

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

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

ABBREVIATIONS USED THROUGHOUT THE TEXT

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

Part 1

Applications recommended for Refusal

Item No. Case Officer Contact No.

App.Number Date Received Expiry Date Applicant's Name
Ward/Parish Cons.Area Listed Agents Name

Proposal
Location

1	Case Officer Mr P Jackson	Contact No 01722 434398	1
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S/2003/349	13/02/03 15:16:00	10/04/03 15:16:00	SALISBURY LAWN TENNIS CLUB
HARN			DOUGLAS SMITH
Easting: 413975.708489656	Northing: 128917.074963927		

PROPOSAL:	O/L APPLICATION -ERECTION OF A "BUBBLE TENNIS DOME" DURING THE WINTER MONTHS OCTOBER - MARCH
LOCATION:	SALISBURY TENNIS CLUB OLD BLANDFORD ROAD HARNHAM SALISBURY SP2 8DQ

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers.

SITE AND ITS SURROUNDINGS

Access to the Salisbury Lawn Tennis Club is via Old Blandford Road and the Tennis club grounds extend to the rear of residential properties fronting Old Blandford Road, fronting onto Folkstone Road, and to the site boundary with Harnham Road. The site is elevated when viewed from the frontage of the Harnham Croft Nursing Home and public views of the site can be gained from the water meadows beyond.

THE PROPOSAL

The development has been submitted as an outline planning application and information reserved for subsequent detailed stages is defined on the application forms as; means of access and landscaping. The application includes information on siting, design and external appearance. The proposed development involves the siting and inflation of a multiple court dome covering an area 37.5m x 48.75m to a height at the centre line of 9m. The dome is proposed to provide court cover during winter months from October to March. The dome consists of a pre-tailored polythene membrane, anchored around the perimeter to a concrete foundation, with a network of plastic coated wire rope covering the membrane which is also anchored to the foundation. The inflated dome is maintained in shape by air pressure created by a fan driven by a small 1hp motor with a running load of 6-8 amps. Revolving door entrance areas maintain the pressure in the translucent structure which is designed to be used with outside light sources. The manufacturers recommend replacement of the plastic every 3 years.

PLANNING HISTORY

Planning permission for mast mounted tennis court lighting was approved in 1999 and 2001. Both permissions accepted the operation of floodlighting and therefore playing time until 10.30 at night.

CONSULTATIONS

WCC Highways	-	No Objections
Environmental Health	-	No Objections
Conservation Officer	-	No Objections

REPRESENTATIONS

Advertisement	No	
Site Notice Displayed	Yes	Expired 27.03.2003
Departure	No	
Neighbour notification	Yes	Expired 27.03.2003
Neighbour response	Yes	17 letters of objection and 2 letters of support have been received. The objections consider that the development proposal will harm the character of the area for the following reasons,

There is a significant lack of information with this outline proposal

Site should be viewed in winter when the dome will be most prominent and especially viewed from Grasmere Close where visual harm will be significant.

More detailed noise information is required concerning the fans and motors. If these are to remain running at night the noise will be especially intrusive. The structure when inflated will be subject to wind resistance noise and if damaged by storm or vandalism significant flapping of plastic and restraining wires will be heard. There will be noise from the fully inflated structure as movement will occur at any time when external pressures vary above internal, these noise levels are likely to increase if pressure within the structure is reduced for any reason.

The size of the dome and proximity to residential property is unacceptable.

The open aspect of the existing sports site will be changed to a significant degree by the bulk and mass of the proposed development.

This large luminous maggot will be visible from many parts of Salisbury including Mill Road, The Town Path Harnham Road and Queen Elizabeth Gardens

More car parking will result in Old Blandford Road

The proposed structure is not suitable for and not in keeping with a Conservation or residential area

The excessive height and size of the dome will harm both private and public views, it will be like having a three storey building over the courts

The exact hours of use and the sanctions that would apply if the terms of use were broken should be made known

It is not clear if there will be three separate domes or one large one, the application details must be more defined, if it is the larger version it will have the charm of a circus big top.

Light spillage from the floodlights is already distracting drivers on Harnham Road the dome will make the distraction many times worse.

It is feared that the dome will become a permanent year round feature. There is a significant difference between open air recreation sites and indoor sports facilities in terms of the impact on the amenity of an area. Club members may benefit from the use of the dome for one or two hours per game but local residents would have to endure the visual impact of the dome 24 hours a day 180 days per year. A dome set in parkland well away from residential properties may be acceptable but it cannot be acceptable to site the dome so close to dwellings especially dwellings designed to take advantage of cathedral views. The Spire will rise from a bed of plastic.

The letters of support refer to the advantages that the three covered courts will provide the club particularly for its coaching activities and weather protection. The development is expected to assist in attracting a few extra tennis players to the well established club and the supporters seek to give reassurance about traffic and noise levels which are expected to remain at present levels but in terms of player noise within the dome levels of noise are expected to be reduced.

MAIN ISSUES

The impact of the development on residential and visual amenity in the Conservation Area
The design and materials proposed
The seasonal nature of the development
The degree of harm that will arise from motor/fan noise or plastic flapping
The degree of mitigation that can be gained by planning conditions or planning obligations

POLICY CONTEXT

Replacement Salisbury District Local Plan
C6, C8, CN8, CN11, D1, G1, G2, R16 and R16A.

PLANNING CONSIDERATIONS

The impact of the development on residential and visual amenity in the Conservation Area

Although the application is made by a well established Tennis Club that has been providing recreation and sporting facilities to Salisbury for nearly 90 years the proposed development will create a significant change in the character of the site. The open character and layout of the tennis courts are not intrusive, but the proposed dome covering three tennis courts up to a height of 9m of semi-clear plastic will have an inevitable impact on the appearance and character of the site.

The applicants have chosen to locate the structure on the lowest levels of this sloping site and have sought to provide the dome in a location that will minimise its impact on local residents. The structure will be within 30m of some residential properties and in one instance within 15m and for these properties the height and location of the dome will result in harm to the residential amenities of the area and is incompatible with its residential surroundings.

The scale and impact of the seasonal inflatable dome by virtue of its significant dimensions measuring 37.5m x 48.75m and with a height of 9m structure the structure will be very visible from Harnham Road and from the surrounding public areas that provide views into and out of the Conservation Area. The form scale and design of the development and proposed materials do not respect the character of the general townscape and the locality or landscape setting and are therefore in conflict with the Local Plan policies which are designed to protect and enhance the amenities of the area.

The Design and Materials proposed

The applicants have proposed and submitted details of the dome structure providing plans and specifications from Covair Structures Ltd. There is some variation in the details concerning size of the three – court dome ranging from 37.5m x 48.75m to 34.8m x 48.1m and heights of 8.5m to 9m. The upper limits contained in the specifications have been taken for the purposes of this application. Some of the variation in the specifications is due to foundation width and site tailoring but the proposal is clearly defined by the upper limits. The dome is restrained by 8mm cable and both cable and plastic are fixed to concrete ring beam foundations. When inflated a robust and rigid structure results. A shed to house an electric box, fans and anemometer controls together with a concrete pad for summer storage are also proposed. The shed is proposed to be 4.5m x 4.5m x 2m.

The dome structure is very simple in form but its size and scale are out of keeping with the domestic surroundings of the dominant land use in the area. The appearance of the dome will conflict with the designs, form, massing and materials of other built form in the area.

The seasonal nature of the development

The primary function of the dome is to provide weather protection in winter months to prolong the playing season and to allow year round tennis coaching. In terms of the planning policies of the Local Plan R16 and R16A support and encourage such development provided there are no adverse landscape implications. National planning guidance as set out in PPG17 also supports the promotion of quality leisure facilities but while this might be a consideration for a permanent

building the temporary and seasonal elements of this application provide justification for the development to be carried out at the existing Tennis Club site.

The degree of harm that will arise from motor/fan noise or plastic flapping

Submitted specifications of the electric motor that will inflate and maintain the tennis dome have confirmed that it is a 1 hp motor that can be encased and protected to ensure that noise levels are within existing ambient background levels. As such there are no planning grounds to object to this proposed means of inflation. The air intake and deflation fan can also be sited and screened to ensure that it complies with stringent noise level controls. The submitted specifications confirm that in storm conditions a second fan may be required to boost the structure and provide additional stability. Heating is recommended to combat snow and prevent weight build up on the dome from heavy snowfall. Various types of equipment may therefore need to be assessed not just as part of the inflation of the dome but as part of control assessments on the type and use of plant and machinery that might be installed within the structure for security or weather safeguards.

The plastic material that forms the dome and the restraining cables will move, creek and groan in adverse weather conditions. On sunny days the building will become too hot to offer playing space. Damage to small sections of the structure may occur without harm to the integrity of the dome, but the damaged areas may become a source of noise from flapping. Repairs to patch the structure are likely within the three year life of the domes cover and mottled or worn appearance can be expected over time.

The degree of mitigation that can be gained by planning conditions or planning obligations

As this is an outline planning application it is important to consider planning conditions and the possibility of a planning obligation under the provisions of section 106 of the Planning Acts. Planning controls on the principle issues relating to this development proposal will need to be applied at this outline stage and cannot be added in isolation to any subsequent reserved matter application determination. Controls over noise, car parking, hours of use, seasonal use, landscaping, site management and temporary permission could all be applied to this development at this stage. However unlike some reserved matter applications, siting design and external appearance have not been reserved for later consideration and these issues must be assessed on their individual merits in this case.

CONCLUSION

In respect of the design and materials the proposed development is contrary to planning policies CN8 and D1 of the Replacement Salisbury District Local Plan. These policies are designed to protect the character and secure enhancement of the Conservation Area. Although the Tennis Club pre dates many of the houses that surround the site and the recreational use of the site is well established, the proposed dome will create a strident and unacceptable feature of this open area of seasonal sports usage. There are positive gains associated with the development which would be likely to offer safeguards against most noise and extend the playing season of the club but these do not outweigh the harm that would result from the temporary and seasonal provision of the dome. Accordingly the proposal is recommended for refusal.

RECOMMENDATION : **REFUSE** for the following reason;

1. The form, scale, bulk and materials proposed for the Bubble Tennis Dome would create an unacceptable strident and intrusive structure out of keeping with the character and townscape of the Conservation Area and incompatible with the residential scale and landscape setting of this important approach to the historic city centre, to the detriment of visual and residential amenities in the locality, contrary to the policies of the Adopted Salisbury District Local Plan G1 and CN14 and contrary to the Replacement Salisbury District Local Plan policies C6, C8, CN8, CN11, R16, D1 and G2.

NOTES:

S/2003/819	14/04/03 08:56:37	09/06/03 08:56:37	PUDDLEDUCKS PLAYGROUP
HARN			DAVID WILSON
Easting: 413570.440758526	Northg: 128790.826437473		

PROPOSAL:	FULL APPLICATION -INSTALLATION OF MOBILE CLASSROOM
LOCATION:	HARNHAM INFANTS SCHOOL SAXON ROAD SALISBURY SP2 8JZ

REASON FOR REPORT TO MEMBERS

Councillors Dalton and Tomlinson have requested that Committee determine this item due to the interest shown in the application

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The school is located within an established residential area in Harnham and is accessed via a cul de sac. The existing school campus accommodates both the Infant and the Junior schools in a variety of low rise modern buildings of no particular architectural value. There are a number of mobiles on site one of which to the rear of the nursery school accommodates the Puddleducks playgroup

THE PROPOSAL

It is proposed to erect an additional mobile at the rear of a group of trees towards the rear of the playing fields to use as a classroom. It is proposed to cut into the ground by approximately 750mm to create a flat site for the mobile and then to further excavate an additional 500mm to create a playing area to the south.

PLANNING HISTORY

Various works, permanent extension to school, erection and retention of mobile classrooms

CONSULTATIONS

WCC Highways - no objection subject to a Green Travel Plan (embodying a school travel plan) being submitted and agreed prior to the mobile being brought into use
Wiltshire Constabulary Crime Prevention - Concerns regarding proposed site, as it is isolated, not overlooked, CCTV does not cover the area and there have been 3 incidents in recent years.

REPRESENTATIONS

Advertisement No
Site Notice displayed Yes expiry date 22/05/03
Departure No
Neighbour notification No
Neighbour response Yes 1 letter of objection on grounds of dangerous traffic problems in area will be exacerbated. Parking of vehicles needs to be addressed before any more children use the site.

MAIN ISSUES

Impact on surrounding amenities
Impact on trees

Crime issues
Impact on highway safety

POLICY CONTEXT

G1 and PS1 of Salisbury District Local Plan
G2 and PS6 of Replacement Salisbury District Local Plan

PLANNING CONSIDERATIONS

Impact on surrounding amenities

The primary school is on the edge of the urban area and its playing fields rise to the south towards Harnham Hill. The allotments are adjacent to the school site and the existing Puddleducks mobile is located close to this boundary at the rear of the Infant School. The proposal is to increase the area available for the nursery school by providing a second mobile classroom. The playgroup is a separate entity to the nursery school, (though obviously closely supported by the school). The only piece of land, which the Education Authority will make available to extend the playgroup, is an area to the rear of a substantial group of mature trees. Access for the children to the mobile will be along a new path to be provided through the trees.

Impact on Trees

The site for the mobile requires levelling and the play area adjacent will also require levelling. The Tree Officer does not consider that the excavation and siting of the mobile and the play area will affect the roots of the trees. However, services for the mobile (electricity water etc) will need to go through the group of trees and their roots will be effected. It is suggested that the impact could be limited by hand digging, as the trench will be comparatively shallow. Some of the trees will also have to be trimmed to allow access for machinery etc to reach the site. Whilst the Tree Officer has concerns regarding these works to the trees, the issues could be dealt with by conditions.

The development as proposed will clearly have some impact on the trees and there may be pressure in the future on the trees due to perceived dangers to the children using the pedestrian route, maintenance problems of the building, lack of security and fear of crime. The trees though worthy of a Tree Preservation Order are not currently covered by one.

Crime Issues

The proposed location is largely screened from residents in Hollow Close and the mobile will not be prominent in the landscape. The proposed location is a considerable distance from the two schools and the other mobiles on the school site and will be screened from both the existing Puddleducks Playgroup mobile and the remainder of the school by the mature trees. The proposed site is therefore isolated and unrelated physically or visually to the existing schools and playgroup.

The Crime and Disorder Act requires Local Authorities to take account of community safety and to ensure that development does not create or exacerbate situations which would encourage crime or create areas that feel unsafe. In view of the proposed location of the mobile the Community Safety Officer for the Wiltshire Constabulary also concurs. Further information regarding this will be available at your meeting.

It is considered that it would be more suitable for the new mobile for the playgroup to be located adjacent to the existing mobile so that the playgroup was positioned close to the existing school where natural surveillance would be better.

Impact on highway safety

Objections have been received to the expansion of the numbers of pupils until the parking issues are resolved. If the development were to be approved the Highway Authority would prior to the bringing into use of the mobile, require a Green Travel Plan for the Playgroup (embodying a School Travel Plan) The school however is a separate entity and has no control over the schools on the site.

