

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 12/06/08

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	Parish/Ward Officer Recommendation Ward Councillors
1.	S/2007/2182	FISHERTON/BEM V
SV 17:00	Mr A Bidwell	APPROVE SUBJECT TO S106
P4-18	MR JOHN MONTGOMMERY CLOVELLY HOTEL 17-19 MILL ROAD SALISBURY ERECTION OF PART 2 AND 1/2 AND PART 3 STOREY BUILDING COMPRISING 35 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETER WITH OWNERS LOUNGE GUEST SUITE AND ESTATE MANAGERS OFFICE ACCESS AND PARKING PROVISIONS (EXISTING HOTEL AND DWELLINGS TO BE DEMOLISHED)	FISHERTON & BEMERTON WARD Councillor Roberts Councillor Walsh

ENFORCEMENT AGENDA ITEM

Land at 1 George Street, Salisbury

TPO AGENDA ITEM

**Tree preservation order 401, tree adjacent to 63
Bouverie Avenue Salisbury**

Part 1

Applications recommended for Refusal

No Refusals

Part 2

Applications recommended for Approval

1

Application Number:	S/2007/2182		
Applicant/ Agent:	MR JOHN MONTGOMMERY		
Location:	CLOVELLY HOTEL 17-19 MILL ROAD SALISBURY SP2 7RT		
Proposal:	ERECTION OF PART 2 AND 1/2 AND PART 3 STOREY BUILDING COMPRISING 35 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETHER WITH OWNERS LOUNGE GUEST SUITE AND ESTATE MANAGERS OFFICE ACCESS AND PARKING PROVISIONS (EXISTING HOTEL AND DWELLINGS TO BE DEMOLISHED)		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:	SALISBURY	LB Grade:	
Date Valid:	25 October 2007	Expiry Date	25 January 2008
Case Officer:	Mr A Bidwell	Contact Number:	01722 434381

Reason for report to members

This application was called to committee by Councillor Roberts and Councillor Walsh due to the significant local interest in the application.

SITE AND ITS SURROUNDINGS

The site of the Clovelly Hotel is located on the corner plot of Mill Road and Churchfields Road within the Conservation Area. The site adjoins the car parking area at the front of the Railway Station and is surrounded by predominantly residential development and mixed business uses.

THE PROPOSAL

This application will result in the erection of part 2 ½ and part 3 storey building comprising of 35 category II Sheltered apartments for older people, together with owners lounge, guest suite and Estate Managers office with access and parking provisions.

PLANNING HISTORY

Application ref No: S/2007/0722

The erection of part 2 ½ and part 3 storey building comprising of 42 category II Sheltered apartments for older people, together with owners lounge, guest suite and managers office with access and parking. Refused 25th June 2007.

Application ref No: S/2007/0724

Demolition of Hotel, Two Dwellings and Double Garage. Refused 25th June 2007.

REPRESENTATIONS

Advertisement Yes expired 29/11/07
City Area Committee 12/06/2008

Site Notice displayed Yes expired 29/11/07
Departure No
Neighbour notification Yes expired 22/11/07

Third Party responses Yes 14 Neighbour letters have been received raising the following issues and concerns:

- Churchfields / surrounding roads are extremely busy already and more traffic would exacerbate the problem.
- Hotel site predates the railway
- Attention should be paid to Victorian Salisbury
- Sitting out areas are inadequate for residents
- A useful part of the cities Hotel accommodation will be lost
- The hotel forms part of the original streetscape of Fisherton Anger
- Salisbury Vision seeks more hotel space
- Car parking provision is inadequate and congested.
- Development would face on to a heavily congested road
- Heavy traffic from Churchfields would make it impossible for residents to venture out
- Residence will experience noise and pollution.
- This proposal layout and design is a definite improvement on previous
- Access and Exit are still areas of concern
- Application is fine but there should be pedestrian crossing
- Existing buildings should be developed not demolished
- Houses for the young are needed not the old
- Development would provide an ideal location next to the railway station, Cathedral and places of entertainment
- Area is extremely busy and crossing road is difficult
- Hotel building is much older than it looks and should be retained
- Density is still high
- Wrong environment for type of development
- The design may be good but not on this site
- Loss of hotel would not benefit city
- Façade is not in keeping with cons area
- Landscaping is barely adequate
- Design is generic and not old English village

- This is the only hotel close to the railway station
- Three storey building will reverberate noise
- The site is an Island surrounded by busy roads

MAIN ISSUES

The main planning issues in this case are:

Principle of development

Loss of Employment / Hotel Use / Justification

Context / Design and Materials / Noise and Disturbance / Vehicular access / Highway safety

Report on SAC / SSSI

Affordable Housing

Compliance with relevant planning policy and material planning considerations.

