that the location of the new site will obviously be more convenient for those employees who reside in the Amesbury area and that currently travel by car to Salisbury, while staff that live close to the existing site will be encouraged to join a car-sharing scheme. It is also stated that Tintometer Ltd are exploring the possibility of setting up a minibus service. In addition to these measures, it is acknowledged that there are good public transport links (bus services) between Salisbury and Amesbury. While it is questionable whether the proposed development fully accords with Policy H22, given that it is clear that Tintometer Ltd will be relocating to Amesbury, if it can be demonstrated that the site is no longer suitable or viable for employment purposes then it is not considered that this issue should stifle the redevelopment of this site.

As set out above, the key objective of Policy E16 of the Local Plan is to retain existing employment sites/premises to ensure the adequate provision of employment land to meet existing and future demand in order to promote economic development in the District, unless there are justifiable grounds for their loss to alternative uses. The applicant's agent, however, highlights that the proposed development must be determined in the context of paragraph 42a of PPG3 that was introduced in January 2005 and that is a material consideration to the determination of this application. It is argued that paragraph 42a provides a change of emphasis when determining applications for residential development on industrial/commercial land as it requires local planning authorities to consider favourably planning applications for housing or mixed use development which concern land allocated for industrial or commercial use or redundant land or buildings in industrial or commercial use where the land is no longer needed for such use, subject to various criteria. In light of the fact that paragraph 42a was introduced to

PPG3 in January 2005, following the adoption of the current Local Plan and following the previous refusal for the redevelopment of this site for residential use, it is acknowledged that the issues covered by Policy E16 must now be interpreted in the light of this paragraph which must supersede any contrary or different approach that existed in the Local Plan before its insertion into PPG3. Nevertheless, given that paragraph 42a advocates that this more favourable approach should be adopted where the industrial/ commercial land is no longer needed for such use, it is not considered that this places a different emphasis on the determination of applications for residential or mixed use development on industrial/commercial land in comparison to Policy E16 of the Local Plan as it is still incumbent upon the applicant to demonstrate that the land/premises in question are no longer needed for such use.

The key question, therefore, remains whether or not the applicant has demonstrated that the site is no longer viable for an employment use. In order to demonstrate a lack of viability or otherwise, the Local Planning Authority considers a marketing exercise to be one of the most effective methods but despite recommending that such a marketing exercise be carried out in support of this proposal the applicant has declined to do so, although it should be noted that policy does not insist upon this. The supporting statements submitted with the application do, however, state that as part of the process of securing alternative premises the existing site was openly offered for sale but during this prolonged period of marketing activity all of the interest recorded in the site was for alternative uses, such as residential. It is also claimed that industrial occupiers have not been interested in the site or buildings because of the limited access for industrial traffic via Waterloo Road and the close proximity of existing housing. No evidence of this marketing, however, has been submitted with the application and it is not known how this marketing exercise was conducted (i.e. whether it was carried out through a commercial agent, the means of advertising, the terms and price for sale etc). The supporting statements also state that Vail Williams were instructed in 2003 to formally dispose of the site and that following a period of marketing Persimmon Homes (the current applicant) were selected as the preferred developer. However, again, no evidence has been submitted of the marketing undertaken in support of the application.

Nevertheless, despite the absence of a full marketing exercise in support of the application to demonstrate that the site is longer viable for employment purposes, it needs to be considered whether there is a realistic prospect that the site in question will be re-used by an alternative employment user and therefore should be retained for those purposes. In response to this question, the applicant contends that there are a number of reasons relating to the limitations of the site, condition of the existing buildings and the supply and demand of employment land to support the view that the site is unlikely to be brought back into employment use once Tintometer Ltd have vacated the site.

The first of these issues relates to the limitations of the site that the applicant argues are likely to inhibit its re-use for employment purposes. In this respect, it is argued that a significant limitation is presented by the existing access to the site off Waterloo Road, which it is argued is poor for commercial traffic due to its residential character and narrow width that is restricted further as a result of significant on-street parking making it unsuitable for access by heavy goods vehicles. As mentioned above, it is claimed by the applicant that this is a major factor why industrial occupiers have not been interested in the site. In light of this concern the views of the Local Highway Authority have been sought in relation to the redevelopment of the site for various alternative employment uses based on a development of a total floor space of 2000m² (existing buildings provide over 1700m² floor space) to establish whether the access to the site via Waterloo Road does represent a problem in terms of highway safety that will affect the viability of the use of the site for an alternative employment user. In response, the Local Highway Authority has advised that on the assumption that the site had not been previously developed, the development of the site for commercial/industrial uses, including that which currently operates from the site, would not be supported as it would introduce the movement of commercial vehicles to a residential road that is of restricted width to the detriment of highway safety. In addition, while it is acknowledged that the existing buildings on the site could be used for an alternative purpose within the existing use class (principally a B1 use) that could generate a much greater volume of traffic movements than is currently the case or than may be generated through a B2 or B8 use, it has also been advised that the Local Highway Authority would object to any proposal for the re-use/redevelopment of the site that would result in an increase in the number of heavy commercial vehicle movements along Waterloo Road over the existing level on highway safety grounds due to the residential character and restricted access along this road.

In light of this latter view, while the re-use/redevelopment of the site for B2 and B8 uses could not be completely ruled out given that B2 and B8 uses are likely to generate a greater number of movements by heavy commercial vehicles than a B1 use it is considered that the scale of development within these use classes that would generate the level of heavy commercial vehicle movement that would be supported by the Local Highway Authority is likely to be limited and this may therefore affect the viability of the site for these uses. The Local Highway Authority has further advised that the redevelopment of the site on the scale suggested (i.e. total floor space of 2000 m²) would also raise concerns over the ability to accommodate an acceptable level of parking and manoeuvring facilities within the site in respect of B1, B2 and B8. Although minimum parking standards are no longer applied, this is a particularly relevant issue to the re-use/redevelopment of this site given the significant on-street parking problem that already exists along Waterloo Road. Consequently, it is also considered likely that any redevelopment of the site for B1 use would also be on a restricted scale, and possibly more limited than the existing extent of floor space that currently exists depending upon the exact nature of the use, in order to achieve an acceptable level of on-site parking and turning provision.

Another possible limitation to the re-use of the site arises from the presence of residential development immediately adjacent to the western boundary of the site. In this respect, the applicant argues that this relationship could limit the type of activity that might be entertained on the site as a result of potential conflict with residential amenity. Indeed, the applicant contends that given the nature of the site and the disposition of the existing buildings any interest in the site would be likely to come from specialist users such as car repairs or open storage uses that would be totally unsuitable in terms of their environmental impact and relationship to the adjoining residential properties. With regards to this issue, the opinion of the Council's Environmental Health Officer has therefore been sought in respect of the potential redevelopment/re-use of the site for alternative employment uses to determine whether the relationship of the site to the adjacent residential properties would affect the viability of the site for an alternative employment use. In response, the Environmental Health Officer has advised that given the relationship of the site to the neighbouring residential properties there is a strong likelihood that B2 uses would be detrimental to the neighbouring amenity. Similarly, in respect of a B8 use, it is advised that due to the nature of the housing along Waterloo Road which fronts onto the narrow road and is located on the back edge of pavement they are likely to suffer noise and disturbance from the vehicle movements associated with such a use as well as potential disturbance from site activities. As such, it is likely that concerns would be raised to an application for the redevelopment/re-use of the site in respect of either of these use classes, and particularly in relation to a B2 use which by definition is deemed to be an incompatible use within residential areas. Furthermore, in the event that such a use were deemed to be acceptable, it is advised by Environmental Health that this would be subject to restrictive conditions that may affect the viability of the site for use by an employment user within these use classes. While this does not completely rule out any future prospect that the site could be re-used for employment purposes within the B2 or B8 use classes, it does indicate that the likelihood of this being acceptable is severely limited.

The applicant also contends that the existing buildings are unsuitable for alternative employment users as they are outdated, in a poor condition and have either been purposely designed or adapted to meet the specific needs of Tintometer. In support of the application, a report from an independent commercial agent (Myddelton and Major) that considers the potential re-use of the site for employment purposes has been submitted. This report identifies that there are a range of buildings on the site, many of which are now dated and in poor condition and it is highlighted that one of the principal factors for Tintometer seeking to relocate was the poor quality and dilapidated condition of their existing premises which no longer meet Disability Discrimination Act and Health and Safety requirements. In summary, it is the opinion of the consultant that it is highly unlikely that another occupier will be identified for the existing premises in their current form and that the buildings are now obsolete and redundant for modern business use. A further report prepared by the same consultant that specifically considers the suitability of the former mill building on the site for conversion to offices has also been submitted in support of the proposal. This report identifies that at present this building is being used for industrial purposes and in very basic condition and in order to convert it into office accommodation it would need extensive alteration and refurbishment. In this respect, it is advised that the building would require the creation of a new stairwell core leading through all floors of the building as the first floor is currently accessed via an external metal staircase, while lift access and cloakroom facilities would also be required to be provided all of which would absorb a significant proportion

of the floor space on each level (as much as a third). It is also advised that it is likely that the single skin brickwork of the building would require a further internal skin, the floors would require replacement/upgrading and suspended ceilings would be required to incorporate the required lighting for computer use. The existing ceiling heights are also low and whilst they are just about acceptable on the first and second floors it is below office standard on the third floor. The lack of windows on the north side of the ground floor and limited windows at first floor level also presents a further problem due to the reduced levels of natural daylight that are achieved into the building, while the windows at third floor level are at a low level (the top of the windows is below the eye line) that makes this space unattractive for office use. In summary, it is the opinion of the consultant that whilst the former mill building could be converted into office space the cost of such a conversion would not be supported by the resultant value of the completed space which due to its configuration, size and multi-floor nature is likely to be unattractive to the needs of modern business occupiers whose preference is for open plan offices on as few levels as possible.

In light of these considerations, the applicant contends that the existing buildings would have to be substantially altered in order to accommodate the modern requirements of an employment use and that this would be economically unviable. Instead, it is argued that it is actually more likely that the site would be redeveloped for commercial purposes due to the poor and outdated condition of the existing buildings and their high maintenance costs and in order to meet current standards for building regulations and disabled access. The applicant also highlights that the guidance in PPG3 advises of the need for local planning authorities to re-appraise the quantity of land allocated for employment development and to favourably consider the redevelopment of outworn and outdated premises/land for housing purposes. While many of these assertions are not disputed, it should be noted that the application has not been supported with a financial appraisal to demonstrate that it would be economically unviable to convert and re-use the existing buildings, while the intentions of any potential future occupiers regarding the re-use or demolition and redevelopment of the site cannot be predicted with any certainty. Nevertheless, it must be recognised that the existing buildings are not modern, but are outdated and have been used to meet the specific needs of Tintometer Ltd for a prolonged period, and as such it seems unlikely that they will be extensively re-used as they stand. This therefore implies that the redevelopment of the site is far more likely to be required to secure an alternative employment user and any significant number of jobs on the site. While some form of re-use of the site by an alternative employment user cannot be ruled out, the costs involved in redeveloping the site may create a deterrent and prove to be unviable, particularly given the more limited scale of development that may be required and the restrictions that may be imposed in order to satisfy the requirements of Environmental Health and the Local Highway Authority given the limitations of the site referred to above.