CONCLUSION

The playgroup is a voluntary association entirely separately managed from the school. The Education Authority is only prepared to provide this site for an expansion to the playgroup and will not allow the siting of the new mobile adjacent to the existing Puddleducks. However the proposed location for the mobile for the playgroup is isolated and unrelated physically or visually to the existing schools and playgroup. There would also be some detrimental impact on the adjacent trees, which would create some pressure to remove the trees. There are also concerns regarding the lack of overlooking or natural surveillance of the building. On balance these concerns are sufficient to warrant refusal of this proposal

RECOMMENDATION: REFUSE for the following reasons:

(1) The positioning of the new mobile classroom in the proposed location, in combination with the proposed excavation works required to level the site, is considered inappropriate and ill-conceived given the availability of a more appropriate, less secluded and better surveyed site and given the likely pressure for future works to the existing mature trees. Consequently the proposal is considered contrary to policy G1 (viii), (ix) and (xiv) of Adopted Salisbury District Local Plan and policy G2 (iv) and (v) of the emerging Salisbury District Local Plan

INFORMATIVE:

This decision has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan (G1) and G2 and PS6 of Emerging Salisbury District Local Plan

NOTES:

S/2001/1365	17/07/01	11/09/01	TESCO STORES LTD
MILF			DEVELOPMENT PLANNING PARTNERSHIP
Easting: 416066.920879841	Northing: 129266.888970733		

PROPOSAL:	FULL APPLICATION -EXTENSION TO RETAIL SUPERMARKET
LOCATION:	TESCO STORES LTD SOUTHAMPTON ROAD THE BOURNE CENTRE SALISBURY SP1 2NY

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The application relates to the existing Tesco superstore in Bourne Way, off A36(T) Southampton Road, Salisbury, which includes a petrol filling station. It is the only food store in this area which otherwise comprises a mix of retail warehousing, motor trade outlets and Class B1 businesses. Phase I of a new retail warehouse development has been recently been constructed to the east of the Tesco stores.

The site includes part of the arable field immediately adjacent (west) of the superstore building.

THE PROPOSAL

The proposal is for an extension to the west side of the store with a gross floor area of 2,040 m² comprising a net sales area of 1,226 m² and a bulk store area of 814m². The current gross floor area of the store is 6,502 m² with a net sales area of 4,277m². The increase in net sales area would be about 30%. It is stated that the additional net sales area will allow for an internal reorganisation of the sales floor providing an enlarged checkout and lobby area, larger customer services department, and wider aisles, enabling goods to be displayed in an improved and more attractive setting. The applicant also anticipates that 231 m² of the new sales area will be dedicated to convenience goods, 782m² given over to non-food comparison goods (e.g. clothing, CDs etc.) and 214 m² dedicated to non-turnover generating uses such as aisle widening and increased check-out space.

The proposed design of the extension takes a simple rectilinear form in footprint and the proposed elevations and materials (largely brick and tile) would match that of the existing building. The new building would extend over an existing 'grasscrete' emergency service road into the adjacent field, and a new field boundary would be established approximately 18 m further west.

The application includes an extension to the existing car park to provide extra 66 spaces, which would also extend into the adjacent field. The plans also indicate a pedestrian link to the adjacent site currently allocated as a Park and Ride site, although contains no details at this stage

Landscape planting plans have been submitted and includes new planting to the new west boundary of the site.

PLANNING HISTORY

Planning permission for the superstore was originally allowed on appeal in 1987. Since then there has been a series of relatively minor applications for alterations and extensions, including

the coffee shop, customer service area and pharmacy, and an extension to the storage area to the rear, which enabled the release of 7,000 ft² internal sales floor area (ref 95/60). More recently an almost identical application (ref S/99/1114) was submitted for an extension to the store. The application was due to be considered by City Area Committee on 18th January 2000 with an Officer's recommendation of refusal for the following reason:

(1) The applicant has failed to demonstrate an identifiable need for new food retail development in the Salisbury area that could not be met through existing allocations or alternative central sites within or on the edge of the City Centre. It is therefore contrary to national policy guidance on need expressed in the speech of 11 February 1999 by the Planning Minister, Richard Caborn and fails to adopt a sequential approach to site selection, as required by Planning Policy Guidance Note 6. In addition, the proposal, either by itself or cumulatively with other proposals, could affect future private sector investment required to safeguard the vitality and viability of the City Centre by reducing the attractiveness of proposals to redevelop the Maltings area. The proposal is therefore considered to be contrary to Policy S10 of the Adopted Salisbury District Local Plan, Policy S4 of the deposit draft Replacement Salisbury District Local Plan, Policy CF2 of the South Wiltshire Structure Plan and Policy DP6 of the deposit draft Wiltshire Structure Plan.

(2) It is considered that in the absence of an agreed scheme and / or contributions towards relevant measures to improve accessibility of the site, in particular for those without access to a car, the proposal would be contrary to the aims and objectives of Policies G3 and TR24 of the Adopted Salisbury District Local Plan, Policies G1, G5, TR2, TR3 and TR14 of the Replacement Deposit Draft Salisbury District Local Plan and Policies DP1(3) and T4 of the Deposit Draft Wiltshire Structure Plan (see Informative below).

(3) The submitted site layout plans are considered inaccurate and inadequate to assess properly the impact of the proposed extended car park on the visual amenities of the area and its surrounding environment (see informative below).

Two Informatives were proposed:

Reason for refusal No 2 could be overcome by submission of a satisfactory scheme of related transportation measures which may include a level of contributions to the Council's Sustainable Transport Plan. The applicant is advised, therefore, to contact the Local Planning Authority to discuss such requirements further.

Reason for refusal No 3 could be overcome by submission of revised plans accurately showing how the proposed parking area relates to the existing parking layout, the inclusion of further information relating to the existing trees along the southern boundary of the site and possibly amended landscape proposals if considered appropriate. The applicant is advised, therefore, to contact the Local Planning Authority to discuss such requirements further.

However, the application was withdrawn by the applicant shortly before the Committee and, therefore the application was not debated nor determined by Committee.

Adjacent site to east

S/92/673 & S/93/0680 – Applications for Eastern Bypass. Approved

S/95/1035 & 1036 – Applications for 32 housing association dwellings. Withdrawn.

S/97/0805. Park and Ride facility. Resolution to Approve subject to a Section 106 Agreement

S/98/1426. Application for a Certificate of Alternative Appropriate Development. Not determined.

Bourne Retail Park to west

The site has permission for retail warehousing (ref S/95/0992) which has commenced. Phase I has been constructed and is occupied (Staples and Sturton Tapper) and phase II has yet to be built. A planning application for McDonalds restaurant with drive through on part of the car park

(ref S/02/1544) was refused on 9th December 2002 on the grounds of contrary to PPG6 (need /sequential approach) and traffic generation / congestion.

CONSULTATIONS

Highways Agency - Have raised a number of queries about the Transport Assessment that need to be addressed in order that the impacts of the proposal can be fully addressed. The Highways Agency have issued a Direction that the planning authority shall not grant permission. Relevant correspondence is attached as an **Appendix** to this report.

WCC Highways - To be reported.

WCC Planning - Proposal would appear to fail to meet the requirements of the latest Parliamentary Statement, conflict with objectives in PPG6 and should be resisted on strategic retail policy grounds. Acknowledge that if it is considered advantageous to tie down the trading scale and characteristics of the store by condition, this might outweigh strategic policy, if such benefit is of strategic retail importance in itself.

WCC Library/ Museum - Site is adjacent a 6th Century Saxon cemetery. Recommends an archaeological evaluation prior to the granting of planning permission.

Housing & Health Officer - No objection subject to a condition requiring a scheme of insulation against noise emissions of any extractor fans etc.

Wessex Water Authority - No objection in principle.

Environment Agency - The site abutts the 1 in 100 year flood plain and the EA objects on the grounds of lack of information on flood risk. Therefore, requests a Flood Risk Assessment, Recommends a conditions relating to surface water disposal.

Railtrack - No objections in principle.

English Nature - Adjacent SSSI and candidate SAC applicant must demonstrate that appropriate measures will be taken to ensure the river system is protected from any pollution, or other disturbance, before permission is granted, and recommends the applicant produce a detailed method statement and carry out a protected species survey.

REPRESENTATIONS

Advertisement	Yes. Expiry Date – 23.08.01
Site Notice displayed	Yes. Expiry Date – 23.08.01
Departure	No
Neighbour notification	Yes
Neighbour responses	Yes. 3 letters of objection: .

Land ownership is queried

Impact on trees

Increase in pollution

Increase in traffic, particularly if Park and Ride abolished.

Will force by-pass to be built

Customers will shop in city if Tesco's cannot cater for them

Tesco's will only benefit from a pedestrian link with Park and Ride

New cycleway along A36 is adequate

Believes that a Council survey show that Tesco's responsible for stationary or slow moving traffic

No large corporation should be allowed to assess its own environmental or transport impact

Contrary to government guidance in PPG6 – sequential, need and impact tests

Harmful trade diversion from city centre

Could seriously affect investment in Maltings redevelopment and vitality / viability of city centre

Contrary to PPG6 and Local Plan Policy S4

MAIN ISSUES

1. Principle of development
2. Impact on the vitality and viability of the city centre
3. Highways / Transportation
4. Siting / Design
5. Landscape
6. Archaeology
7. Drainage / Flooding
8. Nature Conservation

MAIN POLICY CONTEXT

Adopted SDLP: S5, S6, S10, TR2, TR23, TR24, TR26, G1, G3, CN25, CN26, CN27, C12, C13, C15, C17, C18,

Replacement SDLP: S3, S4, S5, S6, S7, TR1, TR2, TR8, TR11, TR15, G1, G2, G4, G5, D1, D7-D15, CN21, CN22, CN23, C12, C13, C14, C15, C17, C19, C20

Approved WSP: DP1, DP2, DP5, DP6, T4, T5, T6, T7, T8, C2, C3, C5, HE2

Government Guidance: PPG1, PPG6 (and subsequent Ministerial Statements), PPG9, PPG13, PPG15, PPG16, PPG25.

PLANNING CONSIDERATIONS

1. Principle of development

The land affected by the proposal is partly within the existing site boundary of Tesco which is allocated under Policy S5 of the adopted SDLP as being suitable in principle for retail warehouse development, subject to satisfying various criteria, including an impact assessment and range of goods (bulky goods) restriction. The site also affects land, which is allocated for further retail warehouse development under Policy S6, subject to the criteria under Policy S5. In addition all shopping proposals are subject to Policy S10 which again includes a requirement to ensure developments do not seriously affect the vitality and viability of the city centre.

In the Replacement SDLP, the Local Plan Inspector recommended that the locality within which this site falls should not be allocated for retail warehousing as allocated in Policy S7, as there is no qualitative or quantitative need, and recommended the deletion of this Policy accordingly. The Proposed Modifications published in September 2002 reflected this recommendation, as does the version for the purposes of the Notice of Intention to Adopt. Instead Policy S4 as modified (referred to below in detail) will be relied upon to assess retail proposals in this location.

In terms of the Adopted Wiltshire Structure Plan 2001, policy DP6 is relevant to shopping proposals, and includes impact criteria to safeguard the vitality and viability of town centres, introducing the concept of need and sequential approach.

The site abuts land which is protected under the Adopted SDLP (policy TR2) for the route of the A338 Eastern Bypass and proposed under the former South Wiltshire Structure Plan. However, the A338 Eastern Bypass has been deleted from the Adopted Wiltshire Structure Plan (2001) and from the Replacement SDLP. The route affected mainly the adjacent Park and Ride site which is allocated in the Replacement SDLP under Policy TR8 (ii), and already has a resolution to grant planning permission subject to a Section 106 Agreement. In principle this application should not adversely affect or prejudice the allocated P & R site.

In terms of the Adopted SDLP, the site is immediately adjacent a Development Restraint Area in connection with the Petersfinger Sewage treatment Works and an Area of High Ecological Importance adjacent the A36, and the whole site is within a Water Source Catchment Area. The Environment Agency has stated that the site abuts the flood plain. The site is also within an Area of Special Archaeological Significance. These designations may act as constraints to

development, but are not likely to constitute an objection to the proposed development in principle, subject to necessary assessments being carried out any appropriate mitigation measures.

For the principle of the proposed development to be acceptable in land use terms, therefore, it must be considered against the detailed criteria of relevant shopping policy, and subject to other relevant policies of the Development Plan, government guidance and detailed development control considerations. A more detailed assessment is set out in the following sections of this report below.

2. Impact on the vitality and viability on the City Centre

(i) Introduction

Following submission of the application, the applicant has submitted a Retail Planning Report (August 2001), prepared by Development Planning Partnership (DPP). The 'planning analysis' chapter from their report is attached as an **Appendix 1** to this report. For the LPA, White Young Green (formerly MVM Planning who advised the LPA on the previous application) were instructed to appraise the retail report, and to advise the LPA in the context of the Development Plan and current government policy. The Council has considered the Local Plan Inspector's Recommendations, published Proposed Modifications in September 2002, and Notice of Intention to Adopt in February 2003. However, the RSDLP has not yet been formally adopted by the Council.

WYG advise that the LPA would be justified in withholding planning permission in the absence of a clear need for the proposal and the potential availability of alternative sites in the City Centre. Their conclusions are attached as an **Appendix 2** to this report. The retail impact issues are complex and this report does not reproduce or refer to detailed and technical data and information produced by the Consultants, which constitute background papers for the purposes of this report. In addition, Officers have taken further and more recent advice from CB Hillier Parker, whose conclusions are attached as **Appendix 3**, and referred to later in this report. However, a summary of the main issues is set out below:-

(ii) General Shopping Policy

The national planning policy framework in this respect is provided principally by PPG6 (June 1996) and re-enforced in PPG13 and clarification by subsequent Ministerial Statements, including that by Richard Caborn on 11th February 1999 in relation to the requirement to demonstrate 'need' in respect of out of centre retail development. However, the broad thrust of policy is to sustain and enhance existing centres and to plan positively for new development within existing town and district centres wherever possible. The guidance endorses the use of criteria based policies for development outside existing centres which should include, *inter alia*, consideration of need, the sequential approach, impact and accessibility. This government's approach to determining applications and appeals has been further endorsed and clarified by a recent Parliamentary Statement on 10th April 2003.

The latest Development Plan Policies (Structure and Local Plan) reflect national policy guidance. In terms of shopping policy, S10 of the adopted SDLP is of relevance. However, this has been effectively superseded by Policy S4 of the Replacement SDLP, which is of prime importance. The most up to date version states:

"Proposals for new retail development, extensions, or variation to conditions on existing retail permissions on sites outside of the defined city/town centre shopping areas will only be permitted where shopping allocation exists or there are no suitable city/town centre sites available. In these circumstances, preference will be given to edge of centre sites followed by district/local centres and exceptionally by out of centre locations. Proposals will be rigorously assessed against the following criteria:

- (i) a clearly defined need for the scale and form of development proposed;***
- (ii) will not adversely affect the vitality or viability of existing centres either directly or incrementally, having regard to the likely cumulative affects of recently completed developments and outstanding permissions on the catchment areas of these centres.***

(iii) will not give rise to serious problems of access, road safety and traffic congestion;

(iv) are accessible by a means of public transport and other sustainable means of transport;

(v) will not have an unacceptable impact on travel patterns nor result in a substantial increase in car usage and associated vehicle mileage and pollutant emissions;

will not impact upon nor unacceptably undermine the objective of the local plan strategy for Salisbury City centre and other town centres in the District, nor lead to the delay or abandonment of needed investments; and

where non-food developments are proposed, agreement with the Local Planning Authority concerning the range of goods to be sold”.

