

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE WESTERN AREA COMMITTEE
18th August 2005

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

A106 - Approve subject to S106	DOEC - Refer to DLTR (Committee) Now DTLR	REF - Refusal
APP - Approve	NOBJ - No objection	REV - Subject to Revocation Order
APPC - Approve with conditions	OBJ - Objection	DOED - Refer to DLTR
APRE - Part approve / refuse	OBS - Observations to Committee	Now DTLR - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN-CILLORS	NOTES
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Item	Application No. Office	Applicant's Name Location	Rec	Parish/Ward	Page Nos.	Ward Councillors
1SV	S / 2005 / 1208 Miss L Flindell	THE SCHOOL GOVERNOR OF THE SCHOOL CHILMARK C OF E FIRST SCHOOL THE STREET CHILMARK	REF	CHIL	2-4	Fonthill & Nadder Cllr. Mrs. Willan
2	S / 2005 / 1192 Mr O Marigold	THE GOVERNORS IN ASSOC WITH SALIS DIOCESAN BOARD LAND ADJ NEWTOWN RD AND KNIGHTON RD BROAD CHALKE	APPC	BROA	5-18	Chalke Valley Cllr. Draper

SV = Site Visit for Members

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** **Contact No** **1**
 Miss L Flindell 01722 434377

S/2005/1208	22/06/2005	17/08/2005	THE SCHOOL GOVERNOR OF THE SCHOOL
CHIL	CHI		DIOCESAN SURVEYOR
Easting: 397049.8		Northing: 132520	

PROPOSAL:	FULL APPLICATION -PROPOSED RE-ALIGNING OF BOUNDARY WALL TO FORM PARKING AREA
LOCATION:	CHILMARK C OF E FIRST SCHOOL THE STREET CHILMARK SALISBURY SP3 5AR

REASON FOR REPORT TO MEMBERS

Councillor Willan has requested that this item be determined by Committee due to: the interest shown in the application.

SITE AND ITS SURROUNDINGS

Chilmark CE School is located within the conservation area of Chilmark and the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. The school has been extended to the south, and a stone wall to the road has been demolished to provide access to the development site.

THE PROPOSAL

This application is to replace the wall, but realign it to provide a parking area.

PLANNING HISTORY

96/1682	Extension to form CDT room and alteration to	AC
31/12/96	main entrance	
00/0352	Pollard one willow tree	AC
11/04/00		

00/1936	Crown lift one large ash tree	AC
17/11/00		
03/1417	Extension to provide new classroom hall and ancillary works.	AC
18/08/03		
03/2226	To fell one ash tree	AC
20/11/03		
05/0960	Application to renew temporary consent S/2003/1102 to provide temporary classroom accommodation	AC
04/07/05		

CONSULTATIONS

WCC Highways - I note that the proposal extends the parking that currently takes place outside the school, creating an area of parking which will be contiguous with the existing highway. I have some concern that the parking will encourage additional parking by parents but suspect that staff parking is proposed. The additional parking does make the existing pedestrian access less safe for children and on balance I would recommend refusal on the grounds that the children will be at more risk from the parking of cars adjacent to the main pedestrian access to the school

REPRESENTATIONS

Advertisement	Yes, expiry date 21.07.2005
Site Notice displayed	Yes, expiry date 27.07.2005
Departure	No
Neighbour notification	Yes, expiry date 13.07.2005
Third Party responses	No
Parish Council response	NO OBJECTIONS

MAIN ISSUES

Highway safety, impact to conservation area

POLICY CONTEXT

G2 (General), CN8 (Development in conservation area), C4 & C5 (AONB), PS5 (education)

PLANNING CONSIDERATIONS

It is considered that the proposed replacement wall to match the remaining wall would be appropriate to the overall appearance of the site within the Conservation Area.

However, the development site is opposite a turning, and is also close to the pedestrian access gate into the school. WCC Highways Department have considered the proposal and recommended refusal on the grounds that the additional parking does make the existing pedestrian access less safe for children and pedestrians will be at more risk from the parking of cars adjacent to the main pedestrian access to the school.

It is therefore recommended that the proposal be refused on highway safety grounds.

CONCLUSION

The development site is close to the pedestrian access gate into the school. It is considered that the additional parking will make the existing pedestrian access less safe for children and pedestrians who will be at more risk from the parking of cars adjacent to the main pedestrian access to the school, contrary to policy G2 of the Adopted Salisbury District Local Plan.