In support of the contention that the site is no longer viable for employment use, the applicants also cite an oversupply of employment land and have submitted a report from an independent commercial agent (Myddelton and Major) relating to the marketability of the site for employment purposes and the demand and supply of industrial and business premises within Salisbury. This report incorporates a schedule of currently available industrial premises giving an indication of the alternative premises within Salisbury at this time, together with a graph that indicates the change in supply of industrial and business space within Salisbury over the last 10 years and the take up of space over the intervening period. The submitted report suggests that while the application site may offer an opportunity for redevelopment for commercial purposes there is currently a significant supply of industrial and business space within the Salisbury area. In this respect, the report highlights that the submitted graph indicates that the average take up has been around 1000m² per month whilst the supply has averaged 15000m² and it is stipulated that the current available supply of such accommodation stands at almost 20000m², that is enough to satisfy demand for almost 2 years at the current rate of take up (average take up is around 1000m² per month) without any new accommodation becoming available or being developed. In summary, the report states that at present there is a significant supply of industrial and business space with Salisbury City Centre, with a number of new developments having recently been undertaken and finding it difficult to attract occupiers. Indeed, at this point in the economic cycle it is claimed that there is a sufficiently large supply and variation of industrial and business premises to meet current demand and little evidence of strong demand from high-tech or office requirements for developments already occupied.

In considering the value of the submitted details as an indication of the need for the application site to be retained for employment purposes to meet demand, it must be borne in mind that the submitted schedule of currently available industrial and business premises simply represents a snap shot in time. In this respect, whilst the submitted information suggests that there is currently a significant supply of industrial and business space within the Salisbury area, the market will obviously fluctuate through peaks and troughs over a period of time and the amount, type and quality of accommodation available at any one time obviously varies constantly as new premises are developed or existing buildings become available and these are either sold or let. With this in mind, the Local Planning Authority is concerned about the loss of employment sites, such as the application site, without reasonable justification as there is a need to ensure that a range and choice of sites is available and in case demand for employment land were to exceed supply in the future that could bring about pressure for the identification and release of greenfield employment sites. Having said this, however, given the poor and outdated condition of the existing buildings on the site it is considered likely that costs would be incurred by any potential future occupier of the site in converting the building for re-use or in redeveloping the site, whereas this would not be the case with much of the alternative premises that is currently available, some of which is new purpose-built premises. As a result of this, it is considered that the application site falls a long way behind in respect of the likelihood of it coming forward to meet employment demand.

In summary, it is considered that there are limitations to the site, namely the difficulties of access to the site along Waterloo Road which is narrow and residential in character and secondly the relationship of the site immediately adjacent to residential properties, that are likely to restrict the range of alternative employment uses that could occupy the site for highway safety and amenity reasons. The existing buildings are also in a poor condition and outdated and it is considered unlikely that another occupier will be identified for the existing premises in their current form as they do not meet the requirements for modern business use. In order to re-use the existing buildings for these purposes it is considered that they would have to be substantially altered and that this would probably be economically unviable. Instead, any future use of the site for employment purposes is more likely to involve the redevelopment of the site, but while some form of development on the site for employment purposes cannot be ruled out the costs that are involved may create a deterrent and prove to be unviable, particularly given that the scale of development that could be achieved is likely to be restricted in order to meet highway and amenity concerns. The prospects of the site being re-used for employment purposes also needs to be considered in the context of other alternative sites/premises that are available in the market place. In this respect, evidence has been provided in support of the application that suggests that there is currently a significant supply of industrial and business space within the Salisbury area. Although this position could change in the future as the market fluctuates, given the poor and outdated condition of the existing buildings and the costs that are likely to be incurred in converting and upgrading them for re-use or alternatively in redeveloping the site it is considered that the application site falls a long way behind other available employment sites/premises in respect of the likelihood of it coming forward to meet employment demand. While the application has not been supported by a marketing exercise to ascertain the viability or otherwise of the site and buildings, given the considerations outlined above, it is considered, on balance, that the prospects of the site and building being viable for an alternative employment use are severely limited.

3. Design and Loss of Mill Building

With regards to design, the previous application for the redevelopment of the site for residential purposes involved the demolition of the existing buildings on the site, including the former mill building and associated former dwelling both of which have historical links to the former railway uses in and around the site which flourished in the 19th century, and redevelopment of the site with 16 dwellings and 8 flats. In determining this previous application it was concluded that the proposed scheme was of a poor design that was not sympathetic to or in keeping with the traditional architectural vernacular or built form of the surrounding area and in the absence of a scheme of a sufficiently high quality it was considered that the removal of these historical buildings that form part of the cultural heritage of the area was not justified. This current proposal also involves the demolition of the existing buildings on the site, including the historic buildings of the former mill building and mill house, and redevelopment of the site with a total of 24 dwellings consisting of 13 houses and 11 flats. The key question, therefore, is whether the current proposal reflects the local architectural vernacular and represents a scheme of an

acceptably high quality of design that justifies the loss of the historic buildings on the site, thereby addressing this previous objection.

A design statement has been submitted in support of the application that attempts to analyse the character of the surrounding area. This analysis indicates that the area to the west of the site is an existing mature residential area that is characterised by Victorian terraced housing set at the back of the footpath on either side of the carriageway with narrow plot widths. The existing housing is generally two-storey but there is variety in the eaves and ridge heights within the terraces and in some cases there is accommodation within the roof space. The predominant materials are traditional red brick and slate or tiled roofs with some render and painted brickwork. The buildings are characteristically plain/flat fronted with deep rectangular window openings headed by stone or brick head details, while entrance doors are often recessed and framed with arched top stone surrounds. The submitted design statement, however, highlights that there are exceptions to this typical character as evidenced by the dwellings along the eastern side of Farley Road that consist of detached dwellings of varying designs and the relatively recent development of Nos41-59 Waterloo Road where the dwellings are sited around a parking courtyard and which utilises contemporary fenestration, detailing and porches. The newly completed development of 11 dwellings in Waterloo Road, however, has been designed to reflect the domestic Victorian style character and adopts details and materials that are characteristic of the surrounding properties and are set at or close to the back edge of pavement. To the north east and south of the site the built form is of a generally poor visual standard consisting mainly of utilitarian industrial sheds which reflect nothing of the traditional vernacular of this part of Salisbury. The design statement has also considered views into and out of the site and identifies that at present there are only restricted views into from Waterloo Road but with the removal of the former mill building views across the whole of the site would be opened up from Blakey Road to the north, while views from within the site are restricted by the adjacent development with the exception of those from the upper floors of the former mill building. The former mill building that is a prominent feature in the surrounding area is also important in terms of the view into the site.

With regards to the potential design of a residential scheme on this site, it is clear that there is some flexibility as either a modern contemporary style approach which is more reflective of the surrounding development such as "The Beeches" or a more traditional approach to the immediate local vernacular of Waterloo Road, Polden Road and Farley Road may be appropriate. In refusing the previous application for the residential redevelopment of this site, however, it was considered that the scheme and detailed design of the dwellings were of a standardised design that failed to relate to or otherwise reflect the character of the surrounding area. With respect to the current proposal, while the general layout of the proposed development is not fundamentally different to that of the previous application the design of the proposed dwellings has been substantially changed and now adopts a more traditional approach that respects the character of the surrounding area. In this respect, the proposal includes terraced dwellings of 2 and 2½ storey height that have been designed with varying eaves and ridge heights while they also include an occasional dwelling where the ridge line is turned through 90 degrees thereby presenting a gable end to the street scene, all of which is characteristic of the surrounding properties and which serves to break up the uniformity of the terrace and to provide interest to the street scene and roofscape that is also punctuated by chimneys. The detailed design of the proposed terraced dwellings also repeats architectural features that are reflective of the surrounding properties, including the style and proportion of fenestration, head and sill details, recessed entrance doors framed with arched top surrounds or flat roof canopies above flush entrance doors, and side passages incorporated within the terrace. Although the terraced dwellings are set behind small front gardens rather than being set to the back edge of the footpath, which is the predominant character of the surrounding properties along Waterloo Road, this is characteristic of the dwellings along Polden Road as well as some of the dwellings in the recent development on the former BP depot in Waterloo Road. As such, it is considered that the proposed design is generally in keeping with the character of the built form and respects the site context and local architectural vernacular of the surrounding area. With regards to the proposed flats, this building has been purposely designed with reference to the mill building through its height, scale and the inclusion of detailed design features such as fenestration details and brick buttresses, to retain some reference to the former existence of the mill building and the industrial heritage of the site within the proposed development. Although the Design Forum is of the opinion that the design of the proposed flats is less successful than the terraced dwellings, it is nevertheless still considered to represent an

improvement on the previous scheme and is generally of an acceptable design. Overall, it is therefore considered that the proposed development represents a well-designed approach to both the layout and treatment of the individual buildings, thereby providing a scheme of an acceptably high quality that responds positively to the need for a locally relevant design and scale through the adoption of a traditional approach that respects the local architectural vernacular.

The current proposal, however, does still involve the demolition of the former mill building and associated former dwelling both of which have historical links to the former railway uses in and around the site and form part of the cultural heritage of the area. In particular, the former flour mill building, being 4-storeys in height, is an important historic feature on the landscape. In support of the application, however, a report has been submitted from Goadsby and Harding that considers the potential for conversion of the existing mill building to residential use. This report identifies that given the current design and construction of the mill building there are several practical difficulties in converting the building for residential use and that it would be difficult to achieve compliance with current Building Regulations and other related legislation without requiring reconstruction works. In summary, this report states that whilst it is possible to undertake a conversion of the mill building to residential use, the inherent difficulties in achieving compliance with prevailing regulations may make it economically unviable and would exceed the cost of a new build scheme, although a financial appraisal of the cost of conversion has not been provided in support of the application. In addition to the technical considerations, the applicant also argues that given the building's position and height in relation to the adjacent residential properties, the retention of the building and conversion for residential use would result in direct overlooking of the rear windows and gardens of Nos49-59 Waterloo Road that would bring forward objections to any such proposal on the grounds of loss of privacy and amenity, particularly as the principal elevation of the building faces south west and would therefore be the most likely side of the building to accommodate the main habitable rooms. This relationship would, of course, be subject to a detailed assessment at the planning application stage. The application has also been supported by a further report from an independent commercial agent (Myddelton and Major), which is outlined in more detail elsewhere in the report, that considers the conversion of the mill building to office use. Similarly, this report also concludes that whilst the former mill building could be converted into office space the cost of such a conversion would not be supported by the resultant value of the completed space which due to its configuration, size and multi-floor nature is unlikely to be attractive to the needs of modern business occupiers.

In response to the proposed development the Design Forum has advised that it still has concerns relating to the proposed demolition of the existing mill building. Whilst it is acknowledged that the former mill building and Mill House are structures that provide historical linkages to the former railway use in the surrounding vicinity of the site and it would be preferable that they are integrated into any new development, it does appear that the viability of retaining these structures would be difficult. Furthermore, of particular importance, it must also be borne in mind that these buildings are listed and are not located within a conservation area and as such they do not benefit from any statutory protection for their historic value. Consequently, these buildings could be demolished at any time without requiring planning permission and without any recourse to the Local Planning Authority, although the applicant has so far refrained from doing so, and it is therefore difficult to resist their removal from the site in the long term. In view of these considerations and given that it has been assessed that this latest proposal represents a well designed approach that secures a scheme of a high quality that respects the traditional character and the local architectural vernacular of the surrounding properties, it is considered that it would be difficult to substantiate a reason for refusal relating to the loss of these existing buildings who's existence retains some link with the history of the area.