Whilst the Replacement SDLP has not been formally adopted, Policy S4 reflects the latest government advice and the Councils Retail Strategy. Para. 9.10 (including changes in the proposed modifications) of the supporting text states:

“The Local Planning Authority has reviewed the vitality and viability of key centres in the District in line with Government advice (PPG6, Figure 1). The evidence suggests a decline in some aspects of the city centre’s performance and the need to strengthen and boost the centre’s economy through positive measures. In addition, the Council’s research has concluded that there is no further qualitative or quantitative need for additional retail warehousing floorspace in Salisbury over and above the extant permissions. Any further proposals should, therefore, be directed towards city centre or edge of centre sites. Whilst the Local Planning Authority has adopted a balanced strategy which allows for some limited out of centre development, all allocations and proposals which may emerge during the lifetime of the plan will be rigorously assessed to ensure that:

(a) they do not undermine the vitality and viability of the centre, deter investor confidence, lead to an unacceptable increase in vacancies, nor detrimentally affect the economies of town centres.

(b) they would not detract from the positive enhancement of centres and the Local Planning Authority will rigorously apply the established planning tests to retail proposals and fully support the key objective of sustaining and enhancing the vitality and viability of centres”

Guidance in PPG13 is consistent with the key objectives of PPG6. It endorses broad principles of the sequential approach and the need to ensure that wherever possible new shopping is promoted in existing centres which are more likely to offer a choice of access, particularly for those without a car.

The Town and Country Planning (Shopping) Development) (England and Wales) (No.2) Direction 1993) requires shopping developments over a specified size to be referred to the Secretary of State before granting planning permission. In this case the proposal is below the 2,500m² gross floor area threshold to which the Direction applies and, therefore, consultation with the Secretary of State would not be necessary.

PPG15 is also of some relevance insofar as there are a large number of Listed and non-Listed Buildings of Historic and Architectural Interest within the city centre which are in retail and other commercial uses. If the viability and vitality of the city centre is undermined by out of town retail developments, such buildings are more likely to become vacant, fall into disrepair and harm the historic fabric of the city

(iii) Need

The justification for the proposed extension appears to be derived from the need to:

Better accommodate the existing levels of trade through the store, thereby reducing peak-hour congestion;

Encourage existing shoppers to spend more when visiting the store; and

Retain market share in the light of increased competition.

DPP for Tesco states that the proposals are designed to combat the overtrading and congestion problems by allowing the Store to expand and provide more checkouts and circulation space. The bulk food store would allow more goods to be stocked at any one time, reducing the instances where products sell out, and allowing more space for higher volume deliveries. The applicant states that the proportional increase retail sales derived from the increase in floorspace will be much lower, particularly in the case of comparison goods, which have a lower sales density than convenience goods. From Tesco's experience, it is stated that the increase in sales area does not bring a pro-rate increase in customers and turnover and the character of the store will not alter, remaining as a bulk food shopping destination with the comparison shopping forming only an ancillary part of the Store's main retail business. DPP put forward a case on both quantitative and qualitative grounds in support of their case for need.

WGY, however, conclude that there is no real qualitative or quantitative need for the proposed development, even taking into account the Local Plan Inspector's recommendation to allocate the site at Bishopdown for a foodstore to meet local needs, the current range of non-food retail products currently offered in the city centre and the current proposals to redevelop the Sainsbury's site.

Overall, CB Hillier Parker consider that the applicant has failed to demonstrate a quantitative or qualitative need for the proposed store extension.

(iv) Sequential Approach

This was introduced by PPG6 (June 1996) and is now a well-established principle. It is also embodied in the criteria based policies of the Development Plan, including Policy S4. For Tesco, DPP conclude that the extension is an integral, but indivisible part of the whole Store which would maintain its predominant main food role. As such it is argued that it is not reasonable or practicable to divorce the two elements and the sequential test of identifying other more central sites has been applied on the basis sites for the whole store as extended, together with a reasonable level of parking. The sites identified (The Maltings, Brown Street Car Park, Bus Depot) are deemed by the applicant as being either already developed, unsuitable, unavailable or not viable.

However, the Council's consultants conclude that the sequential approach should be applied more stringently and consider that the suitability of sites should be identified for disaggregated elements of the development and on this basis, the Brown Street Car Park is of sufficient size to accommodate the non-food element of the proposal in combination with other uses, and is supported by comments of the Local Plan Inspector.

Regarding the Maltings redevelopment, a Development Brief has been adopted. The Brief suggests the continued operation of an enlarged superstore within The Maltings, which will play a vital role in maintaining the quality and range of shopping within the city centre. The Brief indicates the provision of additional retail units that could be suitable to accommodate disaggregated elements, and is entirely suitable in terms of accessibility and linked shopping trips. There is no reason why adequate replacement parking cannot be found. For example, previous negotiations included facilitating the provision of a Park and Ride site in Wilton, although this has been superseded by the submission and approval of a planning application by SDC. More recently a planning application has been submitted for an enlarged foodstore (approx. 7500m² gross) and new car deck on the existing Sainsbury's site in the Maltings. Although this in itself does not constitute a wider redevelopment of the Maltings as envisaged by the Development Brief, it represents a positive development towards providing additional shopping floorspace in the city centre. Furthermore, the Local Plan Inspector has recommended that the Maltings be allocated in the Replacement SDLP for retail use to reflect the Sainsbury's proposal, and the Proposed Modifications reflect this allocation.

WGY conclude that the applicant has misapplied the 'sequential test', has adopted an approach that is wholly inconsistent with national guidance, and has failed to display the flexibility required by PPG6. CB Hillier Parker also support this view and that the requirements of the sequential approach have not been adequately met in this case.

(v) Retail Impact

DPP for Tesco conclude that the city centre is healthy and that, taking into account the size of the proposed floorspace, future expenditure growth / capacity, trade diversion (convenience and comparison business), there will be no material harm to the vitality and viability of the city centre nor would result in the closure of any stores. DPP predict that the largest impact would be on Waitrose, but DPP considers this to be an out of centre store, and is offered no protection from guidance in PPG6.

WGY considers that there are shortcomings in the applicant's assessment on retail impact, including: the appropriateness of the technical analysis; that the statistical analysis on expenditure growth is likely to be optimistic; that the Waitrose store should be taken into account as an edge of centre store and afforded some protection under PPG6 and that no cumulative impact has been undertaken taking into account the Inspector's recommendation to allocate the site at Bishopdown partly for a foodstore. In particular the consolidation of out of centre locations may have serious repercussions on the attractiveness and viability of the Maltings redevelopment scheme.

Since the previous application, a planning application was submitted by ASDA for a 7153m² (gross) foodstore with coffee shop at Bishopdown, and a more recent application for a revised scheme comprising a 4812m² (gross) foodstore with coffee shop, 939m² office accommodation and 890m² retail parade, which is yet to be determined. Also, an application has been submitted for an enlarged foodstore (7520 m² gross) for Sainsbury at the Maltings. The Replacement SDLP as currently modified, deletes the mixed development at Fugglestone including a foodstore, and allocates the site at Bishopdown (the ASDA) for only for non-food retail or employment use.

On this issue, WYG advise that the extension itself would be highly unlikely to affect adversely the vitality and viability of the city centre but have concerns that the extension could dissuade future private sector investment at the Maltings. WYG also confirm that their advice remains still applicable under the Proposed Modifications to the Replacement SDLP.

CB Hillier Parker consider that the applicant may have underestimated the impact of the proposed extension and has not considered the cumulative effect of both the proposed extension and the proposals for a new Sainsbury's store in the city centre, and consequently whether the proposals would threaten the viability of the new Sainsbury's and have a more detrimental impact on other city centre foodstores.

(vi) Other considerations

More recently, the applicant has submitted plans of a proposed mezzanine floor within the existing building, which the applicant states would not require planning permission, as it would be an internal alteration, and would not affect the external appearance of the building. The applicant states that Salisbury is one of the top ten busiest stores regarding turnover per square foot on sales density and that the store must respond quickly to the current levels of overtrading and will, if they do not achieve planning permission for the extension, be forced to implement the mezzanine sales floor. The applicant also advises that this would deny the Council of the package of planning gain / benefits being tabled as part of the proposal. A recent letter from the applicant is attached as **Appendix 4**. The applicant has very recently submitted an application for a Certificate of Lawful Proposed Development under Section 192 of the 1990 Act in respect of a proposed mezzanine floor. However this application has not yet been determined.

It is considered that the above does not directly overcome the deficiency of the application in being able to meet the need, sequential and impact tests, but this 'fall back' position is acknowledged and may be taken into account in balancing all the planning considerations. For example, if permitted, it may be possible to impose conditions on a planning permission to control the ratio of food to non-food comparison goods, and restrict future mezzanine floors, unless otherwise expressly granted planning permission.

(vii) Summary on shopping policy issues

As referred to above, Officers have taken more recent advice from consultants CB Hillier & Parker (also advising the LPA in respect of the Local Plan) to ensure the recommendation is consistent with current policy. In summary their advice is that whilst the proposal may not significantly undermine the vitality and viability of city centre, the proposal gives rise to retail grounds for refusal based upon need, the sequential approach and impact, including cumulative impact and threat to the viability of the proposed Sainsbury's scheme in the Maltings. Furthermore, whilst there may be planning benefits which the Council may wish to explore, it is suggested that these factors would not outweigh the clear presumption against approval. .

3. Highways /Transportation

A Traffic Assessment report (Pinnacle Transportation Ltd) has been submitted in support of the application. It relies upon an earlier Traffic Assessment carried out in connection with the previous identical application on this site, updated with a proposal for a range of transport infrastructure improvements to mitigate the transport impact of the proposal, discussed with the Local Highway Authority shortly before the previous application was withdrawn. These works are included as a summary in an extract taken from the applicant's traffic report, reproduced as **Appendix 5**, but are essentially:

Provision of a bus turning area at rear of Tesco

Financial contribution towards a `real time` bus information service

Improvement of visibility splay to the Tesco / Bourne Way junction

Provision of a footway / cycleway from A36 roundabout to proposed P & R site

Financial contribution towards a footway/cycleway along the western side of the proposed P & R spine road from Petersfinger Road to the A36, a pedestrian / cycle crossing points.

In addition, the applicant has offered a 50% discount on the value of the land required for the Park and Ride site, to acknowledge the benefits of potential linked trips (in particular work-shopping-home trips) and improving accessibility to the store by non-car modes, provide the land is purchased by the Council within 5 years.

The Highways Agency has issued an Article 14 Direction under the Town and County Planning (General Development Procedure) Order 1995, not to grant planning permission for the development, initially because a traffic impact assessment had not been submitted but following consideration of the Pinnacle report, because of a number of questions raised regarding the information which has been submitted. A copy of the Highways Agency's initial response later relevant correspondence is attached as **Appendix 6**. The issues raised appear to relate principally to technical data in association with traffic flows on the A36 junction and justification for the increase in parking provision.

The applicant has stated that these points are being addressed with a view to overcoming any concerns of the Highways Agency. However, the negotiations have been lengthy without any agreement. The final views of the HA is awaited, following various additional technical submission by the applicant's highway consultants. The LPA are not able to `approve` the application because of the Direction which has been issued by the Highways Agency. If this application is refused, however, the LPA would still need to consider whether the highway issues have been overcome. Whilst there would appear to be some movement towards satisfying the HA, at the time of the preparation of this report, the HA have not confirmed their satisfaction of the proposals. The HDS will report any further views of the HA at the meeting.

Similarly, for similar reasons the recommendation from the Local Highway Authority (WCC) is awaited, pending the negotiations with the Highways Agency. However, WCC comments are anticipated in full before the meeting, and will be reported accordingly.

In general accessibility / sustainability terms, the site is in an out of centre location which is not well suited to pedestrian or cycle access, although the applicant's TIA suggests that the development will be accessible by a choice of means of transport (walking, cycling or public transport) and the Park and Ride site would improve sustainability and offers linked shopping

trips. Members will be aware that Southampton Road and Bourne Way suffers from congestion and queuing at peak periods. There would, however, be scope for directly improving the accessibility of this site by transport modes other than by car, as comprised in the package of measures proposed above. Whilst improvements of this nature could be secured through a Section 106 Obligation and/or possibly conditions, a judgement has to be made whether such mitigation is sufficient to outweigh harm as a result of the proposal in view of its location and increase in traffic.

The former Eastern By-pass that would have affected the Park and Ride site and possibly part of this site, is no longer protected by policy. It is considered that it would be unreasonable to withhold planning permission on the grounds that the route would be prejudiced. The Salisbury Transport Plan does not feature an Eastern By-pass.

4. Siting / Design

The proposed siting for the extension appears to be logical in terms of the Store's operations and the design, matching the style of the existing store is not considered objectionable. Materials can be controlled by condition.

5. Landscape

The site is quite sensitive in that it is in an edge of settlement location and is effectively in agricultural use, although the land has no special landscape designation. Whilst the proposed extension would encroach into the adjacent field, it would not have any significant implications in terms of the impact on the local or wider landscape, and would be seen as part of the existing Tesco development.

Some existing planting would be lost by the new development but Replacement landscape planting is proposed along the new eastern site boundary. The site is currently screened by existing deciduous trees / shrubs from the A36, although quite visible during the winter months, and will require supplemental planting. Although it would quite exposed from Petersfinger Road and from dwellings in this location, the proposal's scale, design, and distance from public view points together with additional boundary planting are such that it would not be so deleterious to the visual and residential amenities of the locality to warrant refusal on such grounds. The adjacent site is also allocated as a Park and Ride site in the Replacement SDLP, which although will contain landscaping, will clearly result in further change in the appearance of this area.

A Landscape Supporting Statement (Epcad) has been submitted which assesses the proposed extension in terms of its landscape setting and new landscape / planting scheme. A tree / arboricultural report of affected trees has been submitted which has been assessed by the Council's Arboricultural Officer. From this, it is concluded that the existing trees can be safeguarded, subject to an appropriate condition.

6. Archaeology

The site is located within an Area of Special Archaeological Significance. The site is adjacent a 6th Century Saxon Cemetery and previous excavations in the locality have unearthed skeletons. WCC consider there to be potential for further inhumations and recommend an archaeological evaluation prior to granting planning permission, in accordance with PPG16. It is normally expected for this work to be carried out prior to the granting of permission, in order to establish the nature and extent of any archaeological features, and thus the full impact of the proposal. Depending upon the findings, an appropriate condition may be subsequently be imposed requiring an archaeological excavation. WCC have previously drawn up a brief for the evaluation.

However, since the evaluation has not been carried out yet, it will be necessary to include a reason for refusal, should the recommendation be accepted as detailed below.

7. Drainage / Flooding

The Environment Agency states that the site abutts the 1 in 100year floodplain of the River Avon and has requested a Flood Risk Assessment in line with advice in PPG25. Whilst the applicant

has been advised of this requirement, no such assessment has been submitted to date. The EA has also recommended a condition to agree a scheme for the disposal of surface water. As such, it has not been possible to assess the flooding implications under Policy G4 of the Replacement SDLP, and it will be necessary to include a reason for refusal should the recommendation be accepted, as detailed below.

8. Nature Conservation

The site has no statutory nature conservation designation, and is either within the current boundaries of the store or part of an arable field. There is, however, an open ditch abutting the car park, which the EA consider should be retained as wildlife buffer strip. The Environment Agency has advised that the impact on the River Avon System SSSI and River Avon cSAC be considered, and advised English Nature be consulted.

English Nature have subsequently advised that as the site is adjacent the River Avon SSSI and candidate SAC, there carries a risk of damage to the river ecosystem during and after construction. They recommend a protected species survey be carried out and submission of a detailed method statement to cover the potential risks and how these will be addressed, before planning permission is granted.

