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# Report

**Subject** : Planning application S/2006/1698 land between Netheravon Road and High Street Durrington – Footpath Link

**Report to** : Northern Area Committee

**Date** : 3rd March 2008

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**1. Report Summary:**

The report outlines a new condition that is proposed on planning application S/2006/1698 to ensure a pedestrian access along the Southern boundary of the site.

**2. Main report:**

During negotiations on the S106 agreement a further issue has arisen that requires the committee's consideration. The original committee resolution stated that planning permission be granted subject to –

“Wiltshire Highways confirming their acceptance to compulsory purchase the strip of land between the proposed southern boundary pedestrian path and the neighbouring Pinckney's estate.”

Since this date Wiltshire County Council Highways department have stated that –

“I can confirm that the County Council, as the local highway authority, does not currently seek to compulsorily purchase land from the other estate in order to secure a footpath/cycle link between the two housing areas. There are obvious implications in terms of potential valuation issues. This link is highly desirable, but not operationally essential. We would like to see the link facilitated in due course, and may take a different view on the potential for CPO at a future date. At this stage we wish to secure the footpath/cycle route on the DE site to the boundary, even if this may appear to have no immediate purpose.”

There is a planning need to provide this sustainable footpath link between this estate and the neighbouring Pinckney's estate. However in view of the fact that Wiltshire Highways do not consider it necessary to compulsory purchase the land to make the link at this stage, it is for members to consider whether it is acceptable for the development to go ahead without this link.

**What is the purpose of the link?**

The link will provide a safer walk to the shops and recreation land for the occupiers of the new dwellings in its vicinity. High Street is partially without footways and this footpath link enables walkers to avoid the section with no footway. However, for the dwellings closest to the High Street, it is less likely to be used for this purpose- as it will be a longer route- though it will give save easier access to the adjoining estate.

If members consider this link important , a compromise would be to add a Grampian condition that requires the link to be provided before certain plots ( those for which the link is most beneficial) are developed.

It is recommended to members that it be conditioned that development shall not be commenced on plots 75 - 156 until a scheme has been submitted to the local authority to show a free and unencumbered pedestrian and cycle access from the new development to Maple way on the neighbouring estate.

**3. Options for consideration:**

- A) That an additional condition be added to planning application S/2006/1698 requiring a scheme be submitted to the local planning authority showing an unencumbered access to the adjacent estate.
- B) That planning permission for S/2006/1698 be refused on the grounds that inadequate provision has been made for a pedestrian access to the southern boundary.
- C) That planning permission be granted without the inclusion of the pedestrian link.

**4. Consultation Undertaken:** Full consultation in relation to planning application S/2006/1698

**5. Recommendation(s):** That the following condition be added to the planning approval.

1) No development shall be commenced on plots 75 – 156 until a scheme has been submitted to the local planning authority which secures a free and unencumbered pedestrian and cycle access from the new development to Maple Way on the neighboring Pinckneys estate and a timetable for its provision. The pedestrian and cycle access shall be constructed in accordance with the approved scheme

Reason: In the interests of good design and in order to ensure that a sustainable cycle and pedestrian link is available between the existing and proposed development as shown in the adopted development brief.

**6. Background Papers:**

None.

**7. Implications:**

- **Financial:** There are financial implications to refusing planning application S/2006/1698.
- **Legal:** None
- **Human Rights:** None
- **Personnel:** N/A
- **Community Safety:** N/A
- **Environmental:** None
- **Wards Affected:** Durrington