4. Residential Amenities

With regards to residential amenity, the previous application was refused on the grounds that the proposed development by virtue of the combination of the large bulk and scale of the dwellings, the positioning of windows and the close proximity with the adjacent existing dwellings would be likely to have a dominant and adverse impact on adjacent residential amenities. In determining the previous application In this respect, the proposed layout of the previous application included a dwelling (Plot 23) located within 1.0 metre of the boundary of the site immediately to the rear of Nos7&9 Farley Road and given the proposed ridge height of this property at 9.5 metres it was

considered that that its overall massing would have a significant detrimental impact on adjacent amenities by virtue of its overbearing scale. The proposed site layout of the previous scheme also included a further two dwellings (Plots 21&22) immediately adjacent to this property and although they were set further into the site so that they would not have an overbearing presence it was considered that they would reduce the amenities currently enjoyed by residents of Farley Road and Nos50-54 Waterloo Road, in terms of privacy, by virtue of overlooking and perceived overlooking from the first floor and dormer windows of these properties. As with the dwelling immediately to the rear of Nos7&9 Farley Road, it was also judged that the dwelling sited to the rear of Nos49-59 Waterloo Road (Plot 1) at 9.5 metres tall would also have an overbearing presence to the detriment of the neighbouring amenities given that it would only be located only 2.0 metres from the boundary and approximately only 12.0 metres from the rear facades of these existing houses. It was also previously considered that while the dwelling sited adjacent to No54 Waterloo Road had been designed to avoid any significant overlooking it would have been preferable if it had been sited slightly further away from the boundary.

The key issue for consideration, therefore, is whether the current proposal has addressed these previous grounds of objection. With regards to the current proposal, the overall layout and positioning of the dwellings within the site remains largely similar to that of the previous application with the noticeable exception of the arrangement of the site layout to the rear of the properties in Farley Road. In this respect, whereas the previous scheme included a dwelling immediately to the rear of Nos7&9 Farley Road, this current proposal now includes an enlarged toddler's play area within this section of the site that extends along almost the full length of the rear boundaries of these two properties as well as No3 Farley Road. The proposal does, however, include a garage block to the rear of Nos9&11 Farley Road that is located within about 0.5 metres of the boundary of the site but by virtue of its single storey height and hipped roof form it is not considered that the bulk of this building would be so dominant as to adversely affect the amenities of these adjacent properties. An objection, however, has been raised to this revised layout on the grounds that the proposed treatment to the boundary between the play area and the residential properties in Farley Road is insufficient and will allow people to overlook these properties and their rear gardens. Nevertheless, given that it is proposed that the treatment to this boundary will consist of a 1.8 metre high fence it is not considered that this will be the case. Furthermore, as with the previous application, the proposed development will result in the demolition of the existing building that is sited adjacent to the western boundary of the site which will be beneficial to the adjacent amenities, in terms of privacy, given that this building contains a number of windows to the rear elevation that face onto and overlook the residential properties in Farley Road.

As mentioned above, in determining the previous application concerns were also raised regarding the relationship of the proposed dwelling on Plot 1 to the adjacent properties at Nos49-59 Waterloo Road. In considering this relationship in respect of the current proposal it is evident that the siting of this dwelling remains unaltered from that of the previous scheme. The design of this dwelling, however, has been amended with the overall ridge height being reduced from a height of 9.5 metres to just below 8.0 metres. As a result, the bulk and mass of this dwelling has been substantially reduced in relation to the adjacent properties and is now considered to be just about acceptable. In addition, while this dwelling includes a first floor window to the side elevation facing onto the adjacent properties in Waterloo Road given that it would serve a bathroom it is considered that it can reasonably be obscure glazed so that no material loss of privacy would occur from overlooking. Similarly, the proposed siting of the dwelling on Plot 24 adjacent to No54 Waterloo Road is also very similar to that of the previous application. As with the previous scheme, it is considered that it would have been preferable if this dwelling was set slightly further away from the boundary to minimise the impact of the bulk of the building in relation to the adjacent property. Nevertheless, while this is not an ideal relationship it is not considered that the impact of the dwelling on Plot 24 in relation to No54 Waterloo Road would be so harmful as to justify refusal of this application. The arrangement of the internal layout of this dwelling has also been designed with only secondary windows in the western elevation facing No54 Waterloo Road, all of which can be obscure glazed, in order to minimise any potential overlooking.

With regards to other aspects of the proposed site layout, the proposed dwelling unit on Plot 23 includes windows serving the principal habitable rooms of the dwelling (i.e. living/dining room and kitchen) in the northern elevation that would allow some views towards the adjacent properties in Farley Road and Nos52-54 Waterloo Road. However, any views towards the

properties in Farley Road would be oblique, particularly in the case of Nos7&9 Farley Road, while the views towards the rear elevations of the properties at Nos52-54 Waterloo Road and No1 Farley Road would be across a distance of at least 40 metres so that these properties would not be overlooked to a harmful extent. The front elevations of the proposed dwellings on Plots13-22 are also sited approximately 20 metres from the western boundary with the houses along Farley Road. As such, the proposed development respects the generally accepted practice of achieving a minimum separation distance of 21 metres between facades. It is therefore considered that these dwellings would not affect the amenities of the properties in Farley Road in terms of resulting in a loss of light or privacy or being overbearing. In light of the above considerations, it is judged that the current proposal has reasonably addressed the objections to the previous application on amenity grounds and now achieves an acceptable relationship between the proposed development and the adjacent properties.

5. Noise and Vibration Issues

In addition to considering the impact of the proposed development on the amenities of the existing adjacent properties, it is also important to consider the impact of the existing adjacent uses on the environment of the proposed development and the amenities of the future occupants. Given the location of the site adjacent to commercial and industrial uses, including the loading bay and external shopping area of Homebase immediately to the south of the site and the industrial unit of Naim Audio directly to the east that has several items of heating, ventilation and air-conditioning equipment installed on its external elevation, it is recognised that the amenities of the future occupants of the proposed development could potentially be subject to adverse levels of noise and disturbance from these existing uses.

In support of the proposed scheme, the applicant has therefore submitted a noise assessment report that considers the potential impact of noise and vibration arising from potential sources in the surrounding vicinity of the site, such as road traffic noise from the Southampton Road, rail traffic noise from the Salisbury to Southampton line and adjacent commercial/industrial uses, on the proposed residential development. The submitted report details the results of the noise survey and compares them to the guidance relating to noise exposure levels in PPG24 "Planning and Noise", as well as British Standard guidelines. In this respect, the results of the survey indicate that the noise levels of the most affected properties within the site fall within noise exposure category (NEC) 'A' as specified in PPG24 which advises that where residential development falls within this category "noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level".

The results of the assessment of the industrial noise arising from the loading bay at Homebase and the external heating, ventilation and air-conditioning equipment to Naim Audio, however, indicate that there would be a likelihood of complaints at the most affected of the proposed properties due to daytime industrial noise. In this respect, the noise levels would be in excess of the level that in accordance with the advice of BS4142 "Rating industrial noise affecting mixed residential and industrial areas" is deemed a positive indication of the likelihood of complaints arising. As a result, the submitted report recommends the implementation of mitigation in the form of the erection of an acoustic barrier located along the boundary of the site adjacent to these noise sources to attenuate the noise levels in the gardens and at the facades of the closest living rooms to each of these sources to below the level at which the likelihood of complaints is marginal, which is generally considered to be wholly suitable for the type of development proposed. However, even with the provision of an acoustic fence, the noise levels at the façade of the living room of the second floor flat on the eastern side of the building closest to Naim Audio would still exceed the level at which the likelihood of complaints is marginal. Consequently, in order to protect the amenities of the future occupants of this dwelling, the report recommends the incorporation of high specification acoustic double glazing to the living room of this flat as well as the installation of passive acoustic ventilation to avoid the need to open windows for ventilation that would otherwise negate their acoustic performance. On the basis of the implementation of the recommended mitigation measures, the report identifies that they will ensure that the internal environment of the proposed dwellings/flats will be well within the normal design standards for such residential use.

The submitted report also details the results of the survey undertaken in relation to ground vibration levels arising principally from the nearby railway. In respect of this issue, the report

concludes that the measured values were significantly below even those levels considered in BS6472 "Evaluation of Human Exposure to Vibration in Buildings" to give a low probability of adverse comment and therefore well within acceptable criterion. As such, it is advised that no additional measures will be required to address vibration on the site and it need not be considered further.

The Council's Environmental Health Officer has advised that the recommended mitigation measures detailed in the report are acceptable and subject to the imposition of a condition to secure their implementation there is no objection to the proposed development.

6. Highway/Parking Issues

With regards to highway issues, objections have been received from local residents that centre on the impact of the proposed development on the adjacent highway system that is acknowledged to be of restricted width and that suffers from significant on-street parking problems. In terms of parking provision, despite concerns that the proposed development will exacerbate the existing parking problems in the immediate surrounding roads (i.e. Waterloo Road, Polden Road and Farley Road), it is considered that the scheme provides more than adequate on-site parking to serve the development. In this respect, the proposal includes the provision of a total of 45 parking/garaging spaces to serve the 24 dwellings proposed which equates to a ratio of almost 1.9 spaces per dwelling. This level of provision actually exceeds the latest Government guidance contained in PPG3 and PPG13 that 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 the development. This guidance goes on to say that schemes with an average of more than 1.5 parking spaces per dwelling are unlikely to reflect the government's emphasis on securing sustainable residential environments. Furthermore, given the sustainable location of the site on the edge of the city centre and close to public transport links the level of on-site parking is in excess of that which would normally be expected of a development in such a location and it could perhaps be argued that it should therefore be reduced. In this instance, however, the proposed level of on-site parking is provided in recognition of the existing significant on-street parking problems in the immediate vicinity of the site and should ensure that all related parking will be confined within the development. Given these circumstances, it is considered that the proposed level of on-site parking is acceptable in this instance. In addition, the proposed scheme also includes the provision of two additional parking spaces to serve Nos52&54 Waterloo Road that will help to ease the parking problems on Waterloo Road a little.

Notwithstanding the number of on-site parking spaces that are provided, however, due to the fact that there is local concern that the existing residents' parking scheme along Waterloo Road is not meeting the demand with the threat that the existing on-street parking problems could therefore potentially spill over into the application site, WCC Highways have recommended that the developer contribute to a post-development parking review for Waterloo Road to the sum of £2,500. The applicant has confirmed in writing their willingness to make this contribution and this can be secured via a Section 106 Agreement. In addition, WCC Highways have also recommended that the future occupants of the proposed development should not be eligible for any parking permits as part of any residents' parking scheme to ensure that the existing on-street parking problems in the adjacent roads is not exacerbated. While the applicant has confirmed in writing that they accept that the future occupants of the development will not be eligible for parking permits given that the issuing of parking permits is controlled by the Council it is not considered necessary for this to be controlled through the planning process by the imposition of a condition or via a Section 106 Agreement. However, it is appropriate to include an informative note advising the applicant of this position. As such, it is unlikely that the proposed development would encourage any significant on-street parking in the adjacent roads.

In relation to other highway aspects of the proposal, concerns have been raised that the development would dramatically increase the volume of traffic movements along Waterloo Road. In terms of traffic generation, which is outlined in more detail elsewhere in the report, the submitted transport statement suggests that the existing use of the site by Tintometer Ltd generates approximately 130 vehicle movements per day whereas the proposed residential development of the site would generate 168 vehicular movements in comparison. As such, the volume of traffic generated by the proposed development would not be significantly different to that of the existing employment use, while it would also be significantly lower than the volume of traffic movements that could be generated by an alternative use operating within the same use

class as the existing use on the site, such as B1 office development, over which the Local Planning Authority would have no planning control. In addition, as previously mentioned in the report, it is considered that the redevelopment of the site for residential use may provide some tangible benefits for the amenities of the residents of Waterloo Road as it will reduce the number of heavy and light goods vehicle movements and the associated noise and disturbance. As such, WCC Highways have no objection to the proposed development and while the concerns of the local residents are noted it is not considered that a refusal on highway grounds could be substantiated.

7. Affordable Housing Provision

The proposed development provides for the erection of 24 dwellings, all of which are proposed to be private market housing. This is just below the threshold of 25 or more dwellings and well below the site area threshold of 1 hectare indicated by Policy H25 of the Adopted Salisbury District Local Plan, above which a proportion of affordable housing will be sought on appropriate sites where there is a demonstrable lack of affordable housing to meet local needs.

The Council's adopted Supplementary Planning Guidance (SPG) "Delivering Affordable Housing" indicates that the Local Planning Authority will seek to ensure that development proposals are not deliberately avoiding the provision of affordable housing, for example through the submission of applications on urban sites that do not meet the threshold triggering the need for the provision of affordable housing but where the site would be appropriate for development at a higher density (i.e. underdevelopment of the site), and that any development site is developed to its full potential.

In this instance, whilst the number of dwellings proposed falls just below the threshold of 25 dwellings, it must be noted that this did not constitute a grounds for refusal in the determination of the previous application that also proposed a total of 24 dwellings and there has been no change in policy since that previous decision that would provide justification to reach a different conclusion on this occasion. In determining the previous application, it was noted that many of the objections from local residents related to the proposal being an overdevelopment of the site, with associated concern expressed about the highway impacts in terms of traffic generation and parking, and it was considered that a request for additional dwellings to meet the threshold for the provision of affordable housing may further exacerbate the concerns of local people. This issue has also been raised in objection to the current proposal.

The proposed development of the site with 24 dwellings represents a density of 51 dwellings per hectare. Although this is fractionally above the higher end of the range of 30-50 dwellings per hectare that is advocated in PPG3 it is actually lower than parts of the surrounding area that are more intensively developed and on this basis it could perhaps be argued that the current proposal is not making the best use of the land. For example, the relatively modern development at the Beeches yields 65 dwellings per hectare. However, in considering whether the proposed development is making an efficient use of the site in terms of the number of dwellings that are proposed there are several other factors that need to be taken into account. In this respect, there are several constraints to the development of the site, including the requirement of Wiltshire County Council that the vehicular access road serving the development is designed to full adoption standards with the provision of on-site turning facilities, the requirement of Wessex Water that a 3 metre easement is provided to either side of a public foul sewer that crosses the site and a 5 metre wide strip adjacent to the retaining wall on the northern boundary of the site in which no buildings may be located in order to avoid any disturbance to the retaining wall, all of which have a direct impact on the design of the site layout and the number of dwellings that can be reasonably accommodated within the site. The layout of the site also needs to carefully consider the positioning of the proposed dwellings in relation to the adjacent commercial/industrial uses to ensure that acceptable living conditions are provided for the future occupants.

Furthermore, the proposed development also attempts to address the concerns of local residents and the objections raised in response to the previous scheme through the removal of dwellings located adjacent to the boundary with the properties in Farley Road, the provision of an enlarged play area and the provision of on-site parking at a level in excess of that which might be expected of a development given the location of the site on the edge of the city centre and close to public transport links in recognition of the existing significant on street parking

problems in the immediate vicinity of the site. All of these factors also impact on the take up of land within the site and influence the site layout and number of dwellings that can be provided.

While this remains a sensitive issue that needs careful consideration, in light of the above considerations it is considered that the current proposal reflects a sensitive balance between making an efficient use of the land and respecting the constraints of the site and surrounding area. As such, it is considered that there is little scope to realistically accommodate any further dwellings within this site, whilst maintaining this balance. For these reasons, combined with the fact that this issue did not constitute grounds for refusal in the determination of the previous application, it is considered that it would be difficult to substantiate a case that the current proposal represents an underdevelopment of the site that deliberately avoids the provision of affordable housing.

8. Contamination

In support of the application, the applicant has submitted site investigation reports that provide details of the results of the site investigation/ground condition surveys that have been undertaken to establish the presence of contamination within the site. This submitted report identifies the presence of contaminated soils underlying the site with significant risks to the development and it therefore recommends the implementation of suitable remedial measures that include the removal of contaminated fill soils from garden and landscaped areas and replacement with fresh, clean top soil and the removal of all hydrocarbon contaminated sub-base materials as a minimum. It is also recommended that a detailed method statement be provided to govern the remediation works as well as a validation report of any remediation works that are undertaken. The Council's Environmental Health Officer has assessed the submitted reports and has advised that the proposed development is considered to be acceptable subject to the imposition of a condition to secure the recommended remediation measures, including the production and submission of a validation report, as set out in the submitted report.

9. 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 of the Wiltshire and Swindon Waste Local Plan 2011 the applicant has submitted a waste audit. This identifies that the materials from the existing buildings on the site that are to be demolished, that will mostly comprise brick and slate, will be crushed on-site and re-used for the construction of sub-bases to the roads, footpaths and parking areas. The submitted details indicate that based on the applicant's current working practices, 100% of the inert waste generated by the development will be recycled, while approximately 80% of other waste that cannot be re-used on the site will be removed from the site and taken to an appropriate recycling/transfer facility. In this instance, however, the report also identifies that hazardous wastes, including contaminated soil and asbestos, will need to be removed from the site. In addition, to this waste audit the application is further supported by details of Persimmon Homes' (applicant) policy towards the environment and waste management which the proposed development will be carried out in accordance with.

With regards to the provision of recycling facilities within the development itself, the applicants have confirmed their willingness to provide a financial contribution of £2,227 towards the provision of an individual 240 litre bin for general refuse, a 240 litre bin for the recycling of cardboard and plastic bottles and a 55 litre kerbside black box for dry recyclables (paper, cans

glass, textiles and foil) for each of the individual dwellings within the development and communal refuse and recycling bins (2x1280 litre bins for refuse, 4x240 litre bins for recycling of dry recyclables and 2x360 litre bins for the recycling of cardboard and plastic bottles) to serve the flats. In addition, the proposed development incorporates space within the curtilage of each of the individual dwellings for the storage of these bins and a communal refuse and recycling store for the flats, as well as the provision of space for the storage of recyclable materials within each of the proposed properties that is principally indicated to be located within the kitchen areas. Furthermore, it is also proposed that each dwelling will be provided with a compost bin for garden recycling. Consequently, it is considered that the submitted proposals constitute an acceptable approach to waste auditing and management of wastes on site and to the provision for recycling within the completed development.

10. Archaeological Issues

The application site is located within the Area of Special Archaeological Significance as defined by the Adopted Salisbury District Local Plan (June 2003). The County Archaeological Officer, however, has advised that there are no known archaeological sites in the area of the application site and as such there is no objection to the proposed development.

11. Educational Infrastructure Requirements

In response to this application, the Local Education Authority (Wiltshire County Council) has advised that at primary level the designated school will be able to accommodate the projected number of additional primary pupils that this development is likely to yield within its existing capacity. With regards to secondary pupils, however, it is advised that this is not the case and that a considerable shortfall in pupil places will exist in the shared designated area of the schools concerned. As such, it is advised that a capital contribution of £1,350 per dwelling, a total of £32,400 for the proposed development, is required towards the provision of expansion of secondary school places to meet the increased demand. The Local Education Authority has indicated that if any of the dwellings consist of one bedroom they would be willing to discount them from this required contribution, but in this instance none of the proposed units consist of one bedroom. The applicant has confirmed in writing their willingness to make this contribution and this can be secured via a Section 106 Agreement.

12. Provision of Recreation/Open Space Facilities

In accordance with Policy R2 of the Adopted Salisbury District Local Plan (June 2003) the provision of recreation facilities must be considered for all proposals for new residential development. This proposal would involve the creation of an additional 24 residential units consisting of 13x2-bed and 11x3-bed units and therefore in accordance with Policy R2 of the Local Plan a financial contribution of £33,336 towards the provision of off-site recreational facilities is required with this application. The applicant has confirmed in writing their willingness to make this contribution and this can be secured via a Section 106 Agreement.

The proposed development also incorporates the provision of a small, unequipped toddler's play area in accordance with policy. Although the Council's Parks Manager has raised some concern over the provision and usage of this space due its small scale in relation to the number of properties that it would serve both within the proposed development and the surrounding area, it is considered that the open space is sited in a location where it would be well surveyed from adjacent dwellings thereby reducing the likelihood of any vandalism or other anti-social behaviour. The positioning of the area of informal open space away from the access and entrance to the site is also considered to be preferable in safety terms for the users of the open space.

The proposed development, however, would of course require agreement for the future maintenance of this area of open space while there are also other public areas that cannot be deemed to be within the curtilage of the residential dwellings that will also require future maintenance. The applicant has confirmed that it is proposed that these areas are maintained by the Local Authority with the exception of the areas of landscaping that will form communal garden areas to the proposed flats that are proposed to be maintained either privately on behalf of the flat owners or by a management company. On the basis, of the size of the landscape areas to be maintained by the Local Authority it has been calculated that a maintenance

contribution of £15,120 is required with this application. The applicant has confirmed in writing their willingness to make this contribution and this can also be secured via a Section 106 Agreement.

CONCLUSION

This application raises a number of difficult issues, particularly with respect to the loss of employment, the loss of the mill building and affordable housing provision. With respect to the former of these issues, the Local Planning Authority clearly does not wish to permit development proposals that would result in the loss of employment land/premises for which there is no justification that could undermine the supply of employment land and economic development of the District. In this instance, despite the fact that the existing buildings and site have not been marketed to ascertain their viability, on balance, it is considered that due to the limitations of the site, the poor and outdated condition of the existing buildings and the existing available supply of employment premises/land the prospects of the site being suitable and viable for an alternative employment use are severely limited. As such, it is considered that the proposal represents an acceptable redevelopment of a previously developed "brownfield" site within an existing urban area.

In terms of design, while it is acknowledged that it is unfortunate that the scheme does not include the retention and re-use of the former mill building and Mill House that provide a historical link to the former railway use of the surrounding area, it is considered that the proposed scheme is of a high quality that reflects the traditional streetscape and local architectural vernacular of the surrounding area.

With regards to affordable housing provision, while the proposed development falls just below the threshold of 25 dwellings that triggers the requirements for the provision of an element of affordable housing within the scheme, it is considered that the current proposal reflects a sensitive balance between making an efficient use of the land and respecting the constraints of the site and surrounding area. As such, it is considered that it would be difficult to substantiate a case that the current proposal represents an underdevelopment of the site to deliberately avoid the provision of affordable housing.

In respect of other issues, surrounding residential amenities, in terms of overlooking and overshadowing, would not be materially affected by the proposal. With regards to highway issues, it is acknowledged that the existing area suffers from existing on-street parking problems and in recognition of this the level of parking provision exceeds that which would normally be expected of a development in a sustainable location such as this in order to limit any additional impact on these current problems, while the applicant has also agreed to make a contribution of £2,500 towards a post-development parking review for Waterloo Road. The proposed development also includes an acceptable approach to both waste auditing and the management of wastes on site and to the provision for recycling within the completed development. The applicant has also confirmed a willingness to make the requisite contributions towards the provision of educational infrastructure, off-site recreational facilities and landscape maintenance, all of which can be secured by condition.

RECOMMENDATION: Subject to all relevant parties entering into a Section 106 Agreement under the requirements of the Town and Country Planning Act 1990 relating to:

- a) The provision of on-site provision for toddler's play area;
- b) The payment of a commuted sum under the requirements of Policy R2 of the Adopted Salisbury Local Plan (June 2003);
- c) The payment of a commuted sum towards the future maintenance of on-site play and landscape areas;
- d) The payment of a commuted sum relating to the need for local educational infrastructure improvements;
- e) The payment of a contribution towards the provision of refuse/recycling bins; and
- f) The payment of a commuted sum towards a post-development parking review for Waterloo Road.

REASONS FOR APPROVAL

This application raises a number of difficult issues, particularly with respect to the loss of employment, the loss of the mill building and affordable housing provision. With respect to the former of these issues, the Local Planning Authority clearly does not wish to permit development proposals that would result in the loss of employment land/premises for which there is no justification that could undermine the supply of employment land and economic development of the District. In this instance, despite the fact that the existing buildings and site have not been marketed to ascertain their viability, on balance, it is considered that due to the limitations of the site, the poor and outdated condition of the existing buildings and the existing available supply of employment premises/land the prospects of the site being suitable and viable for an alternative employment use are severely limited. As such, it is considered that the proposal represents an acceptable redevelopment of a previously developed "brownfield" site within an existing urban area.

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As such, it is considered that the proposed development would comply with Policies G1, G2, G9, D1, H22, H25, E16, CN21, CN22, TR11, TR14 and R2 of the Adopted Salisbury District Local Plan (June 2003).

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 shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence and where so required by the Local Planning Authority sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - To secure a harmonious form of development.

3. No development shall take place until details/a plan indicating the positions, design, height, materials and type of boundary treatments to be erected has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and the boundary treatments shall be erected prior to the first occupation of the dwellings hereby approved and shall thereafter be maintained for a period of five years and thereafter retained.

Reason - In the interests of neighbouring residential amenity and the environment of the development.

4. 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 west elevations (such expression to include the roof and wall) of the dwellings on Plots 1, 23 and 24, unless otherwise first agreed in writing by the Local Planning Authority.

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

5. Both in the first instance and upon all subsequent occasions, the first floor windows in the west elevation of the dwellings on Plots 1 and 24 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.

6. The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:
 - a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
 - b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
 - c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
 - d) the whole scheme shall be subsequently retained.

Reason - In the interests of visual amenity and the environment of the development and to ensure that the approved landscaping scheme is carried out at the proper times.

7. No development shall take place until details for the hard landscaping of the site, including full details of the surfacing materials and colours of all hard surfaces and kerbing, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason – In the interests of the amenities of the site and to secure a well planned development.

8. Prior to the commencement of development, full details of the road layout and construction shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until that part of

the access road which serves it has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

Reason - In the interests of highway safety and to ensure that an adequate means of access is available when the dwellings are occupied.

9. Prior to the first occupation of any of the dwellings, hereby approved, the garaging/parking, cycle parking and turning space indicated on the approved plan shall be constructed, laid out and made available for use and shall thereafter be retained and kept available for those purposes at all times.

Reason - In the interests of highway safety and to ensure an adequate level of parking provision to serve the development.

10. The development shall be carried out in accordance with the remediation measures recommended in the submitted noise assessment report prepared by Spectrum and dated July 2005, that includes the provision of an acoustic barrier and the implementation of acoustic glazing and ventilation to the proposed flats, the details of which shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details that shall be implemented prior to the first occupation of any of the dwellings, hereby approved, unless otherwise first agreed in writing by the Local Planning Authority to any variation. The implemented measures shall thereafter be retained.

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

11. The development shall be carried out in strict accordance with the measures detailed in the submitted waste audit report. The measures for the provision for recycling facilities within the completed development, to include the provision of storage areas for refuse and recycle bins, and the provision of compost bins and water butts, the details of which shall be submitted to, and approved in writing by, the Local Planning Authority, shall be implemented prior to the first occupation of any of the dwellings hereby approved. These measures shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason – In the interests of sustainable development.

12. No development shall commence until a scheme of water efficiency measures to reduce the water consumption of the dwellings, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason - In the interests of the conservation of water resources and to protect the Hampshire Avon River and its habitats.

13. No development shall commence until a scheme for the disposal of foul and surface waters from the development, hereby approved, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall subsequently be carried out in its entirety prior to the first occupation of any of the dwellings hereby approved, unless otherwise first agreed in writing by the Local Planning Authority to any variation, and thereafter retained.

Reason - To prevent pollution of controlled environment.

14. 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-enactment thereof, no further development permitted by Classes A, B, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order

1995, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

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

15. 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-enactment thereof, the garages hereby approved shall not be converted into living accommodation without formal planning permission first being obtained from the Local Planning Authority.

Reason – To ensure the provision of an adequate level of on-site parking in the interests of highway safety.

16. Notwithstanding the submitted details, no development shall be commenced until a method statement detailing remedial works and measures necessary to avoid risk from contaminants and to safeguard controlled waters when the site is developed has been submitted to, and approved in writing by, the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved scheme of remediation measures that shall be implemented prior to the first occupation of any of the dwellings, hereby approved, unless otherwise first agreed in writing by the Local Planning Authority to any variation. On completion of the works, a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of any of the dwellings hereby approved.

If during development, contamination not previously identified, is found to be present at the site no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works to be undertaken to deal with the unsuspected contamination has been submitted to, and approved in writing by, the Local Planning Authority, unless otherwise first agreed in writing by the Local Planning Authority. The remediation works to deal with the unforeseen contamination shall thereafter be implemented in accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason - To prevent pollution of the land and controlled waters and to ensure that the development is carried out safely in the public interest and in accordance with best practice in PPG23.

And in accordance with the following policies of the Adopted Salisbury District Local Plan (June 2003):

Policy	Purpose
G1	General Principles of Sustainable Development
G2	General Criteria for Development
G9	Planning Obligations
D1	Extensive Development
H22	Development on Previously Developed Land Outside of the Housing Policy Boundary
E16	Redevelopment of Existing Employment Land/Premises
CN21	Archaeology
CN22	Archaeology
TR11	Provision of Off-Street Parking
TR14	Provision of Cycle Parking Facilities
R2	Provision of Recreational Facilities

Informative Notes:

1. The applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this decision notice. In this respect, Wessex Water has advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre

easement width on either side of its apparatus for the purposes of maintenance and repair and therefore diversion or protection works may need to be agreed.

2. 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.
3. In conjunction with Condition Nos12, 13 and 16 above, the applicant's attention is drawn to the comments of the Environment Agency, a copy of which is attached to this decision notice. For any further advice regarding any of the issues covered by these conditions the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483390 / Fax: 01258 455998.

Application Number:	S/2006/0808		
Applicant/ Agent:	AIDEN THATCHER		
Location:	LAND AT LONDON ROAD (A30) SALISBURY SP1 3YU		
Proposal:	ERECTION OF A TWO STOREY OFFICE BUILDING AND A TWO / THREE STOREY OFFICE BUILDING (CLASS B1) ASSOCIATED LANDSCAPING WORKS., CAR AND CYCLE PARKING, MECHANICAL PLANT ROOM AND NEW PEDESTRIAN ACCESS		
Parish/ Ward	LAVERSTOCKBISHOPDOWN		
Conservation Area:	LB Grade:		
Date Valid:	13 April 2006	Expiry Date	8 June 2006
Case Officer:	Mr A Madge	Contact Number:	01722 434541

REASON FOR REPORT TO MEMBERS

Head of Development Services does not consider it prudent to exercise delegated powers as the previous application came before city committee.

SITE AND ITS SURROUNDINGS

The application site is approximately 1.2ha and located between the A30 London Road and the railway line at Bishopdown, on the north side of the city.

The land is currently vacant and very gently slopes in a north-south direction with its lowest point at the northern end of the site. The existing ground level is also just below that of London Road. The railway is on a raised embankment. Beyond (east) of the railway is open meadowland (River Bourne) stretching to Laverstock. However, just on the east side of the railway at the far northern end of the site is St Thomas Farm, which includes a farmhouse and waste-recycling centre.

To the south of the site is a petrol filling station and car showroom and to the north, separated by a track and further car sales businesses. On the opposite side of London Road at the southern end of the site, is the established Bishopdown housing estate (with a grassed open space and hedgerow to the road frontage) and opposite the southern end of the site, is the more recent Bishopdown Farm and Hampton Park housing estates, accessed off a roundabout. On this side of the road there is also a petrol filling station (BP) onto London Road and a single detached house ('Elmside') adjacent. To the north of the roundabout on the west side of the road, are Bishopdown Cottages and beyond this an as yet undeveloped retail warehouse site.

A modified roundabout has been constructed on the A30, which provides access to the application site and the adjacent land to the north, where a Fitness Centre (currently vacant) and Day Nursery has been constructed.

A service road has been constructed at the rear of the site which extends to the southern site boundary and will provide access to the new Park and ride facility which has recently been constructed but at the time of writing was not yet open.

THE PROPOSAL

The proposal is for two buildings on this site:

A two storey office building of 2,225m² (Block A) located at the northern end of the site, adjacent the roundabout. It is a two storey building (7.5 – 8.7 m in height) of contemporary design using a combination of brickwork and glazing for the elevations, with a virtually flat plastic coated steel clad roof. The entrance is located at the front, whilst associated car parking is situated at the rear. The applicant states that this building would be for an existing business in the City.

A part two and three story office building (Block B) up to 10.7m in height (from road level) in the centre of the site, split into three units, again in contemporary style with a virtually flat plastic

coated steel clad roof, but with more brick-work and regular glazing / window pattern. Entrances are from the side and rear with associated car parking. It is understood that this would be a speculative building.

The proposed floor levels are about a metre or so below road level.

The access has already been partially constructed. Landscaping is largely confined to the periphery of the site, with some specimen tree and shrub planting in the parking areas.

PLANNING HISTORY

Outline planning permission was granted (allowed on appeal) in 1993 (Ref.S/92/559) for Class B1 Office development and applications in 1995 (Ref.S/95/1511) and 1998 (Ref. S/98/1656) were subsequently granted planning permission to extend the period for submission of details and commencement of development. These related to the whole of the Local Plan allocated site.

In 1997, an outline planning application (Ref.S/1998) for leisure uses, Park and Ride and new access was submitted but withdrawn in 1999. In 1999 (Ref. S/99/234) an outline application for leisure, business uses and new access was submitted but later withdrawn. On the northern part of the allocated site, a planning application for a hotel (Ref.S/99/0198) was refused permission earlier this year. An appeal to the Secretary of State against this decision was lodged, but was subsequently withdrawn.

In 2001 an outline application (ref S/001122) was submitted for Class B1, B2, B8 and Park and Ride site, but not finally determined as it was superseded by later full applications as detailed below. A full application (S/01/1122) for B1, B2 and B8 units was granted permission on 06.12.01 on the current application site. A full application (ref S/01/2075) for a Park and Ride facility was granted permission on 22.09.03. Since then, conditional planning permission (ref S/02/2393) has been granted for ancillary sales from the business units and for a temporary height restriction barrier (ref S/03/1964).

In January 2006 a similar application to this was refused permission on the grounds that the positioning of the residential care home between the A30 and the main line railway is considered to be an inappropriate type of development for this location because of the likely noise nuisance that will occur from both road and rail traffic. This application is now subject of an appeal.

CONSULTATIONS:

WCC Highways - No objection is raised, however, Members are advised to place the following informative on any planning permission for the development:

Informative: The construction of the new retaining wall set adjacent to the public footpath would involve the temporary removal of part of the footpath. The applicant must seek the approval of the Highway Authority for the safe operation of this work by contacting the Southern Area Manager of the Wiltshire Highways Partnership, and the footpath must also be reinstated to a satisfactory condition. The area manager must be contacted (on 01722 740440) at least one month before the work to the footpath commences.

Housing & Health Officer

- 1) Flood risk and provision of adequate surface water disposal arrangements. The flood risk assessment and drainage strategy adequately address this issue. There is no risk of fluvial flooding and provided that one of the two options in section 5.5 of the WSP report No. 11011491 are used the surface water drainage of the site will be satisfactory.
- 2) Environmental Noise

The noise survey and insulation requirements provided by Sharps Redmore No. 046181 dated 30/03/06 are accepted in principle and the structural details and proposals should be included as a condition of any approval.

Wessex Water Authority No further comments to our comments made on application S/2005/2255 which were - Foul Water – There is a public foul

sewer in the vicinity of the site. The foul sewerage system should have adequate capacity. Calculations to be provided.

Surface Water – A pumped discharge to MH 9001 may be acceptable to WW subject to a formal application. The maximum permitted discharge would be 4.5 litres/second. A maximum discharge of 1.5 litres/second may be connected to Manhole Ref 7804 or 7708. Calculations and discharge rates to be provided for a 1 in 30 year event. On-site attenuation would be required. The use of soakaways or land drainage may be possible. The latter with the approval of the land drainage authority.

Sewerage Treatment – There is sewerage treatment capacity available. There is adequate capacity at the terminal pumping station.

Water Supply – There is a water main in the vicinity of the site. There should be adequate capacity in the distribution system. There could be supply services connections crossing the site.

Environment Agency No response at the time of writing however their previous response was

- We have no objection to the proposed development

subject to the following conditions being included in any planning permission granted.

Requested conditions cover:

1. Surface water drainage limitation
2. Contaminated Land
3. Pollution prevention
4. Water efficiency

Railtrack No response received at the time of writing however previously - No objections subject to the following issues being addressed by conditions – Plant, scaffolding and cranes, Demolition, Residential Amenity, Excavation of footings, Drainage, Fencing, Site Layout.

Design Forum - The forum welcomed the improvements proposed to the design of the Care Home, and suggested that the larger windows shown on the lower floors should be extended through to the second floor.

The improvements made to the design of the Care Home highlights the need to rethink the design and layout of the adjoining offices.

A contextual analysis of the site and its surroundings is needed on which to base the redesign of the offices.

This should be supported by a design statement which explains why the building has been designed in the way it has, in the context of the character of the surrounding area.

REPRESENTATIONS:

Advertisement	Yes	Expiry date 18.5.05
Site Notice Displayed	Yes	Expiry date 18.5.05
Departure	No	
Neighbour Responses	None	

Laverstock and Ford Parish Council (adjacent) – No objection subject to the height not exceeding the planned height

MAIN ISSUES

1. Principle of development / Policy
2. Layout and design
3. Highways
4. Impact on residential amenity
5. Drainage
6. Contamination

POLICY CONTEXT

G1-2, G4, G5, D1, D2, D7-15, E2, E16, R14, PS2, TR1, TR2, TR56, TR8, TR14, TR15 SDLP
DP1, DP3, DP4 WSP
PPG1, PPG13

PLANNING CONSIDERATIONS

Principle of Development Policy

In the adopted SDLP this land is part of an allocation for employment and /or leisure uses under policies E2 and R14. The site is undeveloped and Policy E2 generally seeks to protect sites allocated for employment from changes to other uses. In the past planning permission has been granted for Class B1 (office) use on the site. employment and / or leisure uses, and the southern part for a Park and Ride site under Policies E2, R15 and TR8(iv).

The applicant has provided additional information to support the use of the site as a residential care home rather than a trade park. This includes a document from consultants engaged in the year 2000 to market the trade park. The consultant contends that despite intensive marketing there was no serious demand from trade counter occupiers and that the City is adequately provided for in more established locations such as Southampton Road and the Churchfields Estate.

Noise

There was one previous reason for refusal and that was the effect that noise from both road and rail would have upon the proposed new care home which was part of the previous application. As the care home is not part of this application this concern clearly doesn't exist. It is not considered that the proposed office buildings would be effected in the same way and these did not form part of the previous reasons for refusal.

Highways / Transportation

The development provides for the number of parking spaces required for a development of this size within the local plan. That is that 46 and 71 parking spaces respectively have been provided for each of the office blocks. Wiltshire County council's highways officer has indicated that he has no objections to this development. Subject to a number of conditions

The applicant should enter into an agreement to fund the implementation of a no waiting traffic regulation order to prevent parking on the rear accessway. This overcomes the highways officers concerns that the under provision of car parking may lead to indiscriminate on street parking.

Payment for the provision of a new pedestrian crossing on London road to serve the development.

The retention of a strip of land to the front of the site for use as a pavement in the future should the highway department require the land.

The applicant has submitted a completed section 106 agreement covering these issues which subject to further input from the councils legal department is broadly acceptable to this authority.

The applicant has submitted a green travel plan with the application, which will be used to encourage employees to use the most sustainable methods to reach the offices.

The applicant has also submitted a traffic impact assessment, which assesses all the transport issues associated with this proposal. Again the local highways authority are of the opinion that provided the applicant enter into a 106 agreement with the local authority there are no significant highways issues that would preclude the development of this site. The site is one which was allocated for employment use in the local plan.

Design, layout and landscaping

Building A is proposed to be built primarily in brick with large elements of glazing along two main wings. The roof has been redesigned as a direct result of input from the design forum who previously had concerns about the roof and the prominence it had in the wider landscape. The floor level of the block has been set approximately 1m below ground level so giving the building a lower appearance as a result it is considered that this building will have an acceptable form and shape and will sit well within the wider landscape.

Building B is a speculative office development in a similar style to that of office block A. It consists of a brick and glazing clad structure. Again the scale of this building has been reduced from that originally suggested by dividing the roofs and the elevation into three elements. As such the building now sits more comfortably in the landscape and is no longer such an obtrusive element as previously as such it is considered that the design of this building is now satisfactory.

The parking for the buildings is situated at the rear of the development, as is the access, which will be along the same access road as the new park and ride development. The car parking area is to be landscaped, as is the area to the front of the development. Partly in order to facilitate this the pavement will not front the site but will instead run around the back of the development and back up to London road between the edge of the site and the new park and ride.

The design and layout has been considered by the design forum and is considered to be acceptable. (See above)

The route of the pedestrian footpath around this site is proposed along the rear accessway and then to cut up to the main road A30/London road through land that is owned as part of the Park and Ride site. This path will effectively run up through what was previously proposed as a planting/landscaping buffer strip. However given the considerable width of the previously approved buffer landscaping strip this is not considered in my opinion to be a significant issue in landscaping terms. There will still be a substantial area of landscaping available to Buffer the Park and Ride site.

The design of these buildings has been heavily influenced by the input of the design forum and the applicants have gone some way in order to accommodate the comments of the design forum in lowering the roof heights and using a brick and materials that are appropriate to the location. The building uses a modern form, which is appropriate to this edge of town situation. The buildings placement between the new park and ride facility (itself containing a modern building) and the adjacent recently let leisure facility is a location where a contemporary design is appropriate and had the support of the design forum.

Impact on residential amenity

It is accepted that some views across the site and to Laverstock from the rear of the houses on the opposite (west) side of London Road will be interrupted but the loss of views as such is not considered to be a material planning consideration. The applicants have gone some way in reducing the size of the buildings by setting them down from the surrounding road level so that they appear less incongruous and the effect on surrounding properties is lessened.

The proposed new buildings are to be positioned in excess of 20m distant from the rear boundaries of gardens in St Judes close and across the busy London road. Whilst undoubtedly the residents in St Judes Close will feel more overlooked from a new three storey office building than they do at present where there are no buildings this is not sufficient to refuse planning permission. The distances into the actual dwellings in St Judes close from the proposed new office buildings are over 35m therefore there will be no direct overlooking into the actual houses. The only sense of being overlooked may occur in the rear gardens but given the distances of over 25m this is not considered sufficient to refuse planning permission.

Drainage

The environment agency raised a technical objection to the application before last on the grounds that the former application had no flood risk assessment submitted with it. The new application now has such a flood risk assessment and as such the environment agency have

raised no objections to the application subject to a number of conditions which are outlined in the representations above

CONCLUSION

This application is purely for consideration of the two office buildings on this site. Members previously raised no objections to the proposed office buildings which are identical to those previously proposed. Officers also had no concerns regarding these office buildings and consider that their design and appearance are suitable for their proposed location. They would provide much needed modern office accommodation within Salisbury which is not otherwise readily available.

RECOMMENDATION Approve

Subject to the applicant entering into a legal agreement under section 106 of the town and country planning act 1990 relating to -

- (1) Fund the implementation of a no waiting traffic regulation order on the rear accessway.
- (2) Pay for the provision of a new pedestrian crossing on London road to serve the development.
- (3) The retention of a strip of land at the front of the site to be retained for future highway use as a pedestrian footpath.

And also subject to the following conditions –

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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 - To ensure that the external appearance of the proposed new buildings will relate appropriately to that of the existing building.

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

Reason - To prevent the increased risk of flooding and to protect the water environment.

3. No development approved by this notice of decision shall be commenced until a Scheme for the future management, minimisation, re-use and recycling of waste materials generated or deposited within the application site has been submitted to, and approved in writing by the Local Planning Authority, and the management of waste disposal shall thereafter accord with the approved scheme unless amended management and disposal proposals are subsequently agreed in writing by the Local Planning Authority.

Reason - To ensure that the development represents a sustainable development and management proposal and to accord with the commitments set out within the Environmental Statement upon which the application has been assessed.

4. The detailed landscaping plans to be submitted shall include a 1/200 scale plan showing the position of any trees proposed to be retained and of all pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Once approved there shall be no departure from these positions without the prior approval of the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order) no such runs or services shall be dug or laid into the ground subsequently without the prior written consent of the Local Planning Authority.

Reason - To ensure the retention of trees on site in the interests of visual amenity.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority within one year of the occupation of the first new building approved as a result of this notice of decision and its subsequent reserved matters submissions. The scheme shall be carried out in accordance with a scheme of phasing to be agreed in writing by the Local Planning Authority before development commences. Any trees or plants which within a period of five years die, are removed, or become damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure a satisfactory landscape setting for the development.

6. No development shall take place until there has been submitted and approved in writing by the Local Planning Authority indications of all retained trees and details of their protection during the course of construction. The method of protection and locations of protective fencing shall be agreed in writing by the Local Planning Authority and the fencing shall remain in place until the concurrent phase of construction and landscaping has been carried out.

Reason - To ensure the retention of existing trees in the interests of visual amenity.

7. Any external lighting shall be installed and operated in accordance with details to be submitted to and approved by the local planning authority.

Reason - To enable the local authority to exercise control over the level of illumination in the interests of visual amenity.

8. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the agreed details.

Reason - In the interests of sustainable development. Salisbury District council's supplementary planning guidance on achieving sustainable development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies, which policy G3 in the adopted Salisbury District Local Plan supports.

9. Prior to the commencement of development on site details of the proposed bicycle parking facilities shall be submitted and approved in writing by the local planning authority. Such details shall accord with the bicycle parking standards as contained within appendix VI of the adopted Salisbury district local plan.

Reason - To promote the use of an energy efficient mode of transport in accordance with national and international policy objectives.

10. No development approved by this permission shall be commenced until:

A desk study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed then using this information.

A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors should be produced.

A site investigation should be designed for the site using this information and any diagrammatical representations (Conceptual Model). Designs should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected and

refinement of the Conceptual Model, and

the development of a Method Statement detailing the remediation requirements

The site investigation should be undertaken in accordance with details approved by the Local Planning Authority and a risk assessment should be undertaken.

A method Statement detailing the remediation requirements, including measures to minimize the impact on ground and surface waters, using the information obtained from the site investigation should be submitted to the local planning authority.

Reason - To ensure the development will not cause pollution of controlled waters through the mobilisation of ground contaminants during construction.

11. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from impermeable parking areas and hard standings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason - To prevent pollution of the water environment by petrochemical substances derived from car parking areas.

This permission has been taken in accordance with the following policy/policies:

G1, G3, E2, E3B, TR23, TR24 of the adopted Salisbury District Local Plan.

G1-2, G4, G5, D1, D2, D7-15, E2, E16, R15, TR1, TR2, TR56, TR8, TR14, TR15 Replacement SDLP

DP1, DP3, DP4 Deposit Wiltshire Structure Plan.

PPG1, PPG4, PPG13

Informative:

The construction of the new retaining wall set adjacent to the public footpath would involve the temporary removal of part of the footpath. The applicant must seek the approval of the Highway Authority for the safe operation of this work by contacting the Southern Area Manager of the Wiltshire Highways Partnership, and the footpath must also be reinstated to a satisfactory condition. The area manager must be contacted (on 01722 740440) at least one month before the work to the footpath commences.

Application Number:	S/2006/0807		
Applicant/ Agent:	AIDEN THATCHER		
Location:	LAND AT LONDON ROAD (A30) SALISBURY SP1 3YU		
Proposal:	MIXED USE DEVELOPMENT COMPRISING THE ERECTION OF A TWO STOREY OFFICE BUILDING (CLASS B1) PART TWO / PART THREE STOREY OFFICE BUILDING (CLASS B1) AND A THREE STOREY 86 NO BEDROOM RESIDENTIAL CARE HOME ASSOCIATED LANDSCAPING WORKS CAR AND CYCLE PARKING MECHANICAL PLANT ROOM AND NEW PEDESTRIAN ACCESS		
Parish/ Ward	LAVERSTOCKBISHOPDOWN		
Conservation Area:		LB Grade:	
Date Valid:	13 April 2006	Expiry Date	8 June 2006
Case Officer:	Mr A Madge	Contact Number:	01722 434541

REASON FOR REPORT TO MEMBERS

Head of Development Services does not consider it prudent to exercise delegated powers as the previous application came before city committee.

SITE AND ITS SURROUNDINGS

The application site is approximately 1.2ha and located between the A30 London Road and the railway line at Bishopdown, on the north side of the city.

The land is currently vacant and very gently slopes in a north-south direction with its lowest point at the northern end of the site. The existing ground level is also just below that of London Road. The railway is on a raised embankment. Beyond (east) of the railway is open meadowland (River Bourne) stretching to Laverstock. However, just on the east side of the railway at the far northern end of the site is St Thomas Farm, which includes a farmhouse and waste-recycling centre.

To the south of the site is a petrol filling station and car showroom and to the north, separated by a track and further car sales businesses. On the opposite side of London Road at the southern end of the site, is the established Bishopdown housing estate (with a grassed open space and hedgerow to the road frontage) and opposite the southern end of the site, is the more recent Bishopdown Farm and Hampton Park housing estates, accessed off a roundabout. On this side of the road there is also a petrol filling station (BP) onto London Road and a single detached house ('Elmside') adjacent. To the north of the roundabout on the west side of the road, are Bishopdown Cottages and beyond this an as yet undeveloped retail warehouse site.

A modified roundabout has been constructed on the A30, which provides access to the application site and the adjacent land to the north, where a Fitness Centre (currently vacant) and Day Nursery has been constructed.

A service road has been constructed at the rear of the site which extends to the southern site boundary and will provide access to the new Park and ride facility which has been recently been constructed but at the time of writing was not open.

THE PROPOSAL

The proposal is for three buildings on this site:

A two storey office building of 2,225m² (Block A) located at the northern end of the site, adjacent the roundabout. It is a two storey building (7.5 – 8.7 m in height) of contemporary design using a combination of brickwork and glazing for the elevations, with a virtually flat plastic coated steel clad roof. The entrance is located at the front, whilst associated associated car parking is

situated at the rear. The applicant states that this building would be for an existing business in the City.

A part two and three story office building (Block B) up to 10.7m in height (from road level) in the centre of the site, split into three units, again in contemporary style with a virtually flat plastic coated steel clad roof, but with more brick-work and regular glazing / window pattern. Entrances are from the side and rear with associated car parking. It is understood that this would be a speculative building.

A three storey nursing /care home (for Westminster Health Care). This building is not the tallest of the three at 10.1m to ridge height but is largely similar to building A. It comprises a single block with one large wing and smaller gable projections, with similar layouts for each floor. The external finish is mainly brickwork but with some render detailing. The elevations are presented with a regular pattern of fenestration. The roof is pitched with the covering stated as merlin grey sheeting. The entrance is to the rear with associated parking. There is some outside amenity space associated with this building, the main area on the south side of the building.

The proposed floor levels are about a metre or so below road level.

The access has already been partially constructed. Landscaping is largely confined to the periphery of the site, with some specimen tree and shrub planting in the parking areas.

PLANNING HISTORY

Outline planning permission was granted (allowed on appeal) in 1993 (Ref.S/92/559) for Class B1 Office development and applications in 1995 (Ref.S/95/1511) and 1998 (Ref. S/98/1656) were subsequently granted planning permission to extend the period for submission of details and commencement of development. These related to the whole of the Local Plan allocated site.

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CONSULTATIONS:

WCC Highways - No objection is raised, however, Members are advised to place the following informative on any planning permission for the development:

Informative: The construction of the new retaining wall set adjacent to the public footpath would involve the temporary removal of part of the footpath. The applicant must seek the approval of the Highway Authority for the safe operation of this work by contacting the Southern Area Manager of the Wiltshire Highways Partnership, and the footpath must also be reinstated to a satisfactory condition. The area manager must be contacted (on 01722 740440) at least one month before the work to the footpath commences.

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Wessex Water Authority No further comments to our comments made on application S/2005/2255 which were - Foul Water – There is a public foul sewer in the vicinity of the site. The foul sewerage system should have adequate capacity. Calculations to be provided.

Surface Water – A pumped discharge to MH 9001 may be acceptable to WW subject to a formal application. The maximum permitted discharge would be 4.5 litres/second. A maximum discharge of 1.5 litres/second may be connected to Manhole Ref 7804 or 7708. Calculations and discharge rates to be provided for a 1 in 30 year event. On-site attenuation would be required. The use of soakaways or land drainage may be possible. The latter with the approval of the land drainage authority.

Sewerage Treatment – There is sewerage treatment capacity available. There is adequate capacity at the terminal pumping station.

Water Supply – There is a water main in the vicinity of the site. There should be adequate capacity in the distribution system. There could be supply services connections crossing the site.

Environment Agency No response at the time of writing however their previous response was - We have no objection to the proposed development **subject to the following conditions** being included in any planning permission granted.

Requested conditions cover:

1. Surface water drainage limitation
2. Contaminated Land
3. Pollution prevention
4. Water efficiency

Railtrack No response received at the time of writing however previously - No objections subject to the following issues being addressed by conditions – Plant, scaffolding and cranes, Demolition, Residential Amenity, Excavation of footings, Drainage, Fencing, Site Layout.

Design Forum - The forum welcomed the improvements proposed to the design of the Care Home, and suggested that the larger windows shown on the lower floors should be extended through to the second floor.

The improvements made to the design of the Care Home highlights the need to rethink the design and layout of the adjoining offices.

A contextual analysis of the site and its surroundings is needed on which to base the redesign of the offices.

This should be supported by a design statement which explains why the building has been designed in the way it has, in the context of the character of the surrounding area.

REPRESENTATIONS:

Advertisement	Yes	Expiry date 18.05.06
Site Notice Displayed	Yes	Expiry date 18.05.06
Departure	No	
Neighbour Responses	None	

Laverstock and Ford Parish Council (adjacent) – No objection subject to the height not exceeding the planned height

MAIN ISSUES

1. Principle of development / Policy
2. Layout and design.
3. Highways
4. Impact on residential amenity
5. Drainage
6. Contamination.

POLICY CONTEXT

G1-2, G4, G5, D1, D2, D7-15, E2, E16, R14, PS2, TR1, TR2, TR56, TR8, TR14, TR15 SDLP
DP1, DP3, DP4 WSP
PPG1, PPG13

PLANNING CONSIDERATIONS

Principle of Development Policy

In the adopted SDLP this land is part of an allocation for employment and /or leisure uses under policies E2 and R14. The site is undeveloped and Policy E2 generally seeks to protect sites allocated for employment from changes to other uses. In the past planning permission has been granted for Class B1(office) use on the site. employment and / or leisure uses, and the southern part for a Park and Ride site under Policies E2, R15 and TR8(iv).

The applicant has provided additional information to support the use of the site as a residential care home rather than a trade park. This includes a document from consultants engaged in the year 2000 to market the trade park. The consultant contends that despite intensive marketing there was no serious demand from trade counter occupiers and that the City is adequately provided for in more established locations such as Southampton Road and the Churchfields Estate.

The proposed nursing home although not strictly an employment generating use in the normally accepted planning sense of the term, is likely to create a significant number of jobs and as such and given the perceived low demand by other employment generating uses for this type of activity it is considered this is acceptable.

Noise

There was one reason only for the previous refusal of this application and that was that the positioning of the proposed residential care home between the A30 and the main line railway could have a significant effect in noise terms upon the amenity of future occupiers of the proposed residential care home. At that time information relating to the night time running of trains was not available and there was dispute over the noise category that this development would fall within. Since that point the applicants have submitted a new report covering the noise issues that this councils environmental health department have looked at and found to be satisfactory subject to the recommendations that it makes.

The environmental health officer agrees with the applicant that the application falls within noise category C, which suggests that if planning permission is granted conditions, should be imposed to ensure a commensurate level of protection against noise. This is something that would clearly need to be put on the permission if it were granted. The applicant's agent has suggested that specific types of insulation should be used for the walls, windows, roof and ventilation in order to prevent noise being a significant problem within the building. The precise specification for this can be requested as a condition. However the environmental health officer is confident that the building can be insulated to a standard that is acceptable to this authority.

This clearly deals with the internal insulation within the building but obviously still leaves the external areas which will inevitably suffer from noise intrusion. There is little that can be done to prevent noise intrusion to the outside areas because of the position of the railway on an embankment at this point which effectively precludes the use of acoustic fencing. The outside amenity areas will inevitably suffer from some noise intrusion when trains pass and from the A30

however the amount of amenity space with this development is limited and given the limited number of sites available for residential care homes the effect of this has to be balanced against all other factors. The environmental health officer has raised no concerns in this regard.

In conclusion providing the appropriate conditions are imposed on the grant of planning permission the proposal is now satisfactory to officers and overcomes officers previous concerns that led to the previous refusal.

Highways / Transportation

The development provides for the number of parking spaces required for a development of this size within the local plan. That is that 25 spaces are provided for the care home with a further 46 and 71 parking spaces for each of the office blocks. Wiltshire County council's highways officer has indicated that he has no objections to this development. Subject to a number of conditions

The applicant should enter into an agreement to fund the implementation of a no waiting traffic regulation order to prevent parking on the rear accessway. This overcomes the highways officers concerns that the under provision of car parking may lead to indiscriminate on street parking.

Payment for the provision of a new pedestrian crossing on London Road to serve the development.

The retention of a strip of land to the front of the site for use as a pavement in the future should the highway department require the land.

The applicant has submitted a completed section 106 agreement covering these issues which subject to further input from the councils legal department is broadly acceptable to this authority

The applicant has submitted a green travel plan with the application, which will be used to encourage employees to use the most sustainable methods to reach the offices.

The applicant has also submitted a traffic impact assessment, which assesses all the transport issues associated with this proposal. Again the local highways authority are of the opinion that provided the applicant enter into a 106 agreement with the local authority there are no significant highways issues that would preclude the development of this site. The site is one which was allocated for employment use in the local plan.

Design, layout and landscaping

Building A is proposed to be built primarily in brick with large elements of glazing along two main wings. The roof has been redesigned as a direct result of input from the design forum who previously had concerns about the roof and the prominence it had in the wider landscape. The floor level of the block has been set approximately 1m below ground level so giving the building a lower appearance as a result it is considered that this building will have an acceptable form and shape and will sit well within the wider landscape.

Building B is a speculative office development in a similar style to that of office block A. It consists of a brick and glazing clad structure. Again the scale of this building has been reduced from that originally suggested by dividing the roofs and the elevation into three elements. As such the building now sits more comfortably in the landscape and is no longer such an obtrusive element as previously as such it is considered that the design of this building is now satisfactory.

The third building which will house the residential care home is larger in its overall scale than the two office buildings but again the roof has been scaled down from the previous application submitted. As such it is now of the same scale as the office buildings and will be built of similar materials including the same type of brick.

The parking for the buildings is situated at the rear of the development, as is the access, which will be along the same access road as the new park and ride development. The car parking area is to be landscaped, as is the area to the front of the development. Partly in order to facilitate this

the pavement will not front the site but will instead run around the back of the development and back up to London road between the care home and the new park and ride.

The design and layout has been considered by the design forum and is considered to be acceptable. (See above)

The route of the pedestrian footpath around this site is proposed along the rear accessway and then to cut up to the main road A30/London road through land that is owned as part of the Park and Ride site. This path will effectively run up through what was previously proposed as a planting/landscaping buffer strip. However given the considerable width of the previously approved buffer landscaping strip this is not considered in my opinion to be a significant issue in landscaping terms. There will still be a substantial area of landscaping available to Buffer the Park and Ride site.

The design of these buildings has been heavily influenced by the input of the design forum and the applicants have gone some way in order to accommodate the comments of the design forum in lowering the roof heights and using a brick and materials that are appropriate to the location. The building uses a modern form, which is appropriate to this edge of town situation. The buildings placement between the new park and ride facility (itself containing a modern building) and the adjacent recently let leisure facility is a location where a contemporary design is appropriate and had the support of the design forum.

Impact on residential amenity

It is accepted that some views across the site and to Laverstock from the rear of the houses on the opposite (west) side of London Road will be interrupted but the loss of views as such is not considered to be a material planning consideration. The applicants have gone some way in reducing the size of the buildings by setting them down from the surrounding road level so that they appear less incongruous and the effect on surrounding properties is lessened.

The proposed new buildings are to be positioned in excess of 20m distant from the rear boundaries of gardens in St Judes close and across the busy London road. Whilst undoubtedly the residents in St Judes Close will feel more overlooked from a new three storey office building than they do at present where there are no buildings this is not sufficient to refuse planning permission. The distances into the actual dwellings in St Judes close from the proposed new office buildings are over 35m therefore there will be no direct overlooking into the actual houses. The only sense of being overlooked may occur in the rear gardens but given the distances of over 25m this is not considered sufficient to refuse planning permission.

We had previously received representations from the owners of Elmside opposite the care home. The care home is situated much closer to Elmside than the offices are to St Judes close the distances being approximately 17m from wall to wall. There are balconies proposed on the elevation that would face Elmside and as such again a degree of overlooking may occur. Whilst this situation is worse than that of the office blocks it is felt on balance to be acceptable as it is not an unusual relationship seen in many built environments and it is not considered on it's own to be sufficient justification for refusing planning permission.

Drainage

The environment agency raised a technical objection to the application before last on the grounds that the former application had no flood risk assessment submitted with it. The new application now has such a flood risk assessment and as such the environment agency have raised no objections to he application subject to a number of conditions which are outlined in the representations above

CONCLUSION

Given that the applicants have now submitted further information as regards the noise issues that members were previously concerned about and that the applicant has demonstrated that adequate noise insulation can be provided and that the environmental health officer is now satisfied with the details relating to the noise concerns. It is considered that the applicants have overcome the concerns previously raised by members in relation to this application and therefore the application is recommended for approval.

RECOMMENDATION: Approve

Subject to the applicant entering into a legal agreement under section 106 of the town and country planning act 1990 relating to -

- 1) Fund the implementation of a no waiting traffic regulation order on the rear accessway.
- 2) Pay for the provision of a new pedestrian crossing on London road to serve the development.
- 3) The retention of a strip of land at the front of the site to be retained for future highway use as a pedestrian footpath.

And also subject to the following conditions –

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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 - To ensure that the external appearance of the proposed new buildings will relate appropriately to that of the existing building.

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

Reason - To prevent the increased risk of flooding and to protect the water environment.

3. No development approved by this notice of decision shall be commenced until a Scheme for the future management, minimisation, re-use and recycling of waste materials generated or deposited within the application site has been submitted to, and approved in writing by the Local Planning Authority, and the management of waste disposal shall thereafter accord with the approved scheme unless amended management and disposal proposals are subsequently agreed in writing by the Local Planning Authority.

Reason - To ensure that the development represents a sustainable development and management proposal and to accord with the commitments set out within the Environmental Statement upon which the application has been assessed.

4. The detailed landscaping plans to be submitted shall include a 1/200 scale plan showing the position of any trees proposed to be retained and of all pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Once approved there shall be no departure from these positions without the prior approval of the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order) no such runs or services shall be dug or laid into the ground subsequently without the prior written consent of the Local Planning Authority.

Reason - To ensure the retention of trees on site in the interests of visual amenity.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority within one year of the occupation of the first new building approved as a result of this notice of decision and its subsequent reserved matters submissions. The scheme shall be carried out in accordance with a scheme of phasing to be agreed in writing by the Local Planning Authority before development commences. Any trees or plants which within a period of five years die, are removed, or become damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure a satisfactory landscape setting for the development.

6. No development shall take place until there has been submitted and approved in writing by the Local Planning Authority indications of all retained trees and details of their protection during the course of construction. The method of protection and locations of protective fencing shall be agreed in writing by the Local Planning Authority and the fencing shall remain in place until the concurrent phase of construction and landscaping has been carried out.

Reason - To ensure the retention of existing trees in the interests of visual amenity.

7. Any external lighting shall be installed and operated in accordance with details to be submitted to and approved by the local planning authority.

Reason - To enable the local authority to exercise control over the level of illumination in the interests of visual amenity.

8. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the agreed details.

Reason - In the interests of sustainable development. Salisbury District council's supplementary planning guidance on achieving sustainable development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies, which policy G3 in the adopted Salisbury District Local Plan supports.

9. Prior to the commencement of development on site details of the proposed bicycle parking facilities shall be submitted and approved in writing by the local planning authority. Such details shall accord with the bicycle parking standards as contained within appendix VI of the adopted Salisbury district local plan.

Reason - To promote the use of an energy efficient mode of transport in accordance with national and international policy objectives.

10. No development approved by this permission shall be commenced until:

A desk study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed then using this information.

A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors should be produced.

A site investigation should be designed for the site using this information and any diagrammatical representations (Conceptual Model). Designs should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected and refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements

The site investigation should be undertaken in accordance with details approved by the Local Planning Authority and a risk assessment should be undertaken.

A method Statement detailing the remediation requirements, including measures to minimize the impact on ground and surface waters, using the information obtained from the site investigation should be submitted to the local planning authority.

Reason - To ensure the development will not cause pollution of controlled waters through the mobilisation of ground contaminants during construction.

11. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from impermeable parking areas and hard standings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason - To prevent pollution of the water environment by petrochemical substances derived from car parking areas.

12. Construction work shall not begin until a scheme for protecting the proposed nursing home from noise has been submitted to and approved by the local planning authority; all works which form part of the scheme shall be completed before any part of the nursing home development is occupied. Such a scheme will follow the recommendations in the Sharps Redmore report submitted to the local authority as part of this application and dated 30th March 2006.

Reason - To minimise the disturbance that could otherwise be caused to the occupants of these dwellings by noise from the nearby railway line, park and ride facility and A30 road.

This permission has been taken in accordance with the following policy/policies:

G1, G3, E2, E3B, TR23, TR24 of the adopted Salisbury District Local Plan.

G1-2, G4, G5, D1, D2, D7-15, E2, E16, R15, TR1, TR2, TR56, TR8, TR14, TR15 Replacement SDLP

DP1, DP3, DP4 Deposit Wiltshire Structure Plan.

PPG1, PPG4, PPG13

Informative:

The construction of the new retaining wall set adjacent to the public footpath would involve the temporary removal of part of the footpath. The applicant must seek the approval of the Highway Authority for the safe operation of this work by contacting the Southern Area Manager of the Wiltshire Highways Partnership, and the footpath must also be reinstated to a satisfactory condition. The area manager must be contacted (on 01722 740440) at least one month before the work to the footpath commences.

Application Number:	S/2006/0781		
Applicant/ Agent:	MR S P MANKIN		
Location:	6 ST. ANN STREET PROSPECT PLACE SALISBURY SP1 2EA		
Proposal:	ERECT SINGLE STOREY EXTENSIONS		
Parish/ Ward	ST MARTIN & MIL		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	11 April 2006	Expiry Date	6 June 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

REASON FOR REPORT TO MEMBERS

Councillors Tomes and Howarth have requested that the application be determined by Committee, due to the sensitive nature of site.

SITE AND ITS SURROUNDINGS

The site relates to a semi-detached dwelling, known as 6 Prospect Place, within the Salisbury Conservation Area. Access is achieved to the site off St Ann Street via a 50 metre private alley way.

THE PROPOSAL

It is proposed to erect two single storey extensions onto the side and front elevations of the dwelling.

PLANNING HISTORY

At 68 St Anne Street

04/2608 – New dwelling (W/D)
 05/0378 – Annexe and garage (APP)
 05/1534 – Enlarge garage (REF and appeal allowed)

CONSULTATION

Conservation Officer – No objection

REPRESENTATIONS

Advertisement	Yes	Exp..... 11/05/06
Site Notice displayed	Yes	Exp..... 11/05/06
Departure	No	
Neighbour notification	Yes	Exp.....02/05/06

Third Party responses 3 letters of objection. Reasons put forward include:

- appearance out of keeping
- loss of light
- overbearing
- loss of garden area
- access/maintenance implications

MAIN ISSUES

1. Visual amenity / design
2. Conservation Area
3. Neighbouring amenity

POLICY CONTEXT

G2, D3, CN8
 City Area Committee 22/06/2006

PLANNING CONSIDERATIONS

Impact upon visual amenity and Conservation Area

The application comprises two parts - a single storey side extension and a single storey front extension. The side extension would increase the length of an existing lean-to and would have little impact upon the overall appearance of the dwelling.

It is the front extension which is the contentious part, and to which the letters of objection predominantly relate. Whilst it is accepted that the front extension would have an impact upon the symmetry of the pair of semi-detached dwellings, given the modest size of the extension and the dwelling's backland location, it is not considered that this front extension would be so out of keeping so as to warrant refusal.

Impact upon neighbouring amenity

Both extensions would be modest in scale, although the front extension would be built in close proximity to the adjoining dwelling. The occupant of this dwelling has objected on the grounds that the front extension would result in a loss of light and would have an overbearing effect. However, given the extension's modest scale, and the fact that it would be sited to the north of the adjoining neighbour, it is not considered that the proposal would result in overshadowing or a significant overbearing effect.

Conclusion

For the above reasons the extensions would be acceptable in principle, and would not have a significant impact in design or amenity terms, and would preserve the character of the Conservation Area.

REASONS FOR APPROVAL:

The extensions would be acceptable in principle, and would not have a significant impact in design or amenity terms, and would preserve the character of the Conservation Area.

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.

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) The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building.

Reason - To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

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

Policy G2	General Development Guidance
Policy D3	Extensions
Policy CN8	Conservation Areas

Part 3
**Applications recommended for the Observations
of the Area Committee**

No Observations