CONSULTATIONS

Forward Planning:

There are two important issues to resolve in this case are affordable housing and loss of tourist facility and employment.

The adopted local plan policy H25 requires sites providing this number of units to provide at least 25% affordable housing on the site, the councils adopted Supplementary Planning Guidance on affordable Housing updates this policy and requires up to 40% to be provided. In this instance the applicant has offered a commuted sum instead of on-site provision. The acceptability of the levels being offered is currently being negotiated via the council's housing department and if these negotiations come to a satisfactory conclusion this will remove any objection regarding affordable housing from the forward planning team.

The adopted local plan provides positive policies, which encourages the development of new tourist facilities, (T1) and promotes the construction of new hotels within or on the edge of settlements subject to their being no adverse impact on the vitality or viability of the city centre. The council's tourism strategy 'A Tourism Strategy for South Wiltshire' identifies through a study undertaken by Bournemouth University in 2005 that there is evidence to suggest a lack of supply in the budget and high quality leisure accommodation market relative to demand and that more bedspaces need to be provided. Although the local plan does not contain a policy that prevents the loss of hotel bedspaces it is its sentiment to positively encourage more bedspaces including quality bedspaces in the district, especially Salisbury City. The Good Practice guide for Planning for tourism suggests that tourist facilities should be 'located where they are accessible to visitors' and suggests that facilities should be located 'close to public transport interchanges and bus routes'. This site, which is currently used for a hotel, represents such a site which is in a central location within easy access to public transport. This site represents a sequentially preferable site and should be marketed as a site for a hotel before the use is lost to any other use. Until it can be shown that there is no demand for the site as a hotel use, planning permission should not be approved on the site.

As well as a tourist use the hotel also provides some employment and as such the application should also be looked at in respect to policy E16. This requires that on land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities, the only exception to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of

local jobs. This therefore confirms that because of the tourist use, which currently employs a number of staff the site should be marketed in order to confirm whether it can be re-used for either a hotel or employment generating use prior to the site being released for housing development. Or the applicant needs to show that the site will provide a similar number of jobs.

Conservation:

Very much welcome the reduced ridge heights across the whole scheme and the loss of the tower feature. This substantially reduces the sense of bulk of the whole scheme and its dominance in the street scene. The view of the cathedral should be improved by this too – although I would very much like to see a cross section from the station door to the spire demonstrating that no harm is done.

Design Forum:

It was generally felt that the scheme was greatly improved from the previous scheme, and the architects should be commended for amending the scheme in light of the Planning Office's requirements. It was considered that good detailing was of paramount importance, and that given the design was traditional, traditional detailing and materials should be used. It was felt that good natural materials would work best with the design, and would age better, e.g. the use of natural slate on the roofs, and natural stone and brick for the boundary walls.

The accuracy of the perspective drawing showing the views of the Cathedral was questioned, and it was felt that sectional drawings would illustrate this in a more empirical way.

There was a potential concern regarding highway safety around the site.

Libraries and Heritage/ Archaeology:

The proposal lies within the probable extent of the settlement of Fisherton Anger which is recorded in the Domesday Book (1086) and therefore pre dates the city of Salisbury The settlement appears to have extended from the mill northwards along what is now Mill Road with the Church of St Clement s to the south The full extent of the settlement is not known Excavations in 1999 at 68 and 72 Mill Road opposite the above site identified medieval features in that location There is the potential to find settlement features of the medieval period at the above site

I therefore recommend that under the terms of PPG16 on archaeology and development that you require the applicant to carry out an archaeological evaluation of the site before the planning application is determined The purpose of this evaluation will establish the nature and extent of any archaeological features and the result of the evaluation will enable me to advise you of the impact of the full proposal

The archaeological evaluation would need to be in the form of a trench on the proposed location of each new building excavated by a professional archaeological contractor. The excavation work would be subject to a monitoring visit by myself and I would need to see a copy of the report following excavation

If the evaluation results are positive it may be necessary for me to recommend to you that further excavation will need to be specified by an appropriate planning condition to be carried out prior to development The cost of the evaluation report and subsequent excavation will of course fall to the applicant.

Environmental Health:

Clarify that the department is not pursuing issues with regard to contaminated land and air quality.

With regards to contaminated land, the department considers the risk of contaminated land to be minimal on the proposed site. This opinion has been reached by looking at the historic data base and information gathered on the contaminated land layer of our computer systems.

I would advise that this is by no means a guarantee that the site is free from contamination and should contamination be found at a later date, possibly through investigation under Part 2A of the Environmental Protection Act 1990 the applicant must be responsible for remediation in this regard.

I would advise that there is no plans at present to investigate the proposed site under Part 2A although this is not to say it will not be investigated in the future.

Regarding the "Sound Advice's" acoustic report, the report is acceptable, the proposed development appears to fall within Noise Exposure Category C of PPG24, as a result I would like to see the recommendations for mitigation on pages 10 and 11 completed before the development is inhabited. I would recommend a condition to this effect should you be minded to grant planning permission.

Economic Development:

The commercial viability of the Clovelly Hotel is as much to do with the investment in the property and its marketing as its location. The site is within easy reach of Salisbury City Centre (a well performing tourist designation and commercial centre) and has the advantage of being near the Railway Station and public transport routes and the ring roads. The councils tourism strategy published in 2006 indicated a need for more bed spaces in the budget and high quality accommodation market. This was based on a study by Bournemouth University in 2005.

Although a few bed spaces have been lost since the publication of the strategy (including the Cathedral Hotel with 22 bedrooms. Stratford Lodge with 8 Bedrooms and Glen Lyn with 7 bedrooms and three other B&Bs with a total of 6 bedrooms), a number have been added in the city centre – most notably the City Lodge with 23 bedrooms and St Ann's House with 8 bedrooms. There has been a notable addition in the district with the provision of a 100 bedroom hotel at Solstice Park in Amesbury, some 8 miles from Salisbury. Although hotel owners have been complaining at the lack of demand from the leisure sector on weekends in the winter, the indications are that the demand is still very strong at other times of the week and year – although this is anecdotal evidence. Official occupancy level information is difficult to obtain – South West Tourism undertakes three regional occupancy surveys, collecting data for serviced accommodation, self catering and caravan and camping establishments. The latest data is broken down to a county level and doesn't say very much about Salisbury specifically. A planning application from Abode Hotels for a boutique style hotel at the Post Office in Castle Street indicates a willingness to invest in hotel provision in Salisbury, other applications from other hotels for expansion also indicates positive demand.

Wessex Water:

Confirm our Engineers comments on the proposals as follows

Foul Drainage

There is a public foul sewer in the vicinity of the site the foul sewerage system should have adequate capacity to serve the proposals Flow calculations to be submitted in due course

Surface Water Drainage

There is a public surface water sewer in the vicinity of the site The surface water system may not have the capacity to accommodate the proposed flows. Flow rates and calculations are to be submitted in due course so that capacity checks may be undertaken but it is anticipated that the maximum permissible rate of discharge from the site for a 1 in 30 year storm event will be 15 l/s Onsite attenuation may be required prior to discharge to the public sewerage system for all flows generated above this figure

The use of soakaways may be possible

Sewage Treatment

There is sewage 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. The area is supplied through Deans Farm Treatment Works. Two options are available to supply this site but Wessex Waters preferred option through connection of the on site mains to Mill Road.

Wiltshire County Highways:

No highway objection in principle to this proposal having regard to the site being within easy walking distance of public transport and other local facilities this minimising the need for a private car. I do recommend however that in the interests of pedestrian safety the paved footway fronting the site be widened as part of the development to provide a minimum width of 2 metres. You may consider the requirements of Appendix VI of the Adopted Salisbury District Local Plan to be applicable here

Salisbury Civic Society:

While the proposals are a significant improvement on the previous version they will still create a range of bulky and prominent buildings and if approval is to be given for these it is essential that they should be constructed to the highest possible standards of detailing and materials. It is therefore of concern that no information appears to be provided about the intended materials for the development. In particular the use of plastic rather than timber windows would be visually disastrous on buildings of this scale and with this neo traditional design approach as well as being completely contrary to the principles of sustainability. The Society would object very strongly to any such choice of material.

The design of timber windows would itself need to be carefully considered to avoid the clumsy appearance often seen in modern examples.

If the scheme goes ahead we hope that the Council will be able to ensure that rigorous attention is given to this and other vital issues of detail which will be crucial in determining its success.

Network Rail:

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway or the stability of the adjoining Network Rail structures. In particular the demolition of buildings or other structures should be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail's land. Approval must be obtained from Network Rail's Outside Parties Engineer before construction commences.

Plant Scaffolding Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of failure it will not fall on to Network Rail land.

Excavations of footings

Network Rail will need to be consulted on any alterations to ground levels. It should be noted that Network Rail are concerned about excavations within 10m of the boundary with the operational railway and will need to be assured that the construction of foundations and footings will not impact on the stability of the railway. A full method statement must be supplied and agreed with Network Rail's Outside Party Engineer before consent can be granted.

Amenity

Network Rail is not aware whether any PPG24 noise and vibration assessment has been carried out for this location. Amenity will need to be addressed.

Drainage

Additional or increased flows of surface water must not be discharged onto Network Rail land nor into Network Rail's culverts or drains. In the interests of long term stability of the railway soakaways should not be constructed within 10m of the boundary with the operational railway

Fencing

Given the proposed use of the site a 1.8m high fence should be constructed to avoid trespass and vandalism and provide acoustic insulation for the residential units

Site Layout

In order to ensure the new development unit can be constructed and maintained without encroachment onto the operational railway line all buildings and structures should be set back at least 2m from the boundary with the operational railway or at least 5m for overhead power lines

Landscaping

Details of landscaping along the railway corridor to be submitted to Network Rail who can provide advice on appropriate planting species as well as inappropriate planting

Party Wall Act 1996

Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on Network Rail and their tenants under the Party Wall etc Act 1996. Developers should consult with NRIL at an early stage of the preparation of details of their development on Party Wall matters

Salisbury Campaign for Better Transport:

This application differs very little from S 2007 0722 from earlier in the year. Our comments therefore differ very little from those made on 10 May 2007 on the earlier proposal

We note that the number of apartments has been reduced from 42 to 35 and the number of car parking spaces reduced from 19 to 12 and that the re design is claimed to meet all earlier criticisms. Nevertheless we maintain that this site is totally inappropriate for housing elderly people average age 78 in similar developments. The nearby roads carry heavy traffic particularly HGVs and their use even by able bodied pedestrians poses serious safety problems

The applicant's first task should have been to secure from WCC an undertaking to introduce pedestrian crossing facilities on Churchfields Road Mill Road and at the western end of South Western Approach. Without these the site cannot be considered as a serious proposal for its intended use

The main pedestrian entrance appears to have been moved to the junction of Churchfields Road and Mill Road a pollution black spot if ever there was one

Wiltshire Fire and Rescue :

No objections are raised to the proposal:

Recommend that the applicant is advised to consider the requirements for Fire-fighting Access, Water Supplies for Fire Fighting and Domestic sprinkler protection.

POLICY CONTEXT

G1, principles of sustainable development
G2, criteria for development
D1 extensive development
D2 infill development

CN8 conservation areas
R3 outdoor recreation open space
T1 Tourism facilities
H24 residential development suitable for the elderly
H25 affordable housing to meet local needs
“Creating Places” SPG
“Delivering Affordable housing in Salisbury District”

PLANNING CONSIDERATIONS

Principle of development

The Clovelly Hotel and the rest of the proposal site is located at the corner of Mill Street and Churchfields Road within the housing policy boundary and the Salisbury Conservation Area. In such areas the principle of development is acceptable and the assessment in this case is therefore based on the details of this proposal and the compliance of it with relevant planning policy both at a national and local level.

Loss of Employment / Hotel Use / Justification:

This site is currently occupied principally by the existing Hotel and therefore is a tourism site. The above comments from Forward Planning suggest that this use should not be lost without justification in order that such facilities can meet the demand for them. This demand is based on the Tourism Strategy for south Wiltshire to which Forward Planning refers. However, members may be aware that the previous application that was refused, was subject to an appeal that was recently withdrawn by the applicants. During the compilation of the council's case in defence of the refusal, it became clear that the use of the strategy would not be materially weighty as evidence of demand. The main reasons for this are that the strategy was produced some years ago, in 2004 and has not been updated. It was also clear that the strategy did not indicate take up rates of tourist accommodation in Salisbury City. The only source of such information (produced by WCC) was broken down into districts and as such did not provide a clear demonstration of proof that demand exists for the City area itself.

In terms of loss of employment, the application is accompanied by a series of reports to support the proposal included a viability report that clearly sets out the lengths that the applicants have gone through to advertise the site for sale as a hotel business. This report includes an “Activity Report” including details of enquiries made, viewing appointments, Accounts sent and Offers made. It is considered that these reports represent a satisfactory demonstration that the business had been subject to appropriate levels of advertising and that the result of this is that the existing hotel is unviable. The report also concluded that the historic levels of employment at the hotel have in recent years been relatively low. The report explains that (amongst other things) the current owners had to let their managers go as the hotel was not providing enough income to cover their costs thus they could not be retained. Whilst it is acknowledged that the success of a business depends on many factors such as public interface, maintenance of the building etc, it is considered that in this case the application would not result in any significant deleterious impacts in terms of employment.

Context / Design and Materials / Noise and Disturbance

In the applicants design and access statement the text refers to (amongst other things) the surrounding area as of a mixed use and character comprising domestic scale two storey housing, sheltered housing developments, 4 storey flats and two and 3 storey houses and flats. The statement considers that Churchfield Road is more domestic in character with a mix of two and three storey period properties.

It is considered that set against such an obvious eclectic characteristic any proposal to build on this highly visible and locationally important site, should be of the highest quality and should capture the eclectic varied characteristic of this area. The applicants state that the proposed building is well articulated both vertically and horizontally and is visually broken up into small component parts thereby respecting the varied pattern of individual properties forming the street frontage along Mill Road leading into the City centre. The applicant's statement goes on to say

that the design takes reference from traditional detailing on many existing properties in the surrounding area and as such a traditional design approach has been adopted.

Proposed materials are considered to be in keeping with the surroundings and are proposed to be a mixture of brick, render elevations and slate and tiles for roofs and some tile hanging. Whilst these materials are appropriate it is considered that they must be very high quality and for example, Natural slate and clay tiles should be used. Details of materials to confirm high quality will be required by condition though it is hoped that agreement will be reached before the determination of this proposal in accordance with the wishes of the conservation officers and the Design Forum. Members will be updated on this matter.

The applicants have also stated that in terms of layout the building is dictated by being both a corner site and L shaped site and by the desirability to close down the street frontage to a more appropriate minimal building line to Mill road and Churchfields Road. The applicants further state that it is also important that the layout takes account of the amenities of the occupants of the surrounding residential properties on the opposite side of Mill road and Churchfields road with regards to visual impact, preservation of light and avoidance of overlooking.

In terms of scale the applicants have considered that a terrace of large domestic and other mixed – use properties is in keeping with the surrounding Area and that the elevational and sectional drawings demonstrate how this approach to the overall design fits comfortably with the scale of the buildings in the surrounding area.

However, as this site lies at the junction of Churchfields and Mill Roads and is adjacent to Salisbury railway station. It is considered to be an important site and that any redevelopment proposal would form one of the first impressions to greet visitors to Salisbury arriving by train. Several buildings currently occupy the site, arguably the most important of which, in townscape terms, is the Clovelly Hotel. The importance of this site has been relayed persistently through several consultation responses from both neighboring properties and statutory consultees. The amended plans have sought to deal with these important issues resulting in a proposal that will result in a high standard of development exuding the qualities that are expected for developments on such an important site.

An application for the demolition of the Clovelly Hotel and two other residential properties has also been submitted alongside this proposal. This proposal will be approved as a delegated matter subject to members resolving to support this proposal.

It is noted that the applicants have raised the issue of the sustainable location of this site in relation to the railway station and the closeness of facilities provided by the town centre etc.

However, it was previously considered that Notwithstanding the relative sustainability afforded by the site's edge of town-centre location, the proposed scheme would have over-developed the site by reason of the extent of coverage of the site with buildings and the hard-surfaced parking area. The amended proposal has dealt with this issue by setting back (by approximately 16 metres from the carriageway edge) the elevation facing the corner of Churchfields Road and Mill Road providing space for the garden area, and by reducing the areas of hard-surfacing required for parking. These amendments are considered to have resulted in an acceptable and greatly improved relationship of built form to undeveloped / amenity space.

Previously it was considered that the shallowness of the units' plan-form mean that residents of the street-facing units would have no obvious relief from the constant heavy traffic using the immediate road network. This potential detrimental impact had been emphasized previously by reason of the environmental health comments concerns with noise and disturbance and air quality and pollution. These concerns have been dealt with through the revisions to design in the amended plans. This has resulted in the introduction of a garden area to the corner of the site providing a significant visual foil to the road frontage as well as a greening up of the whole scheme.

In addition the applicants have undertaken an Environmental Noise Assessment as is required by PPG 24 "Planning and Noise". This assessment in the form of a report indicates that the proposal has been assessed against the criteria set out in PPG24 and the results have indicated that the following noise level categories will apply for this proposal. Category C for daytime and

category B for night time. As Category C requires a “commensurate level of protection against noise”, the report has set out the construction details that will be required in order to comply with PPG 24, and the relevant BS standard. This includes for example, standards of window glazing and insulation for ceilings etc. The latest proposal will be required to comply with all the relevant noise reduction measures under Environmental Health legislation and building regulations. The latest proposal is significantly improved in these respects with the garden setting much of the proposed corner face of the building back off the roads at the junction. Thus it is considered that the concerns previously related to noise and disturbance, have been satisfactorily mitigated.

Initially, It was also considered that the heights of the buildings notwithstanding the comments with the applicants statement, will exude an over-baring characteristic that would itself have resulted in an unreasonable feeling of enclosure causing further detriment to both the residents of the building and immediate surrounding buildings. The amended plans have dealt with this issue by reducing ridge heights made possible by the reconfiguration of the roof layout to accommodate double ridges. This has resulted in a design that exudes a domestic characteristic and scale more appropriate in relation to immediate surrounding area.

Materials:

The amendments have also resulted in the proposed choice of materials with particular regard to the variety and range, general mix of materials including natural slate, brick, some render, and tiles. It is considered that the proposed materials will result in a visual enhancement relating well to the intrinsic characteristics of this conservation area location.

Scale / siting

The scale and siting of the building previously caused concern insofar as the external amenity area proposed to the rear of the property would be reduced to a minimum due to the deep plan form. It was considered that this would result in over-shadowing of the rear amenity area. Similarly, the units on the north and west side of the central corridors would suffer limited levels of natural day-lighting and the general over-deep plan-form and long window-less central corridors would require artificial lighting and heating and hence would be undesirable from a sustainability standpoint. Whilst the plan form has retained the central corridor the depth has in places, been reduced and fenestration has been improved overall. This coupled to the significant reductions in ridge heights and the scale of the proposal overall, will result in demonstrable improvement to the experience of using the building both internally and externally.

With regard to Policy R3 of the adopted SDLP, the applicants have not returned a signed complete Unilateral Undertaking / Section 106 Agreement to satisfy the requirements of this policy. However, this proposal would be the subject of a section 106 agreement whereby such contributions can be secured.

Vehicular Access / Highway Safety

The proposed plans illustrate an archway allowing vehicular access from Churchfields Road to the on-site parking spaces now reduced to 11 from the previous 19. However, the County Council highways authority have not raised objection in principle to this proposal having regard to the site being within easy walking distance of public transport and other local facilities thus minimizing the need for a private car. However, the comments also state that the requirements as set out in appendix VI of the adopted SDLP could be applied in this case. In addition the WCC Highways recommend that in the interest of pedestrian safety the paved footway fronting the site should be widened as part of the development to provide a minimum width of 2 metres. This improvement will also be required under the Section 106 agreement.

In relation to the reduced parking provision, It is evident from the plans that these requirements of appendix VI, will not be met but it is considered a matter of some debate as to whether they should be applied in this case. The sustainable location in easy reach of most necessary facilities and services would suggest that parking provision should not be a major part of this proposal. It is considered that the level of provision proposed is in line with the advice contained within PPG13. As such this issue would not provide a weighty material planning consideration that could be substantiated at appeal.

Need for Appropriate Assessment

Under the Habitat Regulations 1994, any development with the potential to affect a Special Area of Conservation and its designated species must be subject to strict scrutiny by the decision maker, in this case the LPA. The Authority should not permit any development which would have an adverse effect on the integrity of the River Avon SAC, alone or in combination with other developments, unless certain rigorous tests are met.

Due to the location of this site both in relation to the River Avon "Special Area of Conservation", and as the site is surrounded by a densely developed urban area and as Wessex water have not objected to the proposal and Environmental Health do not consider that there is a demonstrable risk of contamination, It is considered that this proposal will not have a significant impact on the SAC. Therefore this proposal does not require an Appropriate Assessment.

AFFORDABLE HOUSING:

As part of this proposal the applicants have submitted a report "Viability Assessment" which seeks to explain the applicants rational regarding land valuation and other valuation assessments, and affordable housing provision.

Members may be aware of the lengthy negotiations that have taken place over the preceding months as a consequence of the applicants approach to affordable housing provision proposing that an "off site" contribution is made in this case.

Whilst it is clear that this application will deliver affordable housing in accordance with the SPG, SDC employed a consultant to carry out an appraisal of the applications viability / affordable housing assessments. Whilst there are some areas in the report to be amended and expanded upon, it is considered that it is finely balanced as to whether an "off site" contribution is appropriate and justified in this case. Whilst the councils adopted SPG "Delivering Affordable Housing in Salisbury" is clear that off site may be appropriate in some cases, this is subject to the reasons for so doing being exceptional, it is considered that further details are needed before it can be established that this is an exceptional case and whether the viability study supports off site provision. Further analysis of the viability study will also establish the appropriate percentage of affordable housing.

CONCLUSION

It is considered that the proposal *as amended* and subject to the amended plans, will result in an extensive large scale beneficial development located on a key site in relation to the city central area of Salisbury. The Town and Country Planning assessments of all relevant material planning considerations and the component parts of the application (including all of the appended information submitted and the plans) has resulted in a conclusion that the proposal is justified, is well designed appropriately scaled development that would preserve and enhance the character and appearance of this important city centre conservation area location

RECOMMENDATION: Approve Subject To the signing of a Section 106 Agreement to agree the following:

(1) An appropriate level of affordable housing provision or, contributions

(II) A contribution for outdoor recreation provision in accordance with policy R3 of the Adopted Local Plan;

the amended application be approved for the following reason:

The proposal *as amended* and subject to the amended plans, will result in an extensive large scale beneficial development located on a key site in relation to the city central area of Salisbury. The Town and Country Planning assessments of all relevant material planning considerations and the component parts of the application (including all of the appended information submitted and the plans) has resulted in a conclusion that the proposal is justified, is

well designed appropriately scaled development that would preserve and enhance the character and appearance of this important city centre conservation area location.

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 development shall be carried out in strict accordance with the covering letter dated 18/03/08 received 20/03/08 and the amended plans No: 07034_PO7 Revision A, received 20/03/08.

Reason: For the avoidance of doubt as to the approved plans and details.

- (3) No development shall commenced, a schedule and sample panel of materials and finishes (to include natural slate and matching bricks), to be used for the external wall[s] and roof[s] of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason – To secure a harmonious form development

- (4) No development shall commence until large scale detailed drawings of the windows (1:5 scale) and external doors (1:10) scale have been submitted to and approved in writing by the LPA

Reason: In the interest of visual amenity

- (5) No development shall commenced until Large scale details of the Eaves (not less than 1:10) Juliet Balcony/ Railings (not less than 1:5) have been submitted to and approved in writing by the Local planning Authority.

Reason; In the interest of visual amenity

- (6) No development shall commence until full details of Rainwater goods in terms of exact position, type and colour and materials have been agreed in writing by the Local planning Authority.

Reason: In the interest of visual amenity.

- (7) No deliveries of building materials, operation of plant or construction work shall take place outside the following hours:
Monday to Friday: 08:00 hrs to 19:00 hrs
Saturday: 08:00 hrs to 13:00 hrs
Sunday and Bank Holidays: No work.

Reason: In the interests of neighbouring amenities

- (8) There shall be no installation of any air conditioning plant, extraction systems, boilers, flues or similar equipment on the development hereby approved, unless otherwise agreed by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of neighbouring and visual amenities of the Conservation Area.

- (9) No development shall commence until details of waste management which shall include the submission of a waste audit identifying the provision of facilities for the recycling of

waste within the development have been submitted to and approval in writing by the Local Planning Authority. The details shall include:

facilities for the public to recycle/ compost waste (bring systems); and/ or facilities within individual or groups of properties or premises for the source separation and storage of different types of waste for recycling and/ or composting.

The development shall thereafter be carried out in accordance with the approved details and the provision of facilities thereafter retained.

Reason: In the interests of sustainable development.

- (10) No development shall commence until details of the finished floor levels of the proposed buildings have been agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local planning Authority.

Reason: To ensure the exact finished floor levels of the buildings.

- (11) 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 and these works shall be carried out as approved prior to the first use of the development. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (eg). furniture, equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.

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

- (12) No development shall commence until measures have been submitted to and approved in writing by the Local Planning Authority to prevent mud being deposited on the public highway by vehicles leaving the site and must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the road.

Reason: In the interest of the cleanliness and safety of the surrounding highway network / public highway.

- (13) No development shall commence until details of the means of achieving satisfactory foul and surface water drainage of the site, including details of all points of connection to existing infrastructure and /or, water courses where applicable, and details of flow rates / calculations, and measures for the protection of any existing watercourses and water infrastructure within the site, has been approved in writing by the LPA.

Reason: In the interest of the water environment and existing infrastructure.

- (14) None of the dwellings shall be first occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of foul water drainage.

- (15) None of the dwellings shall be first occupied until all necessary works for the drainage of surface water from that building have been completed in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.

- (16) No development shall commence until a scheme for the discharge of surface water from the buildings and the land has been approved by the Local Planning Authority. Development shall be carried out in accordance with the scheme so approved.

Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.

- (17) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and 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 interest of the water and energy efficiency of the development.

- (18) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the dwellings in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to secure the satisfactory treatment of the boundaries in the interests of visual amenity/securing adequate standards of privacy for occupants of the proposed development and/or neighbouring premises.

- (10) The units of accommodation hereby approved shall not be first occupied until the mitigations / recommendations on pages 10 and 11 of the report by Sound Advice Acoustics Ltd, entitled "Environmental Noise Assessment" have been carried out in their entirety to the satisfaction of the LPA.

Reason: In the interest of Environmental Health.

- (20) No development shall take place on the site until the applicants, or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved in writing by the LPA.

Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.

Reason: In the interest of securing an appropriate scheme of archaeological investigation for the site.

- (21) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

- (22) The development shall not be occupied until the parking and turning areas have been provided within the site in accordance with the details shown on the approved plans. The parking and turning areas shall thereafter be retained for the purposes of parking and turning only and shall be kept clear of obstruction at all times.

Reason: In the interest of the use of the parking and turning areas and highway safety.

INFORMATIVES:

- (1) The applicants attention is drawn to the comments of the "Wiltshire Fire & Rescue Service" in their letter dated 7th November 2007, regarding fire safety.
- (2) The applicants attention is drawn to the comments of Network Rail in their letter dated 3rd November 2007.
- (3) the applicants attention is drawn to the comments and the identified requirements of WCC Archaeology set out in their letter dated 6 November 2007.