RECOMMENDATION: **REFUSE** for the following reasons:

1) The development site is close to the pedestrian access gate into the school. It is considered that the additional parking will make the existing pedestrian access less safe for children and pedestrians who will be at more risk from the parking of cars adjacent to the main pedestrian access to the school, contrary to policy G2 of the Adopted Salisbury District Local Plan.

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			

2	Case Officer Mr O Marigold	Contact No 01722 434293	2
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S/2005/1192	20/06/2005	15/08/2005	THE GOVERNORS IN ASSOC WITH SALIS DIOCESAN BOARD
BROA			MICHAEL LYONS ARCHITECTURE
Easting: 404540.172729611	Northing: 125251.034872591		

PROPOSAL:	FULL APPLICATION -CONSTRUCTION OF A NEW BROADCHALKE PRIMARY SCHOOL
LOCATION:	LAND ADJ NEWTOWN RD AND KNIGHTON RD BROAD CHALKE SALISBURY SP5 5HX

REASON FOR REPORT TO MEMBERS

In light of the significant level of local interest regarding this application, and because of the previous committee involvement, the Head of Development Services considers that a delegated decision would not be appropriate in this instance.

SITE AND ITS SURROUNDINGS

The application relates to open countryside between Knighton Road and New Town Road to the east of the village, adjacent to the Multi Use Games Area and sports field. The site lies within the designated Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

This application does not include any development at the existing school site.

THE PROPOSAL

The application proposes the erection of a new primary school, including hall, sports field and car parking etc. As part of this complex a new nursery is also proposed. The application does not propose the erection of any new dwellings.

PLANNING HISTORY

Application S/2004/2691 proposed development of a new primary school, nursery etc, together with the erection of eight dwellings on the proposed school site (four affordable). It also proposed the erection of five dwellings (one a conversion) on the existing school site. This was withdrawn on 10th February 2005.

Application S/2005/352, heard at WAC on 20th February 2005, proposed a new primary school, together with the erection of six dwellings on the proposed school site, together with the erection of five dwellings (one a conversion) on the existing school site. This was refused on 21/02/05 for the following reasons:

1. *As a matter of principle, within the open countryside and the Cranborne Chase and West Wiltshire Downs AONB, the Local Planning Authority restricts the erection of new dwellings to only those necessary for affordable housing or for agricultural workers, or for those in accordance with policy G10, in the interests of the character and appearance of the countryside. This proposal, in that it would involve the erection of three new dwellings in the open countryside without such justification, would be contrary to policies H23, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan, and policies DP1, DP14 and C8 of the Wiltshire County Structure Plan and the policies in PPS7.*
2. *The proposed development, in that it would involve the erection of three dwellings for affordable housing, but for which inadequate security has been given that the dwellings can be enjoyed by successive as well as the initial occupiers of the dwellings, would be contrary to policy H26 of the Replacement Salisbury District Local Plan.*
3. *The proposed development, in that it would involve the erection of development (including the layby proposed on New Town Road) in close proximity to protected and important trees, to an extent that would harm their amenity and long term retention, would harm the character and appearance of the area and would fail to maintain the natural beauty of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. It would therefore be contrary to policies G1, G2, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan.*
4. *The erection of four dwellings within the Broadchalke Housing Restraint Area and Conservation Area would significantly add to the built form of this part of the village, harming its character and appearance and that of the AONB, and failing to maintain or enhance the Conservation Area. In this respect it would be contrary to policies C1, C2, C4, CN8, C5 and H19 of the Replacement Salisbury District Local Plan.*
5. *The proposed development, in that it makes inadequate provision and detail for the landscaping of the site, necessary in order to soften and ameliorate the impact on the buildings on the countryside, would harm the character and appearance of the area and would fail to maintain the natural beauty of the Cranborne Chase and West Wiltshire Downs AONB, contrary to policies C1, C2, C4, C5 and G2 of the Replacement Salisbury District Local Plan.*
6. *The proposed development, in that it makes inadequate contribution towards recreational open space, would be contrary to policy R2 of the Replacement Salisbury District Local Plan.*
7. *The position of the westernmost affordable dwelling and the adjacent tennis court and skate park, together with the access for parking to the rear, would result in an unsatisfactory relationship between the two uses and would provide for inadequate amenity for the occupants of this dwelling, contrary to policy G2 of the Replacement Salisbury District Local Plan.*
8. *In that no s106 agreement has been submitted to provide for the relocating of the 30mph speed limit, the proposed development would be harmful to highway safety, contrary to policy G2 of the Replacement Salisbury District Local Plan*
9. *The proposed access serving the development of houses on plots 4 and 5 of the existing site would have insufficient visibility and vehicles existing the access will cause serious hazard to road safety, contrary to policy G2 of the Replacement Salisbury District Local Plan*

CONSULTATIONS

Wiltshire County Council (Highways) – The latest submission includes all areas of land over which measures are required to provide adequate highway safety, for encouragement to children/parents to access the school by walking, and for avoiding excessive traffic movements at the main school entrance. The School Travel Plan, as submitted, has not been fully approved, and therefore any conditional consent will require the submission of a further Travel Plan. No highway Objection raised, subject to conditions being attached to any permission granted.

Wiltshire County Council (Education) – (commenting on the previous application) The school is only expanding in terms of the number of year groups – not intake. This is due to the three tier review. The published admission number will remain at 25. The school should have no greater impact on neighbouring schools than it does at present. The DfES approve VA projects that therefore the proposal will meet County standards.

Wiltshire County Council (Planning) – (commenting on the previous application) No strategic objection to the location of the school on the edge of the village

Wiltshire County Council (Archeology) – No objection

English Nature – No objection. The protected species survey demonstrated no harm to species. However, any works to the trees in the adjoining site could impact on species and, if work is subsequently proposed, a further survey may be necessary. Work which impacts on the hedgerow on the site should be timed to avoid the nesting season (March to August inclusive), in the interests of wild birds.

Environment Agency – No objection subject to condition. However, while outside the floodplain, the site lies in Flood Zone One where development of this category can generate significant volumes of surface water.. Consent to Discharge is required from the EA.

DEFRA – (commenting on earlier proposal) The department has no objection to the proposal as the loss of best and most versatile land is slight. However there may be other considerations, for example development plan policies of the contribution to the local economy, which should be taken into account

Wessex Water – there are no public sewers in the vicinity of the site. There are no public surface water sewers in the vicinity of the site, though the use of soakaways may be possible. There is no public sewage treatment plant in the vicinity of the site. Water mains are available in both Knighton Road and New Town Road. Adequate capacity exists within the existing supply network to supply this development.

Environmental Health – No objections.

REPRESENTATIONS

Advertisement	Yes	expired 21/07/05
Site Notice displayed	Yes	expired 21/07/05
Departure Plan	No	The proposal would not be a departure from the Local Plan
Neighbour notification	Yes	expired 12/07/05, although all subsequent representations have been considered
Third Party responses	Yes	

A total of **157** letters of support for the scheme have been received to this application. **55** were copies of the main 'pro-forma' letter (there were various other 'pro-forma' responses). Of the 157 support letters, **39** were from residents of Broadchalke, with **112** from other locations (and **16** with no address identified).

A total of **23** letters of objection have been received (**21** from Broadchalke residents), raising the following issues:

1. Increase in traffic and inability of local road network to cope
2. Impact on countryside and AONB
3. Potential pressure on sites adjoining the school for housing or for car parking

4. The large 'ambitious' size of the school proposed
5. The most obvious site for a new school is that behind the existing school
6. Increase in lighting in the countryside
7. Impact on neighbouring properties
8. Impact on other schools and fact that this school will attract children from outside catchment
9. Insufficient car parking and resultant congestion
10. Impact on highway safety
11. Duplication of sports facilities

Parish Council response

No objections to the design of the school itself. However, the proposed road upgrade into Knighton Road suggests proposed greater use of Knighton Road in connection with this application. The Parish Council would support any attempts to avoid any additional use of Knighton Road and to encourage greater use of the entrance to the school from the northern side of the site, off New Town Road.

The plans show a footpath to the school across the sports field. The Parish Council is the tenant of the sports field and has not received any separate notice relating to the proposed footpath and has not agreed the route of the footpath. It may be prepared to agree such route after consultation with other parties including the landlord of the site.

MAIN ISSUES

Comparison to previous proposal
 Concern regarding future use of the areas adjoining the school site
 The principle of development
 Impact on the character and appearance of the AONB and open countryside
 Landscaping
 Impact on protected and important trees
 Impact on the living conditions of nearby properties and adjoining uses
 Impact on protected species
 Impact on archaeology
 Impact on floodrisk/drainage
 Loss of agricultural land

POLICY CONTEXT

Replacement Salisbury District Local plan:

G1 – general development criteria
 G2 – general development criteria
 G4 – flood risk
 D1 – design
 C1 – development in the open countryside
 C2 – development in the open countryside
 C4 – development in the AONB
 C5 – development in the AONB
 C12 – protected species
 C19 – loss of best and most versatile agricultural land
 TR12 – Sustainable transportation
 PS1 – new community facilities
 PS5 – new education facilities
 PS6 – day nurseries

Wiltshire County Structure Plan:

DP14 – community facilities within and on the edge of villages
 C8 – development affecting AONBs

PLANNING CONSIDERATIONS

Comparison to previous proposal

Members will recall that the previous application, which included development on the existing school site, and the erection of six houses (3 affordable) on land between the MUGA and the dwellings on Knighton Road. This was refused for 9 reasons, as outlined in the 'planning history' section above.

This application is different from that previous proposal in a number of respects, namely:

- It does not propose any development at all on the existing school site
- It does not propose any residential development on the proposed school site
- the degree of landscaping has been significantly improved
- no highway widening works are proposed to New Town Road
- the nursery and its play area have been re-located to be away from the protected trees to the south.

It can be seen, therefore, that reasons 1, 2, 4, 6, 7 and 9 have been overcome because this application does not now propose any development on the existing school site, or the development of any housing on the proposed school site.

It can also be seen that the previous scheme was not refused because of an objection in principle to the development of the school on this site, but rather because of various detailed shortcomings. This proposal has to be considered against the reasons for refusal given last time. Raising new reasons for refusal would be difficult to defend at appeal, unless they relate specifically to concerns about an element of this scheme that has changed from the previous proposal.

The remaining reasons for refusal to be overcome are therefore the impact on protected trees (reason 3), landscaping (reason 5) and highway safety with regard to the speed limit (reason 8). Nevertheless, for the sake of completeness all of the planning issues have been reconsidered as part of this application.

Consideration has also been given to concerns that, although not explicitly proposing housing, there may be further pressure for housing, or for other uses, on certain sites adjoining the school site (ie the area previously proposed for housing, and the area to the north west of the school site).

Concern regarding future use of the areas adjoining the school site

Concern has been raised that two areas have been left open as a result of the proposed layout, and that there will be future pressure for these sites to be developed as housing, or as car parking. These areas are the land (containing protected trees) between the MUGA and the dwellings on Knighton Road, and the land by the school entrance.

The layout of the school and its relationship to its site boundaries is a material planning consideration. The areas concerned lie outside of the application site, although Grampian conditions could be imposed on this site if it is considered that there is a reasonable prospect of that condition being complied with.

It is considered that if the school development were to go ahead, it would be unlikely that development of the two open areas for private residential development would be permissible in the future. Any application submitted under the current Local Plan for private residential development on these sites would be faced with the same 'in principle' policy objections that related to the earlier scheme.

For development of these sites to be approved, therefore, any developer would be reliant of the Housing Policy Boundary (HPB) changing. The HPB boundary is not intended to reflect the overall extent of a settlement (as identified in policy H23) and therefore the fact that the school extends the settlement into the open countryside would not be a good enough argument for extending the HPB boundary.

In addition, even if the HPB did change, any development of the site off Knighton Road would still be unacceptable because of the location of protected trees and of the MUGA, while the site by the school entrance would be unrelated to any existing housing development. Furthermore, any proposal to change the HPB boundary would be subject to extensive consultation and consideration as part of a Local Plan Inquiry. Finally, any proposal for this land, either for car parking or housing development would have to be subject to a further planning application.

Overall, therefore, while the concerns expressed regarding the likely future use of these areas of land are understood, it is not considered that this would justify refusing permission for this scheme.

The principle of development

The site for the proposed school and nursery lies in the open countryside. Local and national policies make clear that development in the countryside should be strictly controlled and, in particular, that development within the AONB should maintain its natural beauty. PPS7 makes clear that great weight should be given to the landscape beauty of these nationally important areas.

That said, policy PS5 of the Local Plan gives specific support to the erection of new education facilities required by the Local Education Authority on suitable sites both within and adjoining settlements. This proposal is supported by the County Council's education department, and clearly lies adjacent to existing settlements and the HPB.

Policy PS6, meanwhile, gives general support to day nurseries, subject to certain criteria, while policy PS1 gives support to new community facilities in general that are within or adjoin settlements.

It is therefore difficult to argue that the erection of the school and nursery, and its associated facilities, is unacceptable in principle. This is particularly true now, given that the previous proposal was not refused on the grounds of principle.

Impact on the character and appearance of the AONB and countryside

Consideration has been given to the impact of the school on the character and appearance of the area, bearing in mind the local and national designations that apply to this site.

The applicant has provided a design statement to justify the sites and design proposed. It is argued that the proposed site was selected having considered a number of alternative sites, and that the options for alternative sites were limited given the floodplain in the centre of the village, farmland rising up the hills surrounding the village and the linear pattern of residential development.

Site selection

The most obvious site for the new school would be the land immediately to the south of the existing school. This would help to retain the physical link between church, school, village hall and village facilities, which forms part of the nucleus of the village and of the Conservation Area.

However, the area behind the existing school has a feature of archaeological importance, designated as a Scheduled Ancient Monument, running through part of the site, limiting its scope for development. It is also understood that the owner of this land is unwilling to make the land available to the school, although there has recently been placed a temporary mobile classroom on part of the site following the recent fire. The land behind the school is also designated as open countryside and AONB and so, in planning policy terms, is no more acceptable in principle than that currently proposed.

The applicants are correct in saying that alternative sites that adjoin or are within the village boundary and close to the centre of the village are limited because of the floodplain (indeed an alternative site was put forward by a local resident that was within the floodplain) and the area of High Ecological Value. The school did give consideration to other sites in or near the village on the basis of a number of factors, including topography, potential co-operation of the land-owner, local support, highway access and the village boundary, and concluded that the site currently proposed was the most suitable, although the site behind the school was not included within the Site Suitability Assessment.

Furthermore even if it was accepted that there is a more preferable site, this does not of itself mean that the proposal as submitted should be refused. The scheme as presented has to be considered on its own planning merits. The site proposed for the school would have the advantage of being relatively close to the centre of the village, and adjoining the existing sports and community facilities, while also providing the space to allow for a school of the highest standards. The adjacent sports ground and Multi-use games area (MUGA) is used by the school at present as their sports field.

Overall, it is considered that the site proposed for the school is acceptable. This is particularly the case now, given that the previous application was not refused on the grounds of the site being unacceptable for the school.

Design of the new school

The design of the school is unchanged from the previous proposal.

The design statement argues that the new school site layout has been designed to link with the buildings on Knighton Road, preserving a 'gap' and views up to the hills. This orientation gives the classrooms either an eastern or western aspect. They have sought to build traditional brick and flint walls, but with large expanses of glazing, 'spilling out' beyond the walls and extending the internal space out into the landscape. The low-pitched zinc roof is designed to 'float' above the glass and brick and flint walls.

Concerns have been raised that the school building proposed is of an ambitious size and that it will draw pupils away from other schools – indeed Coombe Bissett school have written expressing surprise at the number of pupils (180 but possibly as high as 210) that the proposed school would provide for. It has also been commented by objectors that a more comprehensive scheme, similar to that at Chilmark, could be achieved within the funding currently available, although Chilmark school had a smaller number of pupils in September 2004 than Broadchalke (96 compared to 143).

It is accepted that a replacement school would need to be built to the latest standards and that this, together with the increase in pupil numbers as a result of the change in status of the school, means that the new school needs to be of a larger size than the existing building, which was designed at a time when very different standards applied and for a much smaller number of children.

Furthermore, predicting school numbers is not easy. The County Education department have commented that the school is increasing only in terms of year groups, not in its intake. They have also commented that the new school should have no greater impact on the adjoining schools than it does at present. It would therefore be difficult to defend a reason for refusal on the basis that the school is larger than it needs to be or that it will affect surrounding schools.

The Council's Design Forum considered the earlier scheme and generally welcomed the scheme, saying that it provides for the natural organic growth and reinvestment in the village in an *imaginative and well designed way*.

The school building proposed would follow the contours of the land as the land rises, following a north-south orientation, as opposed to an east-west orientation that would cut across the natural slope of the valley. The applicants argue that the building has been positioned to link with the existing buildings on Knighton Road, so preserving a 'gap' and views up to the hills.

The specific design is considered to be reasonably well thought through design that would reflect both the traditional materials of the village and its countryside setting, but would also present a modern appearance reflective of its age.

Landscaping

One of the reasons for refusal of the previous proposal was on the grounds of an inadequate landscaping scheme. In order for the appearance of the school to be acceptable in the landscape, it is necessary that a robust scheme for landscaping be implemented and maintained. This ensures that the buildings are softened and ameliorated, to limit their impact on the countryside and the AONB.

Following discussions with the Council's arboriculturalist, a scheme of landscaping has been submitted, together with a preliminary management plan. The landscaping scheme includes trees, specimen shrubs, woodland planting and low screen planting. This involves an increase in the amount of planting around the edges of, and within, the site and has necessitated some variation in the car parking layout.

Overall, the Council's arboriculturalist has commented that, subject to extensive conditions (including the submission of tree protection and landscape statements), the landscaping proposal would be acceptable.

Impact on highway safety and sustainable travel

Wiltshire County Council highways department have considered the scheme in relation to the safety of road users and of people (particularly children) using the school. They have also considered the proposal in terms of sustainability – ie ensuring that the use of the school takes place in the most sustainable way, by limiting the use of the private car and encouraging travel to and from the school by other means (by walking, cycle or bus).

The County Council wish to limit the number of private cars arriving at the site. While limited parking for teachers, staff and visitors is acceptable, the provision of a significant amount of parental car parking is unacceptable to the Highway Authority, because it would encourage unsustainable traffic movements and lead to the greater potential for conflict between cars and children.

For similar reasons, the provision of car parking close to the school entrance, rather than at a remote site, is also unacceptable to the Highway Authority. Remote car parking reduces the number of vehicles entering the site (reducing conflict) and encourages walking.

In terms of car parking, therefore, the current proposal remains largely the same as the previous scheme. However, a new school represents an opportunity to encourage sustainable travel from the start. The applicants have submitted a Green Travel Plan to demonstrate how the new school would be accessed sustainably, which is particularly necessary here because the new school site (being further from the centre of the village) would be somewhat less sustainable than the present site.

The School Travel Plan has been audited by the County Council who remain of the view that it is deficient in a number of factors. However, the Council have recommended that this could be the subject of a condition of granting permission, rather than a reason to refuse the scheme.

There have been changes to the highway alterations that were proposed as part of the previous scheme. Previously, widening of New Town Road was proposed for some distance towards to main valley road. However, the Highway Authority are of the view that these changes were unnecessary, and they have therefore been removed from this application.

The only widening proposals involve Knighton Road, from its junction with New Town Road to the entrance to the sports ground, in connection with additional vehicles using this stretch to reach the drop off point in the car park.

A previous reason for refusal (number 8) relates to the lack of a s106 agreement for the repositioning of the 30mph limit further towards the main valley road. However, the County Council have now said that this can be provided through a planning condition.

Overall, the Highway Authority has raised no objection to the current proposal, subject to conditions, meaning that an objection on grounds of highway safety would not be defensible at appeal, without a risk of significant costs being awarded against the Council.

Impact on protected trees

One reason for refusal during the previous application related to the impact of the development – both the dwellings and the nursery – on protected trees that lie in the adjoining site. As part of this application the dwellings have been removed and the nursery building (and the associated play area) has been relocated to the east and away from the trees.

A further concern was the impact of the layby to be created close to the junction of Knighton Road and New Town Road, on important trees at that site. This layby has been scaled down to the extent that it will not harm the nearby tree.

The Council's arboriculturalist considers that these changes are sufficient for any adverse impact on the trees to be avoided.

Impact on the living conditions of properties adjoining the sites

Consideration has been given to the impact of the proposed development of the adjoining properties and uses.

The proposed school would primarily impact on the dwellings on Manor Farm Close, opposite the proposed access to the school. The impact would primarily relate to the additional traffic movements using the road, together with associated noise and disturbance. There would also be greater traffic movements along Knighton Road from parents/children accessing the school from the south.

However, provided an adequate Green Travel Plan is submitted the number of traffic movements should be limited, and should reduce over time. In any case the increase in the number of movements would be generally limited to school peak hours, rather than throughout the day, and presumably a number of movements use the existing routes to reach the existing school.

Overall, it is not considered that the additional traffic movements, and associated noise and disturbance would justify refusal.

Impact on protected species, impact on archaeology and impact on floodrisk/drainage

Consideration has been given to the impact of the proposal on protected species, archaeology and floodrisk. In relation to protected species, the applicants have submitted a protected species survey undertaken which is sufficient to demonstrate that no protected species' habitats would be harmed by the proposal.

Similarly, in response to the requirements of the County Council's archaeological department, a survey has been undertaken which has established that there are no archaeological remains on the school site.

With regard to flood risk, the Environment Agency have raised no objection, subject to the imposition of a condition for a scheme to limit surface water run-off or sustainable drainage techniques and a flood risk assessment. With regard to foul water drainage, the Environment Agency have advised that a condition could be imposed requiring a scheme for the provision of foul drainage works. The issues of water efficiency and pollution prevention could also be dealt with by condition.

Loss of agricultural land

The proposal involves the loss of Grade 2 agricultural land. Local Plan policies generally prevent such loss of the best and most versatile land. PPS7 gives revised guidance in relation to the loss of such land, commenting that the presence of best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification), should be taken into account alongside other sustainability considerations and that where lower classes of agricultural land could be used in preference, development should be steered towards these sites.

However, other possible sites (including the land behind the existing school) would be on similarly-designated land and the Department for Environment, Food and Rural Affairs has commented that the Department has no objection to the proposal because the loss of agricultural land would be slight. Therefore a reason for refusal on this basis would not be sustainable at appeal.

CONCLUSION

Overall, it is considered that the proposed school and nursery is development that can reasonably be permitted in light of development plan policies. With the proposed landscaping, the impact on the AONB would be acceptable and the design of the buildings is also considered to be acceptable.

The proposed development would not harm protected and important trees, the living conditions of nearby properties, protected species, archaeological interests, floodrisk or drainage interests and would not result in the harmful loss of agricultural land.

RECOMMENDATION: **APPROVE** for the following reason:

The proposed development of this school and nursery would lie adjacent to the existing settlement. The impact on the countryside and AONB would be sufficiently ameliorated by the landscaping proposals, and the design of the buildings is considered to be acceptable. The proposed development would not harm protected and important trees, the living conditions of nearby properties, protected species, archaeological interests, floodrisk or drainage interests and would not result in the harmful loss of agricultural land. The development would therefore be acceptable within the terms of Replacement Salisbury District Local Plan policies G1, G2, G4, C1, C2, C4, C5, C12, C19, TR12, PS5 and PS6

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.

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

2. This development shall be in accordance with the amended drawings ref: 227/P.03 deposited with the Local Planning Authority on 1st August 2005, unless otherwise agreed in writing by the Local Planning Authority. The permission does NOT approve the plan shown as Appendix III of the 'business plan for school re-build'.

Reason: For the avoidance of doubt, and to ensure the exact position of the car parking and landscaping within the site.

3. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: in the interests of the character and appearance of the countryside and AONB

4. The finished floor levels of the proposed buildings and development shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced.

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

5. Approval of the details of the landscaping scheme including site clearance and a statement of the methods of its implementation shall be submitted to and approved, in writing, by the Local Planning Authority.

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

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

Reason: To comply with the duties indicated in s197 of the Town and Country Planning Act, to ensure a satisfactory appearance to the development.

6. No tree, shrub or hedge which is shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with British Standard recommendations for Tree Work (BS3998:1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 10 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree shrub or hedge shall be of such a size, specification and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

If within a period of 10 years from the date of planting, any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree of the species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To comply with the duties indicated in s197 of the Town and Country Planning Act, to ensure a satisfactory appearance to the development.

7. No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees (hereafter called the Arboricultural Method Statement), have been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be undertaken only in accordance with the approved details unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as Tree Protection Zones. Unless otherwise agreed the Tree Protection Zones shall be fenced in accordance with the British Standard Guide for Trees in Relation to Construction (BS5837:1990) and no access will be permitted to the Tree Protection Zone for any development operation. Tree Protection Zones shall be provided for all trees to be retained on the site, and shall also take account of the root spread into the site of trees of adjoining sites.

The Arboricultural Method Statement shall also include all other relevant details, such as changes in levels, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas, foundations, walls and fences, service runs (ie for telephone, water, gas sewerage, electricity etc). It shall also include the control of potentially harmful operations, such as burning, the storage, handling and movement of materials, the movement of people and machinery across the site, where they are within 10 metres of any designated Tree Protection Zone.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS3998, 1989)

The Arboricultural Method Statement shall include provision for the supervision and inspection of tree protection measures on a regular basis throughout the different phases of construction. Reports produced as a result of these inspections shall be forwarded to the Local Planning Authority. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works and soft landscaping have been completed, and all equipment, machinery and surplus materials removed from the site, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To comply with the duties indicated in s197 of the Town and Country Planning Act, to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of site clearance and construction

8. No development shall take place (including site clearance or other preparatory work) until all details relevant to the implementation of hard and soft landscape works and tree planting (hereafter called the Landscape Method Statement) have been submitted to and approved, in writing, by the Local Planning Authority. Development shall not commence until the Landscape Method Statement has been approved in writing by the Local Planning Authority. All landscape works shall be undertaken in accordance with the approved Landscape Method Statement unless otherwise agreed, in writing, by the Local Planning Authority.

The Landscape Method Statement shall include as appropriate protection of planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment (particularly to provide adequate drainage and provision for the control of weeds), plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also include provision for maintenance for the establishment period, including watering, weeding and formative pruning, and the removal of stakes and ties. Provision shall be made for the replacement of any plant, including replacements that are removed, uprooted or die, or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless otherwise agreed in writing by the Local Planning Authority.

All hard and soft landscaping works shall be commenced prior to the occupation or use of any part of the development, unless the Local Planning Authority has given its prior written consent to a programme of implementation. The hard and soft landscaping works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for the supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

Reason: To ensure the satisfactory appearance of the development

9. No development shall take place until a School Travel Plan has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be undertaken full in accordance with the approved School Travel Plan.

Reason: in the interests of the safety and sustainability of the children, reducing congestion and encouraging alternative access other than by the private car.

10. The access shall be constructed in accordance with the approved plan, reference 227/P.03, prior to the first use of the development.

Reason: in the interests of highway safety

11. The access carriageway, including kerbs, shall be constructed to base course level for a distance of at least 15 metres from the edge of the carriageway, and shall include visibility splays of 2.4m x 90m in both directions, laid out in accordance with the approved plan, reference 227/P.03, before the start of construction work on the development.

Reason: in the interests of highway safety

12. Prior to the commencement of development, full details of the improvement works to Knighton Road shall be submitted to and approved, in writing, by the Local Planning Authority. The improvement works shall be completed in accordance with the approved details before the first use of the development.

Reason: in the interests of highway safety

13. No development shall take place until the existing 30mph limit Traffic Regulation Order has been modified to coincide with the extent of the 90 metre visibility splay to the north east of the main access point.

Reason: in the interests of highway safety

14. Prior to the commencement of development, further details of the proposed footpath leading from Howgare/New Town Road, passing the sports field car park and tennis court, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved. Reason: to encourage parents and children to access the school by walking, and to further encourage a reduction in traffic levels near the main access of the school, in the interests of highway safety.

15. Other than those spaces hereby approved, no additional car parking spaces shall be provided on the site without the prior written consent of the local Planning Authority. Reason: in the interests of sustainable development.

16. 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) there shall be no alterations to the external appearance of the school (including extensions or new outbuildings)

Reason: to ensure that the acceptable appearance of the site is maintained

17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order with or without modification) the buildings hereby approved shall be used only as a school or as a nursery respectively, or for associated ancillary uses, unless otherwise agreed in writing by the Local Planning Authority.

Reason: permission has only been granted on the basis of the need for the development as a school.

18. In order to prevent the increased risk of flooding, no development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Should ground conditions or other restrictions mean soakaways are not practical, then a Flood Risk Assessment (FRA) must be submitted to the local Planning Authority and to be acceptable, the applicant must confirm as a minimum:

- (a) that the system will balance surface water run off to the Greenfield run-off rate for all events up to the 1 in 100 year storm (including climate change) and set out how this will be achieved.
- (b) how sustainable drainage techniques (SUDs) will be used, with any obstacles to their use clearly justified.

Reason: in the interests of limiting flood risk

The development has been considered in accordance with the following policies of the adopted Salisbury District Local Plan:

G1 – general development criteria
G2 – general development criteria
G4 – flood risk
D1 – design
C1 – development in the open countryside
C2 – development in the open countryside
C4 – development in the AONB
C5 – development in the AONB
C12 – protected species
C19 – loss of best and most versatile agricultural land
TR12 – Sustainable transportation
PS1 – new community facilities
PS5 – new education facilities
PS6 – day nurseries

INFORMATIVE: -

The 30mph speed limit must be modified by the Highway Authority at the expense of the developer, including the administrative costs of the Authority, advertising costs, and the costs of placing the new signs and removing the old signs. In order to complete the Order and works in accordance with any programme for the school, the Highway Authority should be contacted as soon as possible following the grant of consent.

The applicant is advised that it is an offence, under the Wildlife and Countryside Act 1981, as amended, to intentionally kill, injure or take any wild bird, to damage or destroy the nest of any wild bird while in use or being built, or to take or destroy the egg of any wild bird. Therefore, any work impacting on the hedgerow on the site should be timed to avoid the nesting season (March to August inclusive)

NOTES: