

Report

Report subject : Development Brief: Hindon Lane, Tisbury

Report to : Western Area Committee

Date : 23rd November 2006

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1.0 Report Summary

- 1.1 Policy H14 and E14A of the Adopted Local Plan (June 2003) allocates land between Hindon Lane and Weaveland Road for residential and employment development incorporating the provision of land for a swimming pool. This site forms part of the overall housing requirement for the District up until 2011 and falls into Phase 2 of the plan period. However, this site is yet to be released by the Council. The Local Plan indicates that in order to guide and control development of the site, a development brief must be prepared.
- 1.2 Following a series of meetings and discussions between Council Officers, the developer CG Fry and Son and their Urban Designer Tetlow King, a draft Development Brief was released for public consultation for a period of 7 weeks from 10th August 2006 and 28th September 2006.
- 1.3 This report now considers the issues raised in the consultation period and highlights changes to the Development Brief where it is appropriate and reasonable to do so. Subject to the acceptance that all the raised issues have been satisfactorily addressed and that the changes made are appropriate, the report concludes by seeking a recommendation from this Committee to the Cabinet that the revised Brief be adopted as a Supplementary Planning Document.
- 1.4 A copy of the revised development brief and sustainability report is attached as Appendix 1 for information.

2.0 Purpose of the Planning Brief

- 2.1 Policy H14 and E14 of the adopted Local Plan allocates Land at Weaveland Road for residential and employment development. The purpose of a Development Brief is to provide a broad framework for the development of a site in accordance with the requirements of the Local Plan and to take into account more detailed local conditions. In short, the development brief is a bridge between the Local Plan policy and future planning applications.



Awarded in:
Housing Services
Waste and Recycling Services



2.2 The draft Development Brief was also accompanied by a draft Sustainability Appraisal Report. This is a requirement of the Planning and Compulsory Purchase Act 2004.

3.0 Public Consultation

3.1 A key part of the Development Brief preparation process is that appropriate public consultation is undertaken to inform those with interests and gain views, which can be taken into account in shaping the final Brief. The ultimate goal is to identify a development solution, which optimises the benefits of the development and minimises any negative impacts.

3.2 The draft Development Brief and Sustainability Appraisal Report was released for public consultation for a 7 week period from 10th August 2006 to 28th September 2006. The consultation was achieved in line with the council's draft Statement of Community Involvement and consisted for the following public consultation:

- Publication of the draft development brief and sustainability appraisal report on the council's website, and the placing of copies at the council offices, information points and local libraries
- Awareness raising through a public notice in the Salisbury journal and Blackmore Vale Magazine and headlines on the council's webpage
- Direct notification of at least 100 individuals and statutory consultees by letter or e-mail enclosing details of the consultation exercise. Individuals were selected from the database held by Forward Planning as well as other known interested parties. Local Councillors were also contacted.
- Advertised public exhibitions within the library at Tisbury, held on three occasions on 18th August, 30th August and 11th September.
- Leaflets dropped to households adjoining the proposed site and numerous leaflets left in local pubs, the Tisbury Co-op, Tisbury Railway Station and Tisbury Sports Centre.
- There was opportunity for members of the public to submit comments online or by letter by the closing date of 28th September 2006.

3.3 At the close of the consultation period 127 responses had been received. Of the responses received 11 were in support of the proposal, 7 were neutral, 2 support to some aspects of the brief whilst also objecting to other aspects and the remaining 106 were in objection to an aspect of the brief. 1 representation was 'Not Duly Made' as this was received a number of days after the end of the consultation period.

3.4 Officers have welcomed the inputs of all respondents to this exercise, which have improved the quality of the Brief in a number of areas. A full summary of all the issues raised by respondents is set out in appendix 2 of this report, along with officer comment. Alterations to the brief are set out in the right-hand column in response to these points, and are incorporated into the revised version now presented to members.

4.0 Results of consultation:

4.1 The following section now examines the key subject areas that created the most interest and concern during the consultation period, and which resulted in more significant alterations to the brief.

Traffic on Hindon Lane:

4.2 A large number of respondents were concerned about additional traffic on Hindon Lane, that the lane is too narrow and dangerous to accommodate additional traffic and that a rat-run should not be created through the proposed development site and Weaveland Road as a result creating an access to the sports centre / primary school. Objectors were also looking for clarification of traffic calming measures.

- 4.3 It light of these comments, it is clear that the draft brief was not explicit enough in terms of transport issues.
- 4.4 Wiltshire County Council Highways provided a comprehensive response to the draft development brief. This confirmed that the traffic calming measures will be the movement of the 30mph zone and the construction of a mini-roundabout on Hindon Lane.
- 4.5 Wiltshire County Council Highways also confirmed that they require the developer to undertake a Transport Assessment to accompany any planning application to be submitted, this should look at the effect that the development traffic will have on Hindon Lane.
- 4.6 It was also confirmed by Wiltshire County Council Highways that the provision of an access to the Sports Centre and Primary School would not lead to a rat run through the site and along Weaveland Road as the route through the proposed development is quite tortuous compared to the alternative.
- 4.7 The development brief has therefore been amended to ensure that these points are made clearer.

Provision of a New Swimming Pool:

- 4.8 Respondents were concerned that a new swimming pool could not be delivered due to the cost of building and running such a facility. The development brief provides for land to be made available for a new swimming pool this is as a result of Policy H14, which makes this requirement. It is acknowledged that the provision of such a facility may not be financially viable.
- 4.9 The development brief has therefore been amended throughout to highlight that the Council will support the community if they wished to use this land for another community use, which is yet to be identified.

Sewerage system capacity:

- 4.10 There was concern that the sewerage and water facilities would not be adequate to cope with additional pressure from further development.
- 4.11 Wessex water in their response to the development brief confirmed that there should be foul water, sewerage treatment and water supply capacity available. However Wessex Water do require the developer to provide calculations and modeling of the infrastructure to ensure that this is the case. For any development of this size the developer is therefore required to agree a foul and potable water strategy (water safe for human consumption) with the service provider. If a shortfall is identified the developer will be required to provide additional services. As a result the commitment to providing a foul and potable water strategy has been added to the brief for clarification.

Ecology:

- 4.12 Concern was expressed by several respondents regarding the protection of wildlife on the site, especially badgers and dormice. An update to the 2004 ecological survey on the site has now been undertaken which confirms not only the presence of badgers but also that of Dormice. Both of these species are protected through EU legislation and a licence will be required in order to undertake works. The brief has been amended to reflect the additional presence of dormice.
- 4.13 The updated ecological study can be viewed on the Council's website at www.salisbury.gov.uk

Area of Outstanding Natural Beauty

- 4.14 Given Tisbury's location within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), concern was naturally expressed regarding the development intrusion visually into the AONB, especially with respect to height and density of the development.
- 4.15 This issue was addressed at the Local Plan Inquiry held in 2001. The Inspector concluded that he did not consider that development on the land would appear as an extension of the settlement into the countryside that surrounds it, but rather the utilisation of an unused piece of land that lies generally within the framework of the built up area of Tisbury.
- 4.16 Furthermore, it is not anticipated that the height of the proposed development should go above that of the existing building line created by the swimming pool and schools. These buildings are already very visible due to their scale and hill top location.
- 4.17 With respect to building height, specifically, in order to reach the minimum housing densities required by government of a minimum of 30 dwellings per hectare, some 3 storey dwellings are required. Some of the 3 storey will be what is termed 2 ½ storey whereby the roofspace is used as living space. This keeps the actual height of the buildings lower.
- 4.18 In design terms it is not the case that it is possible or desirable to hide a development of some 75 dwellings. They should be designed so that they form a sympathetic addition to the village, drawing on local context to deliver a high quality sense of place. Existing 3 and 2 ½ storey dwelling do provide contextual cues in Tisbury and this can add to a varied roofspace adding interest to the development and avoiding a bland, homogenous solution.

Development in proximity of Alexandra Cottages:

- 4.19 Residents of Alexandra Cottages were concerned about the proximity of the promised development to their north western boundary especially with respect to reduced sunlight.
- 4.20 Discussion with the developer have resulted in agreement that the south eastern 'wing' of the proposed employment building to be removed from the masterplan. This will result in built form being substantially further away from Alexandra Cottages.

Business units within the development:

- 4.21 Concern was raised as to whether the business units incorporated within the development were retail and that if this is the case this could damage the vitality and viability of Tisbury village centre.
- 4.22 These business units are intended to be B1 use (offices, research and development and light industry) not retail. The development brief has therefore been amended to state that any 'change of use to A1 (retail) should not be incorporated.

Renewable Energy:

- 4.23 Respondents also expressed that they would like to see some form of renewable energy on the site.
- 4.24 The construction of the development to Eco Homes 'very good' standard should ensure that substantially less energy is needed for these dwellings. However the developer has agreed to consider renewable energy where it is appropriate or reasonably practicable and this has been incorporated into the development brief.

5.0 Sustainability Appraisal:

- 5.1 Sustainability appraisal is a systematic process undertaken during the preparation of a plan or programme. Its role is to assess the extent to which the emerging policies and proposals will help to achieve relevant environmental, social and economic objectives. In doing so, it provides an opportunity to consider ways in which the plan or programme can contribute to improvements in environmental, social and economic conditions. It is also a means of identifying and addressing any adverse effects that draft policies and proposals might have.
- 5.2 The draft sustainability appraisal report was consulted alongside the draft development brief.
- 5.3 A small number of comments were received on the content of the draft sustainability appraisal report. As a result a few minor changes have been made to the report.
- 5.4 Paragraph 6.5, Option 3 has additionally been amended to reflect the changes made to the development brief that have arisen as a result of the public consultation.

6.0 Comments from Western Area Committee Members:

- 6.1 The draft Development Brief was brought to this Committee on 31st August 2006 where Councillors were asked to note the contents of the Brief and suggest any amendments as part of the formal consultation exercise. The committee made the following resolution:

Resolved – That the officers be thanked for this excellent brief and that the development brief be noted.

- 6.2 Although no specific amendments were requested by Western Area Committee, concerns that were highlighted have predominantly been addressed through the consultation exercise.

7.0 Next steps:

Subject to the agreement of the changes set out in this report and the attached Appendix 1 and 2, members are asked to recommend the Brief to Cabinet for adoption as a Supplementary Planning Document (SPD). Subject to this agreement by the Cabinet the SPD will then form a material consideration in determining a planning application should an application be received. It does not provide planning permission on the site, but provides for guidance in the instance that a planning application is received. It will provide guidance to developers, members of the public and other interested parties on the aspirations and requirements of the Local Planning Authority in respect of this site. However, it should be noted that this allocation is yet to be released by the Council's Cabinet. The brief has been prepared because Local Plan indicates that in order to guide and control development of the site, a development brief must be prepared.

It should be noted, however, that if Cabinet chose not to adopt this brief, it does not prevent a planning application from being submitted. If a planning application were to be submitted, without such a development brief, the council will have a greatly reduced control over the quality of any development proposed'.

8.0 Recommendation:

It is recommended that:

Members note the changes to the revised Brief and Sustainability Report and recommend the Brief to cabinet for adoption as a Supplementary Planning Document.

Background Papers:

Salisbury District Local Plan (June 2003) - available at www.salisbury.gov.uk/planning via the Forward Planning web page.

Draft Development Brief, Hindon Lane (draft for consultation) July 2006

Salisbury District Sustainability Appraisal Scoping Report

Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (ODPM 2005)

Implications:

Financial : Brief produced with existing budgets

Legal : As set out in the report

Human Rights : Article 6 (the right to a fair hearing) may apply. The consultation process contributes to compliance with this.

Personnel : None at this stage

ICT : None

Community Safety : None at this stage

Council's Core Values : Excellent service, thriving economy, fairness & equality, open council & willing partner, communicating with the public, supporting the disadvantaged, protecting the environment.

Ward Affected : Tisbury and Tisbury West