It is likely that the development could proceed without damage to important habitat, subject to appropriate mitigation measures and conditions, considered against nature conservation policies in the Local Plan. However, the above assessment has not been carried out, and in the absence of this information, it will be necessary to include a reason for refusal should the recommendation be accepted, as detailed below. .

CONCLUSION

Section 54A of the 1990 Act requires that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless other material considerations indicate otherwise. This application should be determined, therefore, in accordance the development plan policies referred to above. In particular Policy S4 of the Replacement Salisbury District Local Plan reflects the most up to date government advice on retail developments. Whilst yet to be formally adopted, the Replacement SDLP is at an advanced stage and should, therefore, be given significant weight as a material consideration. Within the context of this, the Council's consultants have advised that there are clear grounds for refusal on shopping policy grounds, as detailed above.

Responses are awaited from the Highways Agency and the Local Highway Authority, based upon the latest submissions by the applicant. Their comments will address technical highway and sustainability / accessibility issues and the HDS will advise further at the meeting.

In addition, in the light of the inadequate level of information submitted in respect of potential flooding implications, the risks to nature conservation and the potential archaeological implications, it is recommended that additional reasons for refusal are included, until such time as they may be overcome by submission of satisfactory details.

RECOMMENDATION: REFUSE for the following reasons:

(1) The applicant has failed to demonstrate an identifiable need for new food retail development in the Salisbury area that could not be met through existing allocations or alternative central sites within or on the edge of the City Centre. It is therefore contrary to national policy guidance on need expressed in the speech of 11 February 1999 by the Planning Minister, Richard Caborn and as more recently clarified in a Parliamentary Statement on 10th April 2003, and fails to adopt a sequential approach to site selection, as required by Planning Policy Guidance Note 6. In addition, the proposal, either by itself or cumulatively with other proposals, could affect future private sector investment required to safeguard the vitality and viability of the City Centre by reducing the attractiveness of proposals to redevelop the Maltings area. The proposals is therefore considered to be contrary to Policy S10 of the Adopted Salisbury District Local Plan, Policy S4 of the Replacement Salisbury District Local Plan (Notice of Intention to Adopt February 2003) and Policy DP6 of the Adopted Wiltshire Structure Plan 2001.

(2) The Environment Agency has advised the Local Planning Authority that the site is close to the 1 in 100 year flood plain and the development could flood flow conveyance and water storage in an extreme event, the cumulative effect of which may increase the risk of flooding elsewhere. The applicant has failed to provide sufficient information for the Local Planning Authority to assess the above flooding implications as a result of the proposed development, in accordance with requirements of PPG25, and Policy G4 of the Replacement Salisbury District Local Plan (Notice of Intention to Adopt February 2003).

(3) The site is close to the River Avon SSSI and candidate SAC. As a result of advice received from English Nature, the Local Planning Authority considers that the proposed development is likely to have significant affect on the candidate SAC. The applicant has failed to supply sufficient information for the Local Planning Authority to carry out an appropriate assessment under The Conservation (Natural Habitats, etc) Regulations 1994 to assess the risks and impact on the river ecosystem, and under policies C12, C13, C15, C17 and C18 of the Adopted SDLP, policies C12, C13, C14, C19 and C20 of the Replacement Salisbury District Local Plan (Notice of Intention to Adopt February 2003), and C2, C3 and C5 of the Adopted Wiltshire Structure Plan (2001).

(4) The site is located within a Special Area of Archaeological Significance, and the County Archaeologist has advised it necessary to undertake an archaeological evaluation prior to determination to this application in accordance with PPG16. The applicant has not carried out this evaluation and therefore has not provided sufficient information for the Local Planning Authority to assess the archaeological implications of the proposed development, as required under policies CN25, CN26 and CN27 of the Adopted Salisbury District Local Plan, policies CN21, CN22 and CN23 of the Replacement Salisbury District Local Plan and policy HE2 of the Adopted Wiltshire Structure Plan (2001).

INFORMATIVE:

In respect of 2, 3 and 4 above, the reasons for refusal are based upon insufficient information being submitted by the applicant to enable the Local Planning Authority to carry out adequate assessments in respect of the areas of flooding / drainage, nature conservation and archaeology respectively. The applicant is advised, therefore, to contact the Local Planning Authority to discuss its requirements in each case.

NOTES:

Part 2

Applications recommended for Approval

Item No. Case Officer Contact No.

App.Number Date Received Expiry Date Applicant's Name
Ward/Parish Cons.Area Listed Agents Name

Proposal
Location

4	Case Officer Mr R Hughes	Contact No 01722 434382	4
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S/2003/703	31/03/03 10:43:43	26/05/03 10:43:43	MACDONALD HOTELS PLC
STMT	SAL	II*	STREET DESIGN PARTNERSHIP
Easting: 414570.6 Northing: 129722			

PROPOSAL:	FULL APPLICATION -EXTENSION TO EXISTING HOTEL TO INCLUDE HEALTH AND FITNESS CENTRE A FURTHER 14 BEDROOMS TO THE UPPER FLOORS AND NEW ROOF TO COURT YARD AND ASSOCIATED ALTERATIONS
LOCATION:	WHITE HART HOTEL ST JOHN STREET SALISBURY SP1 2SD

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The existing grade II* listed building is located within the Conservation Area, and is operated as a hotel. The original 19th century building has been extended several times, particularly with twentieth century flat roofed accommodation block projecting eastwards into the rear car park area, and another accommodation block located to the south of the main building fronting onto St John Street.

Vehicular access to the property and its car park is gained via Brown Street to the east.

Currently, the hotel has 68 bedrooms, a restaurant, a lounge, a bar, and two function rooms. The existing car park contains 80 parking spaces.

THE PROPOSAL

The proposal would involve the significant extension of existing hotel facilities, including a new single storey swimming pool building, a multi-storey extensions to provide additional hotel accommodation. A new pitched roof over the existing flat roof of the rear extension is also proposed, and new accommodation/facilities would also be created below part of the modern extensions to the main building both fronting onto St John Street and under the existing elevated rear extension.

The existing vehicular access off Brown Street would be retained, but the existing parking facilities would be reduced by the footprint of the new extensions.

The new proposals would add a further 14 bedrooms, making a total of 82 bedrooms, a new swimming pool, sauna, beauty salon comprising five treatment rooms and a relaxation lounge, a gymnasium and male and female changing rooms. The new lift facilities will service all floors to comply with the Disabled Discrimination Act. The car parking facilities would be reduced to 54 spaces, including 4 disabled spaces.

PLANNING HISTORY

A previous scheme to extend the hotel was recently refused as follows:

01 The White Hart Hotel is a substantial Grade II listed building located at the heart of the Conservation Area of the historic city of Salisbury, and effectively forms a significant part of one of the historic Chequers of the medieval settlement.*

The submitted plans contain inaccuracies, and are insufficiently detailed and lack a full assessment of the overall impact of the proposal, or how it relates to the grade II* listed building itself and the surrounding Conservation Area.

However, notwithstanding the deficiencies of the submitted details, it is considered that the scheme as currently proposed would be wholly unacceptable. In particular, the proposed alterations and extensions to the rear of the property would be significantly more obtrusive than the existing rear extension, and be out of keeping with built form and scale of the Chequer itself, and adversely affect views into and out of the wider Conservation Area. Furthermore, the overall design of the proposals is considered to be of a poor quality and would form a discordant element in the street scene of St John's Street and an alien backdrop to the street scene elsewhere around the site.

Subsequently, it is considered that the current scheme would be likely to have an adverse impact on the character and setting of the main grade II listed building itself (White Hart Hotel), the adjacent and surrounding listed buildings, and also adversely affect the character of the wider Conservation Area, and contrary to policies G1, CN7, CN12, CN14, & CN16 of the adopted Salisbury District Local Plan 1996.*

02 Given the significant bulk and scale of the proposals, and the close proximity to surrounding properties, it is also considered that the proposals would be likely to have an adverse impact on surrounding amenities, contrary to policy G1 (x) of the adopted Salisbury District Local Plan.

03 On the basis of the submitted plans, it is considered that inadequate provision has been made to mitigate the impact of the proposals on the existing parking situation or highway safety, and therefore the scheme would be contrary to policy G1(iii) & (iv) of the adopted Salisbury District Local Plan.

CONSULTATIONS

WCC Highways - No objections subject to a Traffic Management Plan being drawn up

WCC Library/ Museum - No objections subject to a suitable condition to monitor works during construction

Environmental Health - No objections subject to suitable conditions relating to noise/fumes attenuation.

Wessex Water Authority- No objections subject to conditions

Environment Agency - Response awaited

English Heritage - Whilst we still have concerns about the bulk and massing of the new build aspects, our concerns have largely been addressed, apart from the proposed glazed treatment of the inner courtyard, and we remain to be convinced that an extensive area of glazing could be successfully achieved and would urge the applicants to significantly reduce the scale to that of a pavilion.

REPRESENTATIONS

Advertisement Yes. Expiry 1/5/03

Site Notice displayed Yes. Expiry 1/5/03

Departure No

Neighbour notification Yes. Expiry 23/4/03

Neighbour response 10 letters objecting to the proposal, raising several issues:

Loss of privacy and daylight
Loss of view of spire
Design is poor and out of keeping
Proposal will increase disturbance and create traffic problems
Swimming pool will affect water table issues
Waste disposal issues will be made worse

Civic Society Object to the original scheme, due to lack of improvement from previous scheme, and lack of clarity of detail on the suggested scheme. However, the society would welcome a well considered, integrated extension and recognise the need for Salisbury to address the shortage of accommodation.

Ancient Monuments Society Whilst welcoming a proposal which largely conceals the existing intrusive modern extension , the society raised several issues relating to the lack of detail and clarity of the original plans, and questioned the architectural approach.

Architects Panel Object to the original scheme due to the low quality of the application, which shows a serious lack of coherent and accurate information.

MAIN ISSUES

Principle and planning history
Impact on listed buildings and conservation area
Impact on surrounding amenities
Impact on highway/traffic
Archaeology

POLICY CONTEXT

SDLP G1, CN20-25, CN7, CN12,CN14
RSDLP G1,G2,D1, CN5, CN8, CN20-23, T1, T4.

PLANNING CONSIDERATIONS

1.Principle and planning history

A previous scheme for expansion of the hotel was refused for several reasons as outlined above. Therefore, whilst the expansion of the existing hotel facilities is considered to be in accordance with the general tourism policies in the local plan (T1, & T4), the revised scheme needs to be assessed primarily against the previous refusal reasons, and on its impact on the surrounding environs.

The plans as originally submitted as part of this application were somewhat inaccurate, and lacking in specific details, and the impact of the scheme was therefore rather unclear. Most of the consultation responses from neighbours and other parties indicated in this report were based on these initial plans. However, revised plans were subsequently submitted, and the formal comments of some of the consultees are awaited.

2.Impact on listed buildings and conservation area/design

Whilst the White Hart is a grade II* listed building, it has been modified and extended extensively in the 20th century with the addition of the pastiche accommodation block fronting St John Street, and more importantly, the three storey accommodation block projecting from the rear of the building into the historic chequer. As a consequence, the overall Georgian character of the original building has been rather diluted over-time, and presents a 19th century façade to the west, and a more contemporary modernist style to the east. This results in an interesting challenge to an architect when designing an extension to the building.

The architect has chosen to address this problem by creating a scheme which is neither a pure contemporary design, or a pastiche of the main building.

Consequently, the resultant design is considered to be rather a mish-mash of styles and details which has resulted in a rather bland and utilitarian design.

Consultation responses to the overall design have been rather mixed, and Members will note that whilst subject to further agreement regarding the proposed glazed canopy within the internal courtyard, English Heritage appear to be generally happy with the overall design ethos, other representations have indicated their disapproval of the original plans and the overall concept. Any revised responses regarding the amended/clarified plans will of course be provided.

Design is a very subjective matter, and it is not unusual for a sensitive scheme such as this one to result in various view points. However, from a planning perspective, it is considered that provided sensitive and sympathetic materials are used on the scheme (details of which have already been discussed with the applicant), then overall, given the general acceptance of the scheme by English Heritage, a refusal on design grounds alone may be somewhat difficult to support.

3.Impact on surrounding amenities

A number of comments have been received from adjacent residents, relating to the impact of the works on existing amenities.

The scheme as proposed would significantly enlarge the existing property, and the main extension to the rear yard and car park area would be located very close to or immediately adjacent to the boundary with adjacent properties. Consequently, the outlook, aspect, and privacy currently enjoyed by adjacent dwellings/properties will be altered to a certain degree by this proposal

Properties along St John Street

Part of the proposed works would be located close to the rear boundaries with nos 3,5 & 7, where a new single storey swimming pool building and a two storey accommodation block is proposed projecting southwards from the existing rear extension. A new glazed walkway is also proposed along the northern rear garden boundary of no.3. (However, it is unclear as to whether no.7 is occupied as a residential dwelling).

The rear garden areas of nos 3 & 5 St John Street are already significantly overlooked by the south facing bedroom windows of the existing 3 storey accommodation block which also dominates these garden areas and the small houses. Therefore, the residents of these dwellings currently enjoy a very low level of amenity in terms of privacy or openness.

It is considered that the single storey scale of the swimming pool building would have little effect on adjacent amenities, subject to suitable conditions relating to noise attenuation and some form of tinted glazing with regards to the pool rooflight. With regards to the accommodation block proposed in this location, it is considered that given the restricted height of the extension (8.2m approx) in combination with its distance from the rear facades of nos 3 & 5 (approximately 23m), and the lack of any west facing windows in west elevation of the extension, it is considered on balance that the accommodation block would be unlikely to have such an adverse impact on the amenities currently enjoyed by adjacent properties in terms of loss of privacy or overshadowing as to warrant refusal.

Whilst the reduction in the open aspect of the properties to the east is regrettable, it is considered that the resulting buildings would not be unduly oppressive or dominating, particularly given the tight knit city centre location and the rather low level of amenities available to these properties as a result of the existing hotel rear extension.

Properties along Ivy Street

The scheme as proposed would abut the northern boundary of the site with the adjacent residential properties.

At the point adjacent to this northern boundary of the site, the proposal has been restricted to a two storey extension which measures approx 5.5m to the eaves, and approximately 7 metres to the ridge of its hipped roof. The extension then increases in height to 8.2 metres to ridge, and subsequently approximately 11m to ridge where it adjoins the existing extension.

Therefore, in terms of overshadowing and dominance from the extension, it is considered that because of this drop in overall height, the extension would have a limited impact on adjacent amenities.

Furthermore, as the most northerly part of the extension would be used solely as a fire escape and access stairs, it is considered that the extension would have no adverse impact in terms of overlooking/loss of privacy, other than some slight loss of privacy from oblique overlooking which may be possible from east facing bedroom windows in the extension.

C) Properties along Brown Street

In terms of overshadowing and dominance, it is considered that the reduction in the ridge height of the extensions since the previous refused scheme would result in the proposal not having such a significant impact as to warrant refusal, particular given the already tight knit character of the city centre location.

However, in terms of loss of privacy and overlooking, the proposed rear extensions would result in an additional overlooking of, and hence loss of privacy to, several properties who's rear elevations and garden areas face west towards the proposed extensions. Members should however note that a number of the dwellings along Brown Street are actually currently owned by the hotel.

It is considered that because of this adverse impact, this is the least acceptable part of the proposed scheme. However, it is difficult to see how this issue could be significantly ameliorated without a significant change to the scheme and/or a significant reduction in the scale of the proposal. As the east facing windows are all hotel bedroom windows, it is also difficult to reduce the size of the windows, or insert suitably obscured glazing.

Furthermore, the existing close relationship and low level of privacy which these dwellings currently benefit from is also a factor, in that the proposed new extensions and east facing windows would only serve to make a bad situation worse by reducing already low levels of privacy.

Given that a total rethink and redesign would be required to resolve this issue, Members will therefore have to weigh up the creation of additional hotel rooms and tourist accommodation with the impact of the proposal on adjacent amenities.

4.Impact on highway/traffic

The scheme would result in the loss of 26 existing parking spaces, and the creation of 14 additional bedrooms.

Concerns have also be expressed regarding the impact of the proposal on existing traffic congestion issues in the immediate area.

A detailed transport assessment has been undertaken by consultants RPS on behalf of the applicants. The assessment concludes that:

The site is located in a sustainable location and accessible to various services and facilities

A small increase in two-way traffic to and from the redeveloped site is envisaged

The scheme fully accords with current government guidance

A car park survey indicated that the existing hotel car park does not reach capacity, despite the fact that the car park is apparently used by visitors to the hotel and by residents of the nearby Red Lion Hotel. The overnight demand for parking was 47 spaces, which included staff parking and Red Lion hotel parking.

The site is located close to other public car parks which could take any surplus car parking

The traffic assessment also states that it is possible that due to the increase in bedrooms and a reduction in car parking provision, the new car park could reach capacity. However, the report indicates that this shortfall could be dealt with in a number of ways:

The parking arrangement with the Red Lion Hotel could cease
The car park barriers will be repaired (replaced)
Staff Parking could be reduced
Parking could be restricted to overnight visitors only
Public car parking could be utilised

Current government guidance is clear that available brownfield land should be used more efficiently, and that car parking facilities should be limited in central locations, in order to encourage the use of other modes of transport. Furthermore, government guidance is also clear that car dominated schemes are no longer acceptable in design terms. Additional parking would also be difficult to achieve on the site without significantly altering the proposed scheme.

In highway terms, WCC Highways have raised no objections to the proposal, other than to indicate that some form of Traffic Management Plan is required to ensure that the remaining car park facilities are utilised effectively.

It is considered that such a Management Plan could incorporate the ideas contained within the applicants Traffic Assessment, and that such a Plan can be secured via a suitable condition.

Consequently, given that this proposal relates to a city centre site to which car based travel should not be encouraged, and that a car dominated scheme is not considered acceptable in design and built form terms, it is considered that any traffic/parking issues raised by the proposal could be dealt with via a suitable condition relating to a traffic management plan.

5. Archaeology

The site lies within one of the historic chequers at the heart of the city, where there appears to be historical evidence for buildings/uses dating back to at least the 16th century era. The applicants Design Statement provides an undated map of the chequer showing a collection of buildings within the centre part of the chequer.

An archaeological evaluation has been undertaken and WCC Archaeology has commented that no archaeological features were found in the courtyard area. A possible medieval building was identified in the car park area on the site of the proposed swimming pool, and this feature needs further investigation during construction.

Therefore, a suitable condition has been suggested by WCC Archaeology to allow a suitable archaeological investigation during the construction of the pool building.

CONCLUSION

In design terms, given that English Heritage appear to have few concerns about the scheme in terms of its impact on the listed building and the conservation area apart from continuing discussions regarding the treatment of the courtyard area, it is considered that subject to appropriate and sympathetic materials, the completed building would not have such an adverse impact on the character of the main listed building as to warrant refusal.

Furthermore, whilst the scheme would further reduce the existing amenities enjoyed by properties along the east of the site bordering Brown Street due to additional overlooking, and would have some minor additional effect on the properties bordering St John Street by building close to the boundary, it is considered on balance that given the existing close inter-relationship between existing properties and the hotel buildings and the relatively low level of privacy already enjoyed by adjacent properties, the proposed scheme would not have such an adverse impact on existing amenities as to warrant refusal.

In traffic generation/parking terms, given the comments of the County Council and the conclusions of the applicants Traffic Assessment, it is considered that the proposal would be acceptable, subject to some form of Traffic Management Plan for the car parking facilities of the hotel being put into operation.

On balance, subject to suitable conditions and materials, it is considered that in this particular instance, despite the harm likely to be caused to existing residential amenities adjacent to the east

of the site by overlooking from part of the proposed extensions, this is outweighed by the creation of additional tourist accommodation and the generally acceptable nature of the proposal.

RECOMMENDATION: SUBJECT TO NO SUBSTANTIVE COMMENTS BEING RECEIVED REGARDING THE AMENDED PLANS WHICH AFFECT THE RECOMMENDATION, THEN: APPROVE subject to the following conditions:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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

Reason: To secure a harmonious form of development.

(3) Other than those hereby approved, there shall be no windows inserted in the building/extension hereby permitted.

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

(4) Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the insulation against noise emissions of any extractor fans, compressor motors and all similar equipment. Such scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use.

Reason: In the interest of amenity

(5) No development shall take place until a scheme/schemes for the control of fumes from extractor fans and equipment (and for the sound insulation of that equipment) have been submitted to and approved by the Local Planning Authority; and the development shall not be brought into use until that scheme/those schemes have been implemented in accordance with the approved details.

Reason: In the interest of amenity

(6) Before any development commences, a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the agreed scheme.

Reason: In the interests of highway safety.

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

Reason: In order to secure a suitable form of archaeological evaluation during construction

(8) The development shall protect the integrity of Wessex Water systems.

Reason: In order to protect existing infrastructure

(9) This development shall be in accordance with the amended drawing[s] deposited with the Local Planning Authority on 10TH June 2003, unless otherwise agreed in writing by the Local Planning Authority. (B01A)

Reason: For the avoidance of doubt.

(10) No work shall start on site until large scale details of the new pavilion have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

INFORMATIVE

(1) This permission has been taken in accordance with the following policy/policies G1, CN20-25, CN7, CN12 & CN14 of the adopted Salisbury District Local Plan and G1, G2, D1, CN5, CN8, CN20-23, T1 and T4 of the Replacement Salisbury District Local Plan.

(2) With regards to the submission of a Traffic Management Plan, such a plan should incorporate the conclusions of the applicants Transport Assessment, and include measures to reduce the level of car parking demand on the hotel site, particular by staff of the hotel and by persons not associated with the hotel.

(3) The developer should note that there may be an old sewer pipe running across the site, and therefore please discuss this issue with Wessex Water. Points of connection to Wessex Water systems should be agreed prior to commencement of works on site.

S/2003/704	31/03/03	26/05/03	MACDONALD HOTELS PLC
STMT	SAL	II*	STREET DESIGN PARTNERSHIP
Easting: 414570.6	Northing: 129722		

PROPOSAL:	LISTED BLDG (WKS) -EXTENSION TO EXISTING HOTEL TO INCLUDE HEALTH AND FITNESS CENTRE A FURTHER 14 BEDROOMS TO THE UPPER FLOORS AND NEW ROOF TO COURT YARD AND ASSOCIATED ALTERATIONS
LOCATION:	WHITE HART HOTEL ST JOHN STREET SALISBURY SP1 2SD

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The existing grade II* listed building is located within the Conservation Area, and is operated as a hotel. The original 19th century building has been extended several times, particularly with twentieth century flat roofed accommodation block projecting eastwards into the rear car park area, and another accommodation block located to the south of the main building fronting onto St John Street.

Vehicular access to the property and its car park is gained via Brown Street to the east.

Currently, the hotel has 68 bedrooms, a restaurant, a lounge, a bar, and two function rooms. The existing car park contains 80 parking spaces.

THE PROPOSAL

The proposal would involve the significant extension of existing hotel facilities, including a new single storey swimming pool building, a multi-storey extensions to provide additional hotel accommodation. A new pitched roof over the existing flat roof of the rear extension is also proposed, and new accommodation/facilities would also be created below part of the modern extensions to the main building both fronting onto St John Street and under the existing elevated rear extension.

The existing vehicular access off Brown Street would be retained, but the existing parking facilities would be reduced by the footprint of the new extensions.

The new proposals would add a further 14 bedrooms, making a total of 82 bedrooms, a new swimming pool, sauna, beauty salon comprising five treatment rooms and a relaxation lounge, a gymnasium and male and female changing rooms. The new lift facilities will service all floors to comply with the Disabled Discrimination Act. The car parking facilities would be reduced to 54 spaces, including 4 disabled spaces.

PLANNING HISTORY

A previous scheme to extend the hotel was recently refused as follows:

01 The White Hart Hotel is a substantial Grade II* listed building located at the heart of the Conservation Area of the historic city of Salisbury, and effectively forms a significant part of one of the historic Chequers of the medieval settlement.

The submitted plans contain inaccuracies, and are insufficiently detailed and lack a full assessment of the overall impact of the proposal, or how it relates to the grade II* listed building itself and the surrounding Conservation Area.

However, notwithstanding the deficiencies of the submitted details, it is considered that the scheme as currently proposed would be wholly unacceptable. In particular, the proposed alterations and extensions to the rear of the property would be significantly more obtrusive than the existing rear extension, and be out of keeping with built form and scale of the Chequer itself, and adversely affect views into and out of the wider Conservation Area. Furthermore, the overall design of the proposals is considered to be of a poor quality and would form a discordant element in the street scene of St John's Street and an alien backdrop to the street scene elsewhere around the site.

Subsequently, it is considered that the current scheme would be likely to have an adverse impact on the character and setting of the main grade II* listed building itself (White Hart Hotel), the adjacent and surrounding listed buildings, and also adversely affect the character of the wider Conservation Area, and contrary to policies G1, CN7, CN12, CN14, & CN16 of the adopted Salisbury District Local Plan 1996.

CONSULTATIONS

WCC Highways - No objections subject to a Traffic Management Plan being drawn up
WCC Library/ Museum - No objections subject to a suitable condition to monitor works during construction
Environmental Health - No objections subject to suitable conditions relating to noise/fumes attenuation.
Wessex Water Authority- No objections subject to conditions
Environment Agency - Response awaited
English Heritage - Whilst we still have concerns about the bulk and massing of the new build aspects, our concerns have largely been addressed, apart from the proposed glazed treatment of the inner courtyard, and we remain to be convinced that an extensive area of glazing could be successfully achieved and would urge the applicants to significantly reduce the scale to that of a pavilion.

REPRESENTATIONS

Advertisement Yes. Expiry 1/5/03
Site Notice displayed Yes. Expiry 1/5/03
Departure No
Neighbour notification Yes. Expiry 23/4/03
Neighbour response 10 letters objecting to the proposal, raising several issues:

Loss of privacy and daylight
Loss of view of spire
Design is poor and out of keeping
Proposal will increase disturbance and create traffic problems
Swimming pool will affect water table issues
Waste disposal issues will be made worse

Civic Society Object to the original scheme, due to lack of improvement from previous scheme, and lack of clarity of detail on the suggested scheme. However, the society would welcome a well considered, integrated extension and recognise the need for Salisbury to address the shortage of accommodation.

Ancient Monuments Society Whilst welcoming a proposal which largely conceals the existing intrusive modern extension, the society raised several issues relating to the lack of detail and clarity of the original plans, and questioned the architectural approach.

Architects Panel Object to the original scheme due to the low quality of the application, which shows a serious lack of coherent and accurate information.

MAIN ISSUES

Principle and planning history
Impact on listed buildings and conservation area

POLICY CONTEXT

SDLP G1, CN7, CN12,CN14

RSDLP D1, CN5, CN8,

PLANNING CONSIDERATIONS

1.Principle and planning history

A previous scheme for expansion of the hotel was refused for several reasons as outlined above. Therefore, whilst the expansion of the existing hotel facilities is considered to be in accordance with the general tourism policies in the local plan (T1, & T4), the revised scheme needs to be assessed primarily against the previous refusal reasons, and on its impact on the surrounding environs.

The plans as originally submitted as part of this application were somewhat inaccurate, and lacking in specific details, and the impact of the scheme was therefore rather unclear. Most of the consultation responses from neighbours and other parties indicated in this report were based on these initial plans. However, revised plans were subsequently submitted, and the formal comments of some of the consultees are awaited.

2.Impact on listed buildings and conservation area/design

Whilst the White Hart is a grade II* listed building, it has been modified and extended extensively in the 20th century with the addition of the pastiche accommodation block fronting St John Street, and more importantly, the three storey accommodation block projecting from the rear of the building into the historic chequer. As a consequence, the overall Georgian character of the original building has been rather diluted over-time, and presents a 19th century façade to the west, and a more contemporary modernist style to the east. This results in an interesting challenge to an architect when designing an extension to the building.

The architect has chosen to address this problem by creating a scheme which is neither a pure contemporary design, or a pastiche of the main building.

Consequently, the resultant design is considered to be rather a mish-mash of styles and details which has resulted in a rather bland and utilitarian design.

Consultation responses to the overall design have been rather mixed, and Members will note that whilst subject to further agreement regarding the proposed glazed canopy within the internal courtyard, English Heritage appear to be generally happy with the overall design ethos, other representations have indicated their disapproval of the original plans and the overall concept. Any revised responses regarding the amended/clarified plans will of course be provided.

Design is a very subjective matter, and it is not unusual for a sensitive scheme such as this one to result in various view points. However, from a planning perspective, it is considered that provided sensitive and sympathetic materials are used on the scheme (details of which have already been discussed with the applicant), then overall, given the general acceptance of the scheme by English Heritage, a refusal on design grounds alone may be somewhat difficult to support.

CONCLUSION

As a Grade II* Listed Building this application will need to be referred to the Secretary of State. (GOSW). In design terms, given that English Heritage appear to have few concerns about the scheme in terms of its impact on the listed building and the conservation area apart from continuing discussions regarding the treatment of the courtyard area, it is considered that subject to appropriate and sympathetic materials, the completed building would not have such an adverse impact on the character of the main listed building as to warrant refusal.

**RECOMMENDATION: SUBJECT TO (1) REFERRAL TO AND NO OBJECTION BY GOSW
(2) NO SUBSTANTIVE COMMENTS BEING RECEIVED REGARDING THE AMENDED**

PLANS WHICH AFFECT THE RECOMMENDATION, THEN: APPROVE subject to the following conditions:

(1) The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission. (Z01A)

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Reason: To secure a harmonious form of development.

(3) No work shall start on site until details of the new windows, doors, and other openings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D07A)

Reason: To secure a harmonious form of development.

(4) This development shall be in accordance with the amended drawing[s] deposited with the Local Planning Authority on 10TH June 2003, unless otherwise agreed in writing by the Local Planning Authority. (B01A)

Reason: For the avoidance of doubt.

INFORMATIVE

(1) This permission has been taken in accordance with the following policy/policies G1, CN7, CN12, CN14 of the Adopted Salisbury District Local Plan and D1, CN5, CN8 of the Replacement Salisbury District Local Plan.

NOTES:

S/2002/802	08/05/02 08:50:52	03/07/02 08:50:52	T C S LEASEHOLD INVESTMENTS
STED			CHETWOOD ASSOCIATES
Easting: 414190.596566558	Northing: 130124.578538299		

PROPOSAL:	FULL APPLICATION -REDEVELOPMENT OF EXISTING FOODSTORE AND DECK CAR PARK
LOCATION:	THE MALTINGS SALISBURY

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The Maltings area covers approximately 7.54 hectares and is the subject of a published Planning Brief adopted by the Planning Committee as Supplementary Planning Guidance to the Salisbury District Local Plan on the 24th January 2001. The boundaries of the Planning Brief site comprise on the east side the Central Channel (River Avon) and on the west side Summerlock Stream and the embankment of the London to Salisbury railway line. On the south side the boundary includes 38 to 58 Fisherton Street and to the north the Planning Brief defines an area encompassing Dunns House and is bounded by the Ring Road. The main focus of this redevelopment area is the existing first floor Sainsburys Supermarket and the associated parking and service lands that serve the supermarket and the City Centre. The redevelopment proposal covers approximately 20% of the Maltings Brief site but associated off site works to serve the development will have an impact on the area covered by the Planning Brief and provide enhancements that will impact on the majority of the City Centre.

THE PROPOSAL

The application site is 1.4 hectares in area. It comprises the existing Sainsburys Supermarket, together with linked ground floor car parking areas forming its undercroft, shopmobility site, the adjacent decked car parking structure and the associated Priory Square retail units on the south side of the supermarket. The redevelopment proposal seeks to create a new ground floor supermarket on the site of the old, with car parking on a roof deck, together with an adjacent decked car park. It is proposed to create a new supermarket that will have a gross internal floor space of 7,200sqm and this will include a main sales floor of 4,500sqm. The remainder of the proposed floor space is proposed for servicing areas, bulk storage, entrance lobbies and concession areas including an in store restaurant. This proposal represents an increase from the net retail area of the current store which is 2,000sqm, an increase of 2,500sqm. The proposed redevelopment will provide approx 600 car parking spaces with options to improve the adjacent Central Area car park.

Negotiations with the applicants have resulted in the offer of Public Realm works being included with the development. These include offsite highway improvements, improvements to landscaping in the locality and upgrading of the central car park layout, layout changes to Priory Square, improved links to Fisherton Street and the City Centre and improved and upgraded shopmobility facilities. A more extensive and comprehensive description of these works is set out in the following sections of this report.

PLANNING HISTORY

The Maltings site is regarded as the primary retail development site for Salisbury in the Adopted Local Plan and remains a City Centre retail site in the Replacement Local Plan. The Planning Brief published in January 2001 recognises that the Maltings is crucial to the vitality and viability of Salisbury City Centre and its continued success as a retail, entertainment, employment, tourist and residential centre, is to a large extent dependant on the levels of attractiveness of the Maltings area to shoppers and visitors to the city centre.

The existing supermarket on the site was built in 1986 and has under performed in recent years. One reason for this under performance is considered to be the difficulties of access to the first floor location of the current supermarket site.

There are also two other major planning applications for supermarket development in the City, which are currently under consideration.

A planning application by ASDA (ref S/02/2177) for a 4812m² (gross) foodstore with coffee shop, 939m² office accomodation and 890m² retail parade.

An application by Tesco (ref S/01/1365) for an extension of 2040m² (gross) to the existing store in Bourne Way, off Southampton Road.

CONSULTATIONS

WCC Highways - The store accords with national and local policies regarding a town centre location which therefore provides good accessibility by public transport, cycling and walking. The Transport Assessment has assumed that car borne customers will remain at 40% in peak hours and when this is applied to the Churchill Way Approach junction the assessment indicates the initial year impact on traffic flows to be low with only slight increases in queue lengths predicted. Observations dated 22nd May follow the submission of supplementary Transport Assessment information and confirm that the operation and management of the Central Car Park and its potential impact on the Churchill Way Approach signalised junction could lead to traffic back up at peak times. It is therefore requested that appropriate improvements to the operation and management of the Central Car Park are implemented prior to the construction of the proposed store.

HIGHWAYS AGENCY - Impact on A36 Trunk Road will require off site improvements to the approach network at appropriate junctions and a further review of these works is being undertaken. Planning permission should not be granted until these concerns have been addressed. Further observations (04.06.03) A planning condition is required to ensure that the new store is not brought into use until a Parking Management Plan for the Central car park is agreed and implemented.

Salisbury Shopmobility - The 21 dedicated car parking spaces and the service's scooters and power chairs will need to be moved to an improved location. The replacement of these facilities and phased provision of a suitable building and parking site close to city centre shops is continuing to be negotiated.

WCC Planning - From a strategic retail point of view the proposal is generally supported. Normally a comprehensive reply would be required to include reference to the other current major retail proposals at Tesco, the Bourne Way extension and the proposed Asda store at Bishopdown. However the Maltings site is situated within the City Centre and as such meets the requirements of PPG6 and Adopted Structure Plan Policy.

WCC Library/ Museum - No comments as site has no significant archaeological features.

Wiltshire Fire Brigade - Access for fire appliances via Priory Square to premises that run parallel to the River Avon will need to be maintained.

Wiltshire constabulary The Architectural Liaison Service has recommended that ATM machines are accessed by members of the public from within the store. It is also recommended that a crime prevention assessment of the buildings and access routes be completed and remedial measures implemented prior to the opening of the retail store.

Network Rail - Informative required to protect Network Rail infrastructure

Environmental Health - The type and location of plant and machinery such as rooftop compressors, air conditioning units or refrigeration units should be assessed to avoid noise and disturbance to local residents. The hours of operation in terms of redevelopment demolition and construction works and shop opening hours will need to be considered and approved prior to the commencement of site works.

Wessex Water Authority- Request an informative be applied to require the developer to protect water infrastructure

Environment Agency - No objection

English Nature - Habitat protection measures required

English Heritage - Recommend reduction in high level signage

Commission for Architecture and the Built Environment -The visual strength of the tall screen or high level canopy element along the east (riverside) elevation should be applied to the north (central car park) elevation. This would highlight the retail element at the expense of the adjacent decked car park and distinguish these sections of the proposed building from each other which would improve the schemes legibility.

Salisbury District Community Transport - Mini Bus access to the proposed shopmobility area will need a design height clearance of 3.500m.

Salisbury City Centre Management Partnership - The new arrangements for Shopmobility should not reduce the quality safety and convenience provided by the existing facility. Linkages from the Maltings to other areas of the City Centre should be safe and attractive. Improved lighting and extra CCTV coverage is recommended. All new design should compliment and not detract from the City's heritage. Additional car parking to replace car parking lost while the development is under construction and a phasing programme of the development works and car parking provision is required for assessment and approval prior to the commencement of this scheme. A trolley corral scheme should be applied to the site.

Salisbury Joint Transportation Team - Current car parking in the Central car park including all decked and surfaced parking totals 1,583 spaces, (43% of all city centre parking stock). There are 632 car spaces in the existing decked parking areas. Redevelopment proposals indicate a build time of 44 weeks and at its peak up to 860 spaces will be lost during progress of the works. Although the Sainsbury's related parking demand will be negated with the closure of the supermarket during redevelopment there will be a potential net loss of shoppers car parking in the region of 380 spaces. In April 2004, 420 long stay car parking spaces should be available at the forthcoming Wilton Park and Ride site and phasing agreements on the parking provisions to meet the construction phases of the Maltings development are therefore essential in order to meet city centre parking needs.

Further observations dated 11th April confirm provisions for cycling are required including covered cycle parking close to the store entrance and improvements to National Cycle route 24 to link Avon Approach to the store entrance and on through the City Centre to Cathedral Close.

Wiltshire Wildlife Trust - Landscaping proposals should exclude Alder and substitute a species of willow. The River Avon channel is rather uniform on the east side of the site and enhancement and habitat creation schemes should be agreed with English Nature and the Environment Agency. The redevelopment of the car park offers a huge opportunity to benefit the water quality in the River Avon. The sustainable drainage proposals need exploring in more detail and could make a substantial contribution to the Wiltshire Biodiversity Action Plan 2002. The eradication of Japanese Knotweed adjacent to the river is recommended.

Salisbury Civic Society - The building would be improved with fewer and modified "spikes". The landscaping of Priory Square could be very successful.

REPRESENTATIONS

Advertisement	Yes	Expired	06 06 02
Site Notice displayed	Yes	Expired	06 06 02
Departure	No		
Neighbour notification	Yes	Expired	06 06 02
Neighbour response	Yes	A Maltings resident remains concerned at the relocation of the shopmobility parking spaces and access and exit arrangements to the new Shopmobility facility.	

MAIN ISSUES

1. PLANNING POLICY CONTEXT OF THE DEVELOPMENT PLAN
2. IMPACT OF THE DEVELOPMENT ON SSSI RIVER AVON WATERWAYS AND HABITATS.
3. TRAFFIC AND HIGHWAY IMPLICATIONS
4. DESIGN OF THE DEVELOPMENT IN RELATION TO TOWNSCAPE AND CONSERVATION.
5. PUBLIC REALM ENHANCEMENTS ASSOCIATED WITH THE DEVELOPMENT.
6. RETAIL IMPACT ON THE VITALITY OF THE CITY CENTRE.
7. PHASING OF THE DEVELOPMENT AND PUBLIC REALM WORKS
8. ELEMENTS FOR INCLUSION WITHIN A SECTION 106 AGREEMENT
9. CONDITIONAL CONTROLS TO ENSURE FUTHER DETAILED REVIEWS OF KEY ISSUES

PRINCIPLE POLICY CONTEXT

Structure Plan Policy

Policy DP 6 – Hierarchy of shopping centres - no conflict

Adopted Salisbury District Local 1996. The shopping policies and proposals aim to protect the Central Shopping Area as a prime retail area. Edge of centre sites and locations identified in the plan such as Southampton Road are limited to bulky goods sales. The principal shopping policies are set out in section 8 of the adopted plan and S1, S2, and S5 are of particular importance. The 2001 Planning Brief confirms however that for the purposes of the Maltings redevelopment the policies of the Replacement Local Plan carry considerable weight in setting planning guidance for the development.

Replacement Salisbury District Local Plan

S3 Within the defined central shopping areas of Salisbury and Amesbury new retail development (Class A1, A2, and A3) will be permitted subject to the following criteria:

the site is within or well integrated with the existing shopping areas;
(ii) there is no adverse impact on the local environment; and
the site is accessible by a choice of means of transport.

S6 *The Maltings, Salisbury is allocated for retail use including the redevelopment and enlargement of the existing foodstore*

C10 Development affecting a Site of Special Scientific Interest will not be permitted unless it is consistent with the objectives of the statutory designation and can be subject to conditions which would prevent damaging impacts on wildlife habitats or important physical features, or if the importance of the development is sufficient to override nature conservation interests and the national policy to safeguard the national network of such sites, in accordance with statutory obligations. Development proposals in, around or likely to affect an SSSI will be subject to special scrutiny including consultation with English Nature as required by national legislation....

C17 The conservation and enhancement of the rivers and other watercourses, river corridors and associated wetlands will be promoted within the District.

C18 Planning permission will not be given for development which would adversely affect the water quality, amenity, visual quality or public enjoyment of a river or floodplain or its value as a wildlife habitat.

Approval will not be granted for the culverting of watercourses unless there is a demonstrable need for granting an exception

Bank protection works, which will only be permitted where property or statutory rights of way are threatened, should involve the use of appropriate materials and should protect nature conservation interests.

PLANNING CONSIDERATIONS

1. PLANNING POLICY CONTEXT OF THE DEVELOPMENT PLAN

The Town & Country Planning Act 1990 requires the planning authority to consider the development proposal in the context of the adopted planning policies for the locality. Section 54A requires Planning Authorities to make planning determinations in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan is made up of the planning policy documents contained in the County Structure Plan and the District Local Plan. These documents must be read in association with the latest Government advice contained in Ministerial Statements, Government circulars, Planning Policy Guidance Notes, the Replacement Salisbury Local Plan, although not yet adopted, and all other material considerations.

One of the most significant material considerations in this case is the published Planning Brief for the redevelopment of the Maltings and Central Car Park site that was adopted by the Planning Committee as Supplementary Planning Guidance to the Salisbury District Plan on the 24th January 2001. Section 7 of the Design Brief sets out the Objectives and Urban Design Principles for the development and these issues are referred to throughout this report.

The retail policies in the Adopted Local Plan (March 1996) are now somewhat dated given that they predate the latest version of PPG6. Accordingly, it is considered that significant weight should be given to the policies of the emerging Replacement Local Plan (RSDLP) given that that document is nearing adoption and has been through its Public Inquiry.

The Local Plan Inspector's Report that followed the Public Inquiry recommended that a specific policy should be included in the Local Plan allocating the Maltings site for redevelopment including an enlarged foodstore. Given the sequentially preferred city centre site and the guidance in PPG 6, this recommendation was accepted by the District Council and our retail consultants.

Given that there is a site specific policy (S6) allocating The Maltings for redevelopment and the proposed development will comply with policy S3, there is no principle policy objection to this application.

There are, however, a number of issues that should be taken into account. Firstly, in accordance with emerging policy C10, the site is adjacent to the River Avon which is both a Site of Special Scientific Interest (SSSI) and a Candidate Special Area of Conservation (cSAC). It must

therefore be certain that no damage to that interest will result from the proposals and English Nature have been consulted in that respect. Further, and in accordance with emerging policy C17, there is an opportunity for substantial enhancement of the river corridor and banks as a result of this proposal. The Wiltshire Wildlife Trust has commented on this aspect and their observations are set out in this report.

The final issues for policy consideration relate to car parking and vehicular access. Planning policies and Government guidance will require ensuring that this development is sufficient in terms of long and short stay parking provision and that the incorporation of improved access junctions and signage will meet the needs of the proposed changes to the Maltings site. These issues have been the subject of separate consultation with the Joint Transportation Team and a phased requirement for car parking provision has been recommended. These phasing requirements also need to be considered together with the Car Parking Management Plan that the Highways Agency has recently requested. The combination of these measures is designed to improve speed of access to available car parking spaces and reduce driver delays at the approach to the car park during all stages of the developments' construction and future operation. Further references to these aspects of the development are set out in subsequent sections of this report.

2. THE IMPACT OF THE DEVELOPMENT ON SSSI RIVER AVON WATERWAYS AND HABITATS

The proposed Maltings development has recently been considered by the Planning and Regulatory Panel on the 24th April 2003. The development proposal was one of 8 major developments to be identified as having the potential to effect the river system currently designated as a candidate Special Area of Conservation which is of European importance for its rare habitat type and protected species. Section 8.9 of the report to the Planning and Regulatory Panel identified the opportunity for a positive impact on the designated candidate SAC through improved water management. An important aspect of this development is therefore the assessment of drainage works and demolition details to ensure that the riverside environment is not harmed.

Drainage assessments by consulting engineers, acting for the developers, include commitments to prepare detailed surveys of the existing drainage systems prior to demolition. Works to improve drainage systems and to avoid any risks of contamination to river waters from run off from the development site and the neighbouring car parking areas are also under consideration. This is part of the Appropriate Assessment under the Habitat Directive which subject to there being no issues of concern to the competent authority or its advisory bodies can lead to the release of a planning permission for the site. These matters are continuing to be assessed by English Nature and it is considered essential that planning conditions are imposed to safeguard against the risks of pollution from surface water run off or other forms of site drainage in order to ensure Directive compliance.

The Public Realm works contained within the development proposals are described in a separate section of this report but include planting and protection of the river banks adjoining the redevelopment area. These works have been considered by the Wiltshire Wildlife Trust. Proposals for planting Alders on riverbanks have been revised to *Salix Caprea* (Goat Willow). River edge and margins will be protected by Coir Roll and seeded to create new wildlife habitat on the river edge increasing reed planting where this will enhance the amenity of the area. These changes and provisions are supported by the Trust.

The development proposal has been assessed under the Town and Country Planning Environmental Impact Assessment Regulations 1999 by a Screening Opinion dated 10th June 2002 and due to existing land uses the proposal is not considered to represent a significant change in the nature of the existing development. Planning conditions will however need to be imposed on any permission for the development to ensure that drainage and habitat improvements are safeguarded.

3. TRAFFIC AND HIGHWAY IMPLICATIONS

The proposed development has been assessed by The Salisbury Joint Transportation Team, Highways Agency and Wiltshire County Highway Authority and the detailed observations of these statutory and non statutory consultees confirms the need for off site highway improvements to serve the improved car park and redeveloped supermarket site.

Wiltshire County Highway Authority have reported a continuing concern regarding the operation of and management of the Central Car Park and the potential impact that this will have on the Churchill Way Approach signalised junction. The highway authority have requested that "appropriate improvements to the operation and management of the Central car park are implemented prior to the construction of the proposed store".

The Highways Agency consider that the grade separation interchange between the A36 and the access road to the Maltings needs to be remodelled to account for actual stop line widths, lane lengths and short links. Further details of measures to improve public transport and facilities for pedestrians and cyclists are required. A construction programme and method statement is required to be submitted and agreed by the Highways Agency before planning permission can be granted and demolition and construction work commences. The Agency also requires that a Parking Management Plan for the Central Car Park be agreed prior to the opening of the Superstore.

The Joint Transportation Team have referred to the need to phase this development to link it to the Park and Ride site at Wilton. The current programme being pursued by the District and County Councils should enable this service to commence in April 2004, providing 420 long stay parking spaces. Details of the need for cycle parking and cycleway improvements including the potential improvements to the Avon Valley Cycleway are set out in the consultations section of this report.

The combination of the highway requirements will involve the need for the submission of further information by the developers in order to detail the off site improvements that must first be agreed prior to approval and provided during the course of this development project. It should also be noted that the Development brief requires developers to maximise parking facilities during the construction process (para 7.35) and it is likely that temporary car parking arrangements to serve the City Centre in respect of the short stay shortfall will be required. Further reference to this point is made in section 8 of this report.

4. THE DESIGN OF THE DEVELOPMENT PROPOSALS IN RELATION TO TOWNSCAPE AND CONSERVATION

The 2001 Planning Brief stresses the importance of quality in the design of new buildings, but it is not prescriptive in terms of the specific style of development. The Brief indicated that either a traditional or a bold innovative contemporary design would be appropriate and it encouraged the use of robust materials and a timeless design. The design issues in this case have been considered by CABE. The Commission for Architecture and the Built Environment have given general support to the project. It was recommended that the visual strength of the tall screen or high level canopy element along the length of the east elevation be extended to the store section of the north elevation to improve the form and function of the building when viewed from the Central car park. It was also recommended that the development be exemplary as a "green" project.

The Developers and Architects for the replacement supermarket have taken on board the design recommendations of CABE and have amended the proposal on the north elevation. They describe the design of the main building as sculptural. No part of the building will be above the 12.2m height restriction set out in the Planning Brief and the principal elevations to the building have a flagship theme. The Architects for the development confirm that the support masts for the canopies to the building are extended beyond the roof canopy of the car roof deck to reflect the tall spires and towers of the City. Views of the cathedral are protected and improved as a result of the development proposals.

The new stores orientation in terms of its public face would be eastwards towards the River Avon and the remainder of the Maltings shopping area. The axis of the checkout lines are north south and the customer entrances to the store are at the north and south ends of the main

eastern frontage. The north entrance is designed to serve customers approaching from the main Central car park and pedestrian/cycle routes from the north. The southerly entrance would be the more prominent of the two, this being the area of the store frontage where the main customer facilities are focused, including ATM's, toilets, newsagents and shoppers restaurant. This zone naturally coincides with the north south pedestrian movement along the river corridor and its meeting point with the cross-flow over the River between the Maltings and the Playhouse Theatre, City Hall and routes to Fisherton Street.

The glazed frontage to the store is proposed to wrap around onto the southern side of the building where the shopper's restaurant is located. The urban design detail includes the provision of a water feature, planting and seating in the Priory Square and public realm works are proposed to improve links with Fisherton Street complementing the enhancements in the locality.

The main horizontal design features of the scheme are provided by timber ventilation panels sited above the main store building to screen the car parking deck and horizontal tie bars or spars that connect the masts and provide lateral support and definition to the upper sections of the building. The timber panels are viewed between the canopy support masts and provide depth and shadowing detail to the store and car park elevations.

The overall design concept, the location and layout of the development are considered to have met the requirements of the Planning Brief and the recommendations of CABE. On this basis the main elements of the design of the development can be recommended for approval.

5. PUBLIC REALM ENHANCEMENTS ASSOCIATED WITH THE DEVELOPMENT

The Landscape Design Statement submitted with the application refers to public realm works and describes the principles of the landscape design aims in the following terms.

"The creation of an inspiring and useable public space that is robust and easily maintained. To retain important existing trees and replace any removed. To improve the nature conservation potential of the area."

Works to Priory Square are intended to create a vibrant public space. A fountain of cascading jets set flush with the paving, whose height rise and fall will be at random will attract and retain interest. To avoid any risk of ice forming in winter months this water feature will be seasonally operated. The feature will include below pavement lighting to enhance its impact at night during store opening hours.

The paving pattern in the Square will unify areas of pedestrian movement linking pavements on the eastern side of the supermarket with improvements to Malthouse Lane and the area in front of The Playhouse and The City Hall. Links to Fisherton Street will be improved reinforcing the importance of the Priory Square as an entrance to the City Centre and its retail areas.

Riverside walkways and river banks will be landscaped and managed as part of the public realm works and improvements to the Central Area car park will upgrade and enhance an area of first impression for visitors to the City. This is an important issue as the Applicants Planning Context statement prepared for this application dated 11th November 2002 page 16 estimates that the new store will draw 23,500 customers per week an increase of 8,700 on present visitors. It is considered that a significant proportion of this increased number of visitor will be new to the Sainsburys site and that a significant increase in visitors to this part of the City Centre will therefore result.

There is a need to improve the proposed areas of public realm works to provide additional public toilets more secure ATM facilities and increase opportunities for Public Art display. Appropriate planning conditions or section 106 obligations are therefore proposed on these issues if ongoing negotiations should fail to achieve these changes.

The Planning Brief for the Maltings site confirms that the development proposals will meet most of the Development Principles set out in section 7 of the published policy document. There are however elements of the following Development Principles that could be met to a greater degree than currently proposed.

Landscape proposals are required to be of the highest quality

A scheme of provision and maintenance of street furniture is required

Provision and maintenance of public art should be demonstrated by the development proposals

Management and maintenance of watercourses is required

Contributions to and provision of street cleansing should be included with the proposal

The provision of temporary City Centre car parking to meet any shortfall in short stay car parking during the construction stage of the development.

These matters can be subject to additional conditions or could form part of continuing Section 106 Agreement negotiations. In most instances some or a significant part of these remaining Design Brief requirements are being or can be met.

Although the Planning Brief covered a much larger area than the proposed redevelopment scheme and sought a wider and more comprehensive development, there is no loss of Planning Gain from the proposal. The relevant objectives of the Planning Brief are in the process of being met by the development and it is therefore appropriate to consider and assess this part of the Maltings site at the present time. There is however a continuing opportunity to review the progress on the Superstore site with current proposals for the redevelopment of the Eastern Sidings site which has recently been submitted as a reserved matter application for 145 dwellings. This review will assess the need for further linkages between the two sites.

6. THE RETAIL IMPACT ON THE VITALITY OF THE CITY CENTRE

The city centre has been the subject of regular retail viability assessments and is confirmed as a vibrant retail centre. Nevertheless as with all city centres retail vitality and vibrancy needs to be maintained in accord with the national planning policies of PPG6. The following extracts have been taken from the most recent retail studies : -

In June 1999, CB Hillier Parker was appointed by Salisbury District Council to advise on retail matters in relation to the Salisbury District Local Plan. At the outset, the Retail Topic Paper was prepared to update the technical analysis undertaken as part of the formulation of the District Council's retail policies, to review the policies in the light of current National Planning Policy Guidance, and to recommend changes as appropriate. The report considered in detail the pattern and existing provision of retailing in Salisbury, drawing upon a new Household Telephone Interview Survey of current shopping patterns and additional quantitative analysis.

In considering Salisbury city centre, the report concluded that in qualitative terms whilst there appeared to be limited need for further convenience goods floorspace, there was a need for some improvement in the existing main food offer, through the modernisation of the main foodstores. The reports findings regarded the proposals by Sainsburys to reconfigure their city centre store as an opportunity to address this qualitative deficiency.

The Salisbury Local Plan review process considered in detail the need for further convenience floorspace in Salisbury and the appropriate locations to accommodate any need, in accordance with the sequential approach. CB Hillier Parker advised that the redevelopment of the Sainsburys store at the Maltings was found to be the most sequentially suitable site. These key findings of the Hillier Parker report were considered by the Local Plan Inspector and as a result the Maltings is regarded as the primary retail development site for Salisbury and its extensive retail hinterland.

The policy context section of this report provides more detail on the relevant planning policies. The Replacement Salisbury District Local Plan is due to be finalised and adopted in the next few days. The Maltings site therefore remains the only recommended site for further main foodstore modernisation within the context of Local Plan policies. The modest expansion proposed by this planning application for the redevelopment of The Maltings will redress the current over-trading

of the Tesco Southampton Road site to the benefit of other City Centre sites and the associated retail trading patterns in the Salisbury retail sub region.

7. THE PHASING OF THE DEVELOPMENT AND THE PUBLIC REALM WORKS

Highway improvements both on and off site, central area car parking provision, links to the provision of long term parking at the Park and Ride sites, riverside enhancements, improved pedestrian links to Priory Square and the temporary re-siting of the Shopmobility facilities are fundamental elements of this development proposal. The phasing of these elements and the building programme for the works which is estimated to be 44 weeks in duration will have potential repercussions on city centre trade, car parking and highway network. It is therefore essential that the phasing and programming of this development and its associated areas of public realm works are subject to strict controls and appropriate time tables. The key elements of phasing and programming are therefore recommended for inclusion in the proposed section 106 Agreement and planning conditions for this development.

The relevant application details submitted by fax dated 7th April confirm that over 700 car parking spaces will be maintained for the general public at all times and that negotiations are progressing with the Councils Estates Department on this and other public realm matters.

The applicants advise that the following Community Gain is yielded by the proposed development.

The enhanced Shopmobility facilities.

The enhanced River-edge landscaping and paving

Enhancements to Priory Square, including improved pedestrian flow and links to Fisherton Street.

Improved standard of decked car parking

Improved lighting to adjacent public spaces

Extensive new bicycle parking areas

Secure shopping trolley areas to prevent river dumping

The provision of a state of the art City Centre foodstore.

8. ELEMENTS FOR INCLUSION WITHIN A SECTION 106 AGREEMENT

Negotiations between the developers and the land owners will need to continue on matters of detail for Public Realm works but the principal areas for improvements and essential works are as follows :-

The Central Car Park will require resurfacing and landscaping in accordance with a detailed improvement plan which will need to include the provision and maintenance of screen planting next to the electricity transformer station and sub station site on the northern edge of the Central Area car park. A financial contribution for these works together with an implementation, management and phasing programme should be required to ensure that this most important entrance area to the City Centre is enhanced to the highest standards. During the construction stages of the development any car parking shortfall in the number of available short stay car parking spaces will need to be met by the provision and management of temporary car parking areas that are capable of meeting City Centre need.

Off site highway works from the main Churchill Way access to the redevelopment site are required to improve junctions and accessways along the approach road network to the site. These works should include the provision of improved signalling and lane makings at specified junctions and measures to implement the approved Parking Management Plan. Such measures are likely to include signing to indicate the location of available parking spaces and arrangements to set up and operate pre paid park and display cards.

The provisions for public realm works to pave, plant, provide fountains for summer months, provide public toilets, secure areas for ATM's, maintain lighting and security systems, provide public art sites in Priory Square and improve links to Fisherton Street and to manage and maintain landscaped areas in accordance with a phasing, implementation and long term

maintenance plan will be required to be funded implemented to approved standards and maintained by the developers.

The improvement of river margins, river banks and associated public areas on the eastern side of the supermarket and Central Area car park in accordance with an agreed habitat and water quality improvement plan is required. These plans are well advanced and final consultations with the Wiltshire Wildlife Trust could bring these improvements at an early stage of the development process.

Drainage improvements to the general locality are required, including provisions for surface water quality improvements by the construction and operation of petrol and oil interceptors in accordance with a phasing and operation plan to all surface water collection points serving the redevelopment site and Central Area car park. Opportunities for sustainable drainage schemes will continue to be investigated and when appropriate implemented and the requirements of English Nature for more information on water resource use are required to be met.

The Shopmobility facilities will be required to be moved to temporary buildings and a phased provision of new accommodation within the redevelopment site together with vehicular access provisions for vehicles with a height of 3.500m, town centre access ramps and trolley parking areas.

The improved provision of public toilets is required, including the provision of temporary toilets to serve the Central Area car park, phased in accordance with an agreed programme of works for the construction stage of the development.

The provision of CCTV coverage to the redevelopment site and associated improvement areas, including improved coverage of the Central Area car park, a phasing plan and long term maintenance plan.

The commencement and phasing of the development shall be agreed to coincide with the availability of the Wilton Park and Ride service for long stay car parking.

The supermarket operators shall agree a management plan and implementation scheme for trolley parking including town centre corral and return systems prior the opening of the store. The management plan and implementation scheme shall be subject to regular review.

These Section 106 requirements are extensive but are considered essential if satisfactory phasing of off site and public realm works are to be programmed and controlled. Further negotiations on matters set out in the Public Realm enhancements section of this report are also recommended.

9. CONDITIONAL CONTROLS TO ENSURE FURTHER DETAILED REVIEWS OF KEY ISSUES

In order to provide an opportunity for a degree of flexibility in the timing of negotiations and to continue work on some aspects of this development planning conditions have been formulated that will reserve parts of the project for further assessment, monitoring and review. This flexibility is considered essential due to the complex interrelationship of the development with phased highway and car parking improvements. Any possibility that the construction stages of the development or delays in infrastructure provisions that could harm City Centre vitality and viability must be avoided. The developments progress must therefore be regularly monitored and if necessary phasing and management programmes changed well in advance of harmful delays. Many of these issues will be resolved by the recommendation and finalised before the development is commenced. Any issues which remain however at the pre commencement stage will be reviewed before works are started, programmed and if appropriate dealt with as ongoing matters of conditions monitoring.

While the development proposals have, in general, reached the stage where detailed assessment and recommendations can be made, it is likely that some changes will be needed to bring the development to its commencement stage. It is also probable that some alterations to

the project will be needed as a result of the ongoing negotiations on the Section 106 Agreement for the site.

All major redevelopment projects suffer from these expected and unexpected requirements for some change. It is therefore recommended that additional information be obtained from the developers for consideration and approval before the planning application reaches its final approval and condition compliance stages. This additional information on the phasing of the development (to firm up condition 3), details of surface water drainage improvements and water resources, (to meet English Nature's most recent requirements in their letter dated 5th June 2003) and highway related works to set out in plan form the required off site highway and cycleway improvements, has therefore been set out in section (c) of the recommendation.

The reserved information will complete detailed plans for drainage of the site and define the extent and standards of provision of highway works but will only involve land already in the control of the highway Authority and District Council. No additional land outside the current application boundaries or related development areas currently in the control of the statutory authorities will be involved. The recommendation section of the report sets out the delegation of these aspects of the development to the Head of Development Control. Consultations will therefore continue with the developers and continue with English Nature and the Highways Authorities until these final details of drainage and highway layout are completed.

The main elements of the conditions set out in the recommendation section of this report are :-

Phasing of car parking provision, traffic signing, retail and car parking usage conditions. These have been drafted to protect the City Centre and maintain its vitality and viability.

A general programme of works condition (3) will combine with the proposed section 106 Agreement to ensure the required provision of off site highway works, drainage works, Park and Ride provision, Shopmobility and land ownership issues, together with other elements appropriate to a programme of works as set out in the previous section of this report. If section (c) of the recommendation section of this report is agreed however this phasing condition is likely to be broken down into more specific parts as the defined areas of phasing for this development are agreed in more detail.

Design elements of the development are to be controlled by materials, landscaping, lighting and signage conditions.

The potential impact of the development in terms of noise and disturbance to the residential amenities of the locality will be controlled by a Servicing Management Scheme, hours of operation, plant and machinery, noise attenuation controls and CCTV provisions.

Landscaping and habitat protection to the River Avon will be subject to enabling and management conditions as well as controls over drainage, demolition works, construction works and in the working and access areas to the redevelopment site which are designed to enhance water quality.

CONCLUSION

This development proposal provides a close match to the aims and objectives of the Planning Design Brief.

Negotiations and discussions between the Planning Department and the developers have taken place over many months and consultations with statutory and non statutory organisations have now been through several rounds of observation and plan modifications. The overall design of the supermarket and the car parking decks have been considered by CABI representing a national level of design assessment. Recommended improvements have been incorporated into the most recent submissions for the development.

The development proposals have now reached the stage where the principle elements of the comprehensive scheme need to be determined by the Planning Authority.

Detailed negotiations will continue if committee members consider that this development proposal can be supported. The Planning Authority is therefore required to consider all aspects of the design, layout and programming of these redevelopment proposals as currently submitted before progressing to more detailed issues as indicated in the sections of this report dealing with planning conditions and the proposed 106 Agreement. However it is important to note that due to the size of the proposed retail development, even though this is a City Centre redevelopment, a final consultation with Government Office will be required before any planning permission can be issued. This consultation period would run in parallel to continuing negotiations on the Section 106 elements of the proposed development assuming that members confirm that these negotiations are progressed.

The development proposals will enhance an important access point to the City Centre.

The improvements proposed to the Maltings area including Public Realm works and riverside landscaping will increase the number of visitors to the locality. Estimates of up to 8,700 additional customers per week to the new superstore with the probability that most visits will be combined with shopping or recreation trips to other areas of the City Centre will have a beneficial impact on the economy of the locality.

The site can be supported in terms of planning policy

The Planning Inspectors report into the Replacement Salisbury District Local Plan confirmed that the Maltings site is the most suitable location for the improvement of retail service provision in the District. National planning policy guidance in PPG6 deals with town centre redevelopment and this recently updated national retail strategy document also confirms that the principles of the proposed development are acceptable.

It is therefore considered that there are opportunities to invite the prospective developers and their agents to enter into more detailed negotiations on aspects of Public Realm works. These negotiations have progressed to an advanced stage but have now reached a position where the developers require an in principle approval to provide assurance that the costs associated with further negotiations have a realistic chance of being progressed to a satisfactory conclusion. In my opinion the current development provides a significant opportunity to enhance one of the most important City Centre visitor access points. As with most complex development proposals however further work on some of the more detailed aspects of access and drainage is needed. Accordingly the scheme is recommended for a phased conditional approval and matters as set out in section (a) and (c) of the recommendation are therefore reserved for further assessment and agreement.

RECOMMENDATION: (a) the applicant and any other relevant parties undertake under Section 106 of the principal act to pay commuted sums for the provision of street cleansing and enter into agreements to manage and maintain areas of land and watercourses, resurface and landscape car parks provide and maintain street furniture, resurface and maintain areas for use as areas of public art, provide seasonal fountains, lighting and pedestrian areas, carry out appropriate off site drainage and highway works including the provision and management of temporary car parking areas to serve the City Centre prior to the demolition and construction stages of the development and ensure that the development is commenced and completed in accordance with an agreed phasing and programme of works.

(b) that a final consultation with Government office be carried out to ensure that this City Centre Redevelopment scheme is accepted in terms of current National and Regional Policy.

(c) that the following issues be delegated to the Head of Development Services to conclude

That the developers be required to confirm that phasing and details of the required off site highway improvements, cycleway improvements and car parking improvements will be carried out to approved standards and time tables (2) That the developers be required to confirm levels of predicted water usage, surface water drainage details means of sustainable drainage provisions and foul water disposal for submission and comparison with existing usage of the site and (3) that the requirement for temporary car parking

provision to meet town centre parking shortfalls resulting from the loss of parking spaces in the Central Car Park at the construction stage of the development be.

(d) that the development is subject to the appropriate assessment under the Habitat Directive by the competent authority or its advisory body and no issues of concern are raised and

(e) that the Planning and Regulatory Panel consider this report and recommendation of the City Area Committee at the next available meeting currently scheduled for 9 th July 2003

APPROVE subject to the following conditions together with such additional conditions as may need to be imposed following the further submission of information that is required by section (c) of this recommendation:

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

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

2 Before any car parking spaces are lost or any car park is closed as a result of development works, a scheme for temporary short stay, long stay and staff parking arrangements, together with a programme for implementation, including all signing and variable message signing ensuring that effective use is made of other car parks, shall be submitted to and approved in writing by the Local Planning Authority and such arrangements shall be put in place prior to the loss of any spaces and in accordance with the approved scheme and programme.

Reason To ensure satisfactory parking provision to serve the proposed development during construction stages and following the completion of the proposed development.

3 Prior to the commencement of each stage of construction of the development hereby approved a programme of works shall be submitted to and approved by the local planning authority before work commences on each stage. The said programme shall contain an assessment of the traffic implications of the construction and measures for mitigating any adverse effects on the local highway network, resulting from or made worse by the development works. The programme of works for the construction stage shall include such items as ,times and volumes of trucks entering and leaving the site, methods for mitigating debris falling on to the live carriageway of the A36 and route management for construction traffic to include route diversions and signage on the A36. The construction of each stage shall then be carried out in accordance with that programme.

Reason To ensure the satisfactory programming of the development in the interests of highway safety and retail vitality of the locality.

4 Prior to any car parking spaces being lost details of traffic signing proposals including variable message signing proposals as may be required by the construction programme referred to in condition 3, shall be submitted to and approved by the local planning authority. All approved signing proposals as may be agreed shall be put in place and retained in accordance with the approved details prior to any car parking spaces in the Central Car Park being lost.

Reason To ensure satisfactory parking and signing to serve the proposed development.

5 Prior to the commencement of development a scheme indicating the provision for disabled access to all parts of the development shall be submitted to and approved by the local planning authority. The works shall then be carried out in accordance with that approval.

Reason To provide appropriate access arrangements throughout the development.

6 No demolition works shall commence on site until a detailed programme for the phasing of demolition, the subsequent storage of materials and removal of such materials from the site has been submitted to the Local Planning Authority and subsequently agreed by them in writing. The demolition works shall then be carried out in accordance with the agreed programme.

Reason To ensure the satisfactory phasing and environmental protection during demolition works and materials storage on the site.

7 Prior to the retail store being brought into use, a servicing management scheme, to include arrangements for vehicles waiting, details of lorries to be used, refrigeration noise, likely delivery times and details of service facilities at the interface between the lorries and the buildings, shall be submitted to and agreed in writing by the Local Planning Authority. All subsequent servicing shall be carried out in accordance with the agreement.

Reason To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating alternative kinds of activities/operations which could give rise to increased levels of noise-generation.

8 Prior to the commencement of the development of the retail store, a plan showing in detail the location of all associated plant and machinery together with details of noise generation and attenuation shall be submitted to and approved by the Local Planning Authority. All approved works as may be agreed shall be carried out and completed in accordance with the approved details prior to the retail store being brought into use.

Reason To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating alternative kinds of activities/operations which could give rise to increased levels of noise-generation.

9 The noise levels from delivery and servicing activity or from plant and machinery associated with the retail development and retail store as measured on the boundary of the development site defined by this planning application shall not exceed the prevailing night-time background noise level by more than 3dBA after 9.00pm and before 7.00am.

Reason To secure the suitable treatment of the land for amenity purposes within an appropriate timescale, in order to achieve a satisfactory environment for the permitted building(s)/use.

10 No goods for sale or display shall be placed on the pavements and pedestrian or amenity areas within the curtilage of the retail store and associated parking decks and accessways.

Reason In the interests of amenity, in order to secure the cessation of a use for which permission can only be justified on the basis of a special temporary need.

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

Reason To secure a harmonious form of development.

12 Prior to the retail development being brought into use, details of the position and specification of any external lighting and security lighting for the whole of the development shall be submitted to and approved by the Local Planning Authority. All works as may be approved shall be carried out and completed in accordance with those details prior to the development being brought into use.

Reason To enable the Local Planning Authority to exercise control over any such works in the interests of amenity.

13 No signage or advertising shall be erected on the site or on any of the buildings structures or accessways hereby permitted without the prior written consent of the Local Planning Authority.

Reason0129 To maintain the character and architectural integrity of the building and the amenities of its surroundings.

14 The retail store shall not be brought into use before the roof deck car park and other associated car parking areas including the shopmobility facilities have been constructed and made available for use in accordance with the programme of construction as required by condition 3 of this consent.

Reason To ensure that the development is appropriately phased in the interests of highway safety and appropriate infrastructure provision.

15 Any CCTV cameras to be erected on any part of the development shall be subject to a scheme of provision to be submitted to and approved by the Local Planning Authority prior to the commencement of the retail use on this site. The scheme shall include the positions where the cameras are proposed to be sited, the type and size of the cameras and the specifications and position of any associated communications system and shall be agreed in writing with the Local Planning Authority. The work to site the cameras and associated communications systems shall be carried out and completed in accordance with the approved scheme before the commencement of the retail use on the site.

Reason 0123 In the interests of highway/pedestrian safety.

16 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 hereby permitted. 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 artefacts and structures (eg. furniture, play 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). (G01A)

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

17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the provision for the eradication of Japanese Knot weed from the locality, 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. (G07A)

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

18 No development shall take place until a schedule of landscape maintenance for a minimum period of years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule. (G08A)

Reason To enable the Local Planning Authority to secure the satisfactory maintenance of landscape works for a sufficient period of time to enable planted material to become adequately established.

19 Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before [the use hereby permitted commences] [and] [the building(s) is/are occupied]. Development shall be carried out in accordance with the approved details. (G05A)

Reason To enable the Local Planning Authority to exercise control over the appearance of the lighting installation and/or the level of illumination in the interests of visual amenity and/or highway safety for the users of the adjoining car park accessways and highways.

20 Prior to the commencement of development, a plan defining the point of entrance and exit to the site for construction traffic, means of temporary surfacing for that point and position of wheel washing facilities and means of wash waste disposal shall be agreed in writing with the local planning authority. All works shall be carried out in accordance with the agreed plan and construction traffic shall only use the entrance and exit so approved.

Reason To secure the implementation of all works required as a condition of planning permission, or such variation as may subsequently be approved, in the interests of amenity/highway safety/privacy for the occupants of the neighbouring dwelling(s).

INFORMATIVES:

(1) This permission has been taken in accordance with the following policy/policies of the replacement Salisbury District Local Plan (G2 S3 S6 C10 C17 and C18).

2 and 3 Informatives to protect Network Rail and Wessex Water infrastructure.

NOTES:

Case Officer
Mrs J Wallace

Contact No
01722 434687

7

S/2003/1007	07/05/03 17:25:30	02/07/03 17:25:30	MRS LAVERS
STMK			MR S P MANKIN
Easting: 414731.5	Northings: 131647.3		

PROPOSAL:	FULL APPLICATION -TWO STOREY EXTENSION INCORPORATING A CAR PORT AT GROUND LEVEL
LOCATION:	25 BALMORAL ROAD SALISBURY SP1 3PX

REASON FOR REPORT TO MEMBERS

Councillor Nettle has requested that Committee determine this item due to the community interest in the application

SITE AND ITS SURROUNDINGS

A two-storey detached house with a steeply hipped roof in an established residential area where the dwellings are staggered. The dwelling like others in the immediate area is set to one side of its plot and the dwelling to the south of the property is set very close to the boundary. To the north the dwellings have been recently extended across almost the whole site. The properties on this part of Balmoral Road have southeast - northwest gardens

THE PROPOSAL

Two extension to side consisting of an open car port on the ground floor and a fourth bedroom above. The property boundaries are not clearly indicated on the ground however, the extension would be approximately 0.6m from no. 23 Balmoral Road.

PLANNING HISTORY

1988/977 Demolish garage and erect a single storey granny annexe R

CONSULTATIONS

None

REPRESENTATIONS

Advertisement No
Site Notice displayed Yes expiry date 12/06/03
Departure No
Neighbour notification Yes expiry date 30/05/03
Neighbour response Yes 2 letters of objection from the same neighbour on grounds of overshadowing and loss of light to rear conservatory, increase in noise disturbance and that the proposed building is too large for the site.

MAIN ISSUES

Scale and design
Impact on neighbours

POLICY CONTEXT

G1 of Adopted Salisbury District Local Plan and G2 and D3 of Replacement Salisbury District Local Plan

PLANNING CONSIDERATIONS

Scale and design

The dwelling is located within an area identified within the Local Plan where the alteration/extension of dwellings would be acceptable if in accordance with the criteria of Local Plan policies.

This dwelling is within an established residential area of similar styled houses many of which have been extended both under permitted development rights and following recent applications

The current proposal with a similar pitched and subsidiary roof, would be sympathetic to the design of the existing dwelling. The extension to this dwelling is not disproportionate in size to the existing dwelling or to the plot and would appear appropriate in scale, design and materials to the existing dwelling, in accordance with Salisbury District Local Plan policies.

Impact on neighbours

The dwelling would extend to almost the whole width of the plot and the ridge of the side extension would be 0.5m below that of the main dwelling. The extension would be set back 0.8m from the front of the building. The extension is close (0.6m) to the side boundary of the adjacent property, no. 23 Balmoral Road. The house the subject of this application originally has a similar depth to the adjacent house, but as they are staggered along the road, it extends approximately 3metres further back. It is not intended in the side elevation of the proposed bedroom extension on the first floor over the open car port, to have any windows. Windows will be restricted to the front and rear elevations.

Concern has been expressed by the occupiers of the adjacent dwelling regarding the detrimental impact that the proposed extension would have on light and noise into the rooms at the rear of their property, particularly the conservatory. The house (no25), which is to be extended, is however, to the north west of no.23 Balmoral Road. The loss of sunlight/daylight caused by this proposal is not expected to be so substantial as to warrant refusal on these grounds alone.

Concern has also expressed that the gap between the buildings would be insufficient to enable maintenance to the walls and gutters of both no.23 and the new extension to no.25. Amended plans have been submitted which indicate the relevant relationships of the gutters but the neighbour disputes the measurements.

CONCLUSION

This proposed development will have some impact on the amenities of no23 Balmoral Road but it is considered that there would be not be a sufficient loss of amenity to the neighbouring occupiers as to warrant refusal.

RECOMMENDATION: APPROVE subject to the following conditions:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(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. (D01A)

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

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed. (V20A)

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

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G1) and G2 and D3 of Replacement Salisbury District Local Plan

NOTES: