

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 11 September 2019
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Fleur de Rhé-Philippe MBE (Chairman)	Cllr Sarah Gibson
Cllr Derek Brown OBE (Vice-Chairman)	Cllr Christopher Newbury
Cllr Andrew Bryant	Cllr Ian Thorn
Cllr Ernie Clark	Cllr Tony Trotman
Cllr Andrew Davis	Cllr Fred Westmoreland
Cllr Stewart Dobson	

Substitutes:

Cllr Ian Blair-Pilling	Cllr Chris Hurst
Cllr Clare Cape	Cllr Nick Murry
Cllr Christopher Devine	Cllr Stewart Palmen
Cllr David Halik	Cllr Stuart Wheeler
Cllr Russell Hawker	Cllr Graham Wright
Cllr Ruth Hopkinson	

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meetings** (*Pages 7 - 26*)

To approve and sign as a correct record the minutes of the meetings held on 19 and 20 June 2019.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 10.20am on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than **4 September 2019** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than **6 September 2019**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals and Updates** (*Pages 27 - 38*)

To receive details of completed and pending appeals, and any other updates as appropriate.

7 **19-07427-FUL: 30-36 Fisherton Street, Salisbury, Wiltshire, SP2 7RG - Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel.** (*Pages 39 - 142*)

A report by the Case Officer is attached.

8 **18/11739/FUL: The Paddock ,Hook, nr Royal Wooton Bassett Wiltshire SN4 8EA - Change of use of land to a residential caravan site consisting of 4 pitches each containing 1 mobile home, 1 touring caravan, 1 semi-detached utility building, car parking, access and children's play area.** (*Pages 143 - 162*)

A report by the Case Officer is attached.

9 **19/04941/FUL: Thatado Farm, Braydon Road, Leigh, SN6 6RQ - Two standard gypsy & traveller plots and vehicle access** (*Pages 163 - 178*)

A report by the Case Officer is attached.

10 **Date of Next Meeting**

To note that the next scheduled meeting of this Committee is due to be held on Wednesday 16 October 2019 at County Hall, Trowbridge, starting at 10.30am.

11

Urgent Items

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 19 JUNE 2019 AT THE ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fleur de Rhé-Philippe MBE (Chairman), Cllr Derek Brown OBE (Vice-Chairman), Cllr Andrew Davis, Cllr Stewart Dobson, Cllr James Sheppard, Cllr Fred Westmoreland, Cllr Ian Blair-Pilling (Substitute) and Cllr Graham Wright (Substitute)

Also Present:

Cllr Pauline Church, Cllr Toby Sturgis, Cllr Atiqul Hoque, Cllr John Walsh and Cllr Gordon King

27 **Apologies**

Apologies were received from Councillors Ernie Clark, Sarah Gibson, Christopher Newbury, Tony Trotman

Councillor Clark was substituted by Councillor Graham Wright. Councillor Trotman was substituted by Councillor Ian Blair-Pilling.

It was also noted that Councillor David Jenkins had resigned from the Council, and therefore also the Committee.

28 **Minutes of the Previous Meetings**

The minutes of the meetings held on 20 March 2019 and 24 April 2019 were presented for consideration and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

29 **Declarations of Interest**

Councillor Derek Brown OBE declared a non-pecuniary interest in both items by virtue of being a Salisbury City Councillor. He would debate and vote on both items.

30 **Chairman's Announcements**

Through the Chair it was announced that application 18/09473/WCM - Revision of the layout and design of Advanced Thermal Treatment Facility permitted under consent 14/12003/WCM at Northacre Renewable Energy, Stephenson

Road, Northacre Industrial Estate, Westbury – which the Committee resolved to approve at its meeting on 23 January 2019, had received confirmation that the Secretary of State would not call in the application following his initial Section 31 holding direction. The permission for the application was therefore confirmed.

The Committee was informed that four technical conditions relating to efficiency, emissions, feedstock and de-commissioning had been added to the permission, under delegated authority exercised by the Executive Director, Growth, Investment and Place. These conditions were similar to ones imposed by a Planning Inspector for a site in Swindon, and so were imposed to ensure consistency in decision making.

31 **Public Participation**

The procedure for public speaking was noted.

32 **Planning Appeals and Updates**

The appeals update was noted.

33 **The Maltings and Central Car Park, Salisbury Masterplan**

Public Participation

Steve Fear, spoke in objection to the Masterplan

Dr Jeremy Howell, Three Chequers Medical Practice, spoke in objection to the Masterplan.

Mrs Caussmaker, spoke in objection to the Masterplan

Cllr Tom Corbin, on behalf of Salisbury City Council, spoke in support of the Masterplan.

Richard Walters, Head of Service, Major Projects, presented the Maltings and Central Car Park, Salisbury Masterplan and accompanying report. The history of desired masterplans for Salisbury was noted, along with the need for any plan to be developer led in order to be deliverable. Key principles within the plan included the creation of a focused cultural quarter, a green corridor along the river, while allowing overall flexibility. It was stated that the Environment Agency had updated their model for flood risk following flood events in recent years, and this had had a significant impact upon the deliverability of some developments within the site areas.

The details of the public consultation from 15 April 2019 to 24 May 2019 were noted, along with the public exhibition day on 23 April 2019. Over 200 representations had been received, reporting 350 issues, and each issue received a response in the accompanying report. Issues raised had included concerns over the relocation of the library where the existing location was felt to be superior, support for the concept of a green corridor, objection to new retail units and concerns regarding city centre parking and the future of the Young Gallery, and support for enhancement of coach parking facilities.

In response to the comments more detail had been included on ecology, there had been further assessment of the cityscape, a new access plan, detail added

on the future planning process and a section on engagement with voluntary groups, and revision of the delivery details. Details were also provided on representations received since the publication of the agenda.

Members of the Committee then had the opportunity to ask technical questions on the Masterplan. Details were sought regarding flood classification and future medical provision, where it was confirmed one potential site was not suitable for that purpose.

Three questions from Sarah Prinsloo and Mike d'Apice, Extinction Rebellion, had been received and answered in written responses as detailed in Agenda Supplement 1. Supplementary questions were asked seeking the Committee to commit the council to no development unless it was carbon neutral or carbon net negative, noting the recent declaration of the Council on climate change. In response it was stated the Committee was required to follow planning regulations and could not commit the Council as a whole.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

Councillor John Walsh, Salisbury Fisherton and Bemerton Division, made a statement, appreciating the work that was being done but questioning what he considered was the apparent rush and lack of detail within the Masterplan.

The Committee then debated the Masterplan. Issues raised included the long history of attempted visions and masterplans to regenerate the area which had not progressed, and the need to encourage suitable development. It was noted that the Masterplan was a framework to lead the regeneration, and some felt that too much detail in the past had been restrictive and constrained progress. Some concerns were expressed at the potential level of city centre parking that would be reduced, community arts and medical provision. It was also noted that a grant of over £6million from the Swindon and Wiltshire Local Enterprise Partnership had been allocated for the delivery of the first phase of the project, not any specific development within it, and would need to be spent before March 2021.

At the conclusion of debate on a motion to approve the Masterplan moved by Councillor Fleur de Rhé-Phillipe MBE and seconded by Councillor Derek Brown OBE, it was,

Resolved:

That the Master plan for the Maltings and Central Car Park, as attached at Appendix 1, as amended as described paragraph 25 of the report, and any other minor alterations required to improve its clarity, is endorsed as a material planning consideration for the purposes of development management.

34 **18/11957/FUL - 30 - 36 Fisherton Street, Salisbury, Wiltshire, SP2 7RG - Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel.**

Public Participation

Judy Howles spoke in objection to the application.

Mr Oubridge spoke in objection to the application.

Mr Tom Corbin spoke in objection to the application.

Cllr John Farquhar, on behalf of Salisbury City Council, spoke in support of the application.

Andrew Guest, Major Projects and Performance Manager, presented a report recommending permission be granted for demolition of the existing building at 30-36 Fisherton Street, currently used as retail and erection of new building for library, gym and 86 room hotel.

Key issues included the design of the proposed new building, the sustainable economic benefits of the proposal, and the character of the area. Following its approval under the last agenda item, the Maltings and Central Car Park, Salisbury Masterplan, was a significant consideration. Overall, the view of the planning officer was that the proposal was compliant with policy, the impact of the design was neutral or even beneficial compared to the existing building, the character of the area was a mixture of styles, and the height of the building met the exception test to exceed the skyline policy, with no harm to views to and from the cathedral and delivering wider economic benefits.

Members of the Committee then had the opportunity to ask technical questions. Details were sought on drainage and materials.

Members of the public then had the opportunity to put their views to the Committee, as detailed above.

Councillor Atiqul Hoque, Salisbury St Edmund and Milford Division, then made a statement. He noted the concerns expressed over the design, but also the economic benefits and that the Civic Society had supported the proposals.

The Committee then debated the application. It was stated that the proposal was the first phase of the Maltings and Central Car Park regeneration, and that there were significant economic benefits to the development. It was also noted that the design had been amended, following which the City Council had changed its view from opposing to supporting the proposal. However, other members considered the design of the building unacceptable, and that particularly for the first phase of the regeneration it was not appropriate for the area. The views of the Conservation officer were noted, and it was discussed whether the design was harmful to the character of the area, and if this was outweighed by the economic benefits.

A motion to approve the application in accordance with the officer recommendation, having been moved by Councillor Derek Brown OBE and seconded by Councillor Andrew Davis, was voted upon and lost.

A motion to refuse the application as contrary to Core Policies 57 and 58 in relation to the design was then moved by Councillor Graham Wright, seconded by Councillor James Sheppard. At the conclusion of debate, it was,

Resolved:

The proposed development, by reason of its form, bulk and design, would detract from the character and appearance of established development in the locality, notably in Fisherton Street, neither conserving nor enhancing its status as a conservation area and neither conserving nor enhancing the setting of nearby listed buildings. In particular, the bulk and design of the proposal, which is effectively two joined 'blocks' with limited roof articulation and with large and principally uniform / flat facades of considerable size, does not reflect the human scale and rich architectural detail which is otherwise a characteristic of Fisherton Street and Salisbury in general. This is particularly apparent in important contextual conservation area views of the site - along Fisherton Street and Malthouse Lane. The design, and notably the bulk of the proposal, would also result in a development which would insensitively compete with nearby listed public and former public buildings - notably the United Reformed Church and the General Infirmary, to the detriment of their significance and settings.

The proposal is, therefore, contrary to Core Policy 57 (Ensuring high quality design and place shaping) and Policy 58 (Ensuring the conservation of the historic environment) of the Wiltshire Core Strategy.

35 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.30 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 20 JUNE 2019 AT COUNCIL CHAMBER - MONKTON PARK, CHIPPENHAM.

Present:

Cllr Fleur de Rhé-Philippe MBE (Chairman), Cllr Stewart Dobson, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Fred Westmoreland, Cllr Christopher Devine (Substitute), Cllr David Halik (Substitute) and Cllr Stewart Palmen (Substitute)

Also Present:

Cllr Mollie Groom and Cllr Toby Sturgis

36 Apologies

Apologies for absence were received from:

Cllr Derek Brown OBE
Cllr Ernie Clark who was substituted by Cllr Christopher Devine
Cllr Andrew Davis who was substituted by Cllr David Halik
Cllr Sarah Gibson who was substituted by Cllr Stewart Palmen

37 Declarations of Interest

There were no declarations of interest made at the meeting.

38 Chairman's Announcements

It was announced that application 18/09473/WCM - Revision of the layout and design of Advanced Thermal Treatment Facility permitted under consent 14/12003/WCM at Northacre Renewable Energy, Stephenson Road, Northacre Industrial Estate, Westbury – which the Committee resolved to approve at its meeting on 23 January 2019, had received confirmation that the Secretary of State would not call in the application following his initial Section 31 holding direction. The permission for the application was therefore confirmed.

The Committee was informed that four technical conditions relating to efficiency, emissions, feedstock and de-commissioning had been added to the permission, under delegated authority exercised by the Executive Director, Growth, Investment and Place. These conditions were similar to ones imposed by a

Planning Inspector for a site in Swindon, and so were imposed to ensure consistency in decision making.

39 **Public Participation**

There were no questions or statements submitted.

40 **18/02955/FUL - Land at Marsh Farm, Coped Hall, Royal Wootton Bassett, Swindon, Wiltshire SN4 8ER - Class C2 66 Bed Care Home with Associated Car Park and Landscaping and Upgraded Access from Hook Road**

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. The purpose of the report was to consider the application against the provisions of the Development Plan and relevant material circumstances and to consider the recommendation that approval be granted subject to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as follows:

Mr Christopher Wannell, a local resident, who spoke against the proposal
Mr John Eastgate, a local resident, who spoke against the proposal
Mr Alistair Wood, Planning & Development Manager, LNT Construction, who spoke in support of the proposal
Cllr David Bowler, representing Royal Wootton Bassett Town Council, who spoke against the proposal.

Members then heard the views of Cllr Mollie Groom, the local Member, who explained that she objected to the application for several reasons. She considered that there was insufficient need for a further care home in the area pointing out that there were plenty in both Royal Wootton Bassett and also in Swindon. She objected to the siting of the proposal, pointing out that it was planned to build the care home on an unallocated field. She also stated that access to the site did not have pavements and she was also concerned that the speed limit on the adjacent roads were 40 mph.

The Case Officer reported that the Highways Engineer did not raise any objections to the proposal, subject to conditions and the Committee was informed that there was in fact much demand for modern care homes bearing in mind that many of the older ones could not be upgraded to modern standards.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Christopher Devine,

Resolved:

To grant planning permission, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

**Site Location Plan 183799/AP01 (26.03.2018)
Amended Site Layout Drawing No.183799/AP02D (received 16.08.18)
Proposed Ground Floor Plan Drawing No.183799/ AP03 (26.03.2018)
Proposed First Floor Plan Drawing No. 183799/ AP04 (26.03.2018)
Proposed Second Floor Plan Drawing No. 183799/APO5 (26.03.2018)
Proposed Roof Plan Drawing No. 183799/AP06 (26.03.2018)
Amended Elevations Drawing No. SN4 8AY-A-05B (received 16.08.18)
Amended Site Access Arrangements Drawing No.1801-69/SK02 Rev B (received 16.08.18)
Amended Perspective Representation (received 16.08.18)
Amended Indicative Planting Proposals (received 16.08.18)
Initial Materials Palette (received 16.08.18)
Detail of Metal Railing Boundary Treatment (received 16.08.18).**

**Flood Risk Assessment V3 (Received 27.08.18)
Transport Statement (Received 16.08.18)
Design and Access Statement 183799 (Received 16.08.18)**

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Each unit of the residential care home hereby permitted shall be occupied only by:

- persons of state pensionable age; or**
- persons living as part of a single household with such a person or persons; or**
- persons who were living as part of a single household with such a person or persons who have since died.**

REASON: The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

4. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision limiting the maximum flow rate from the site via the highways culvert to that referenced in the submitted Flood

Risk Assessment By Pinnacle C160504 V5 Dated 17 august 2018 and Received 27 August 2018.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

5. No development shall commence on site until a fully detailed scheme for the disposal of foul sewage from the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall accord with the Foul Drainage Strategy as illustrated in Drawing No. C160504-V5 submitted within the Flood Risk Assessment & Drainage Strategy documentation prepared by Pinnacle Consultancy dated 17 August and received on 27 August 2018'

REASON: To ensure that proper provision is made for the sewerage of the site and that it does not increase the risk of sewer flooding to downstream property.

6. The development hereby permitted shall not be occupied until the approved sewage disposal & surface water drainage works proposed have been completed in accordance with the submitted and approved details. This shall include the thorough cleansing, cleaning and removal of all materials and potential blockages from the existing piped drainage/culvert proposed for use as part of the Surface Water Drainage network/system prior to the first occupation of the dwellings hereby approved. The applicant shall notify the Council including Drainage and Highways Maintenance Teams of commencement and completion of the drainage clearance and cleaning works. The works shall be subject to assessment and approval by the Council.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

7. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity

8. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

i. The movement of construction vehicles;

- ii. Dust suppression covering earth works and spoil heap storage
- iii. The cutting or other processing of building materials on site;
- iv. Wheel washing and vehicle wash down facilities;
- v. The transportation and storage of waste and building materials;
- vi. The recycling of waste materials (if any)
- vii. The loading and unloading of equipment and materials
- viii. The location and use of generators and temporary site accommodation

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9. The development will be carried out in strict accordance with the recommendations given in Section 6 of the Ecological Appraisal Report by Aspect Ecology dated February 2018.

REASON: In the interests of Protected Species and Habitat.

10. Prior to commencement of development, a Landscape and Ecological Management Plan shall be prepared and submitted to the local planning authority for approval. Details within the LEMP shall include, but not necessarily be limited to, the following:

- a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
- b) Description and evaluation of features to be managed; including location shown on a site map
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward
- h) Details of the body or organisation responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures.

The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before

development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

11. No development shall commence within the development area until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

12. No development shall commence on site until details of the materials to be used on the development 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

13. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

14. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;

- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

15. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features

16. The development shall be carried out as specified in the approved Arboricultural Note (Impact Assessment) dated February 2018 and shall be supervised by an arboricultural consultant, if required.

REASON: To prevent trees on site from being damaged during construction works.

17. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape

management plan shall be carried out as approved in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

18. Prior to first use the access to Hook Road shall have been provided, as detailed on plan number SK02/B including alterations to the kerb lines to achieve visibility.

REASON: In the interests of safe and convenient access to the development.

19. Prior to first use the access to Hook Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 120 metres to the north and 70 metres to the south-west. The visibility splays will be retained in perpetuity thereafter.

REASON: In the interests of highway safety.

20. Prior to first occupation of the development hereby the Hook Road kerb lines adjacent to the access position shall have been altered, and the existing highway footway between the access and the Malmesbury Road north side bus stop shall have been reconstructed to a new width of 2 metres, in accordance with details to be first submitted to and approved by the Local Planning Authority. The highway works shall be carried out in accordance with the details approved.

REASON: In the interests of highway safety.

21. The development hereby permitted shall not be brought into use a full Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use prior to implementation of the Full Travel Plan, (or implementation of those parts capable of being implemented prior to first use). Those parts identified for implementation after first use shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

REASON: In the interests of reducing the amount of private car movements to and from the development.

22. Prior to first use the parking and turning areas including the cycle parking facility shall have been provided and shall thereafter be maintained and kept available for the parking and turning of vehicles.

REASON: In the interests of safe and convenient operation of the development.

23. Prior to development above first course level details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

24. No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from mechanical extraction and ventilation plant. The approved scheme shall be implemented in full before use commences and maintained at all times thereafter.

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with:

BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at least 5dB below the background noise level.

25. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E2/ E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012.

This will include a lux plot demonstrating that a level of 0.5 lux or less can be achieved at the edges of all ecologically sensitive areas such as hedgerows and tree canopies (based on assumed tree height and canopy spread at maturity).

The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

The Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light” can be found free online on the following website.
www.theilp.org.uk/

REASON: In the interests of Protected Species and Habitat, residential and visual amenity.

INFORMATIVES TO APPLICANT:

The applicant should be aware that the highway works will require completion of a Section 278 Agreement to secure the works.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

The applicant should note that the costs of carrying out a programme of archaeological investigation and recording will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s website for further information on protected species.

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire’s Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

Please note that Council offices do not have the facility to receive material samples.

Please deliver material samples to site and inform the Planning Officer where they are to be found.

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

There are ordinary watercourses within or in close proximity to your site. If you intend to obstruct the flow in the watercourse (permanently or temporarily, including culverting) you will require prior Land Drainage Consent from Wiltshire Council as the Lead Local Flood Authority. You are advised to contact the Drainage Team to discuss their requirements:- <http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinary/watercourseconsent.htm>

Sustainable Construction Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced. Pollution Prevention During Construction Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg> Waste Management Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>.

41 **19/02481/FUL - From land at Northacre Industrial Estate to border with Mendip DC at ST 82843 50780 - Installation of an underground grid connection**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application. The purpose of the report was to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider a recommendation that the application be approved, subject to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as follows:-

Ms Harriet James, a local resident, spoke in opposition to the proposal

Ms Marie Hillcoat, a local resident, spoke in opposition to the proposal

Ms Margaret Cavanna, a resident of Dilton Marsh, spoke in opposition to the proposal

Mr Michael Hill, Chief Executive, The Hills Group, spoke in support of the proposal

Mr Ed Dodd, Group Project Director, Waste & Resources, The Hills Group, spoke in support of the proposal

Cllr Ian Cunningham, Chairman of Westbury Town Council's Planning Committee spoke against the proposal

After some discussion, on the proposal of the Chairman, which was seconded by Cllr Fred Westmoreland, it was,

Resolved:

To grant planning permission, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence within the application site until:**

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**

- b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning

permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

- 3 The development shall be carried out strictly in accordance with the specification (the 'Environmental Management System) set out in the Construction Environmental Management Plan (CEMP) by DNOC issued February 2019.

REASON: To safeguard amenity and the environment.

- 4 The development shall be carried out strictly in accordance with the recommendations of the Preliminary Ecological Appraisal by Wild Service dated 15/02/19.

REASON: To safeguard ecology.

- 5 Where the line of the approved cable crosses a hedgerow, no more than a 1m wide section of the hedgerow shall be removed; and within six months following completion of the works at any particular hedgerow, the removed section shall be re-planted with species compatible with the original hedgerow.

The re-planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON: To ensure the protection of existing important landscape features.

42 **Date of Next Meeting**

To note that the next scheduled meeting of the Committee was due to take place on Wednesday 17 July 2019, starting at 10.30am at County Hall, Trowbridge.

43 **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 2.30 - 4.10 pm)

The Officer who has produced these minutes is Roger Bishton of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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**Wiltshire Council
Strategic Planning Committee
11th September 2019**

There are no Planning Appeals Received between 07/06/2019 and 30/08/2019 relating to Decisions made at Strategic Committee

Planning Appeals Decided between 07/06/2019 and 30/08/2019 relating to Decisions made at Strategic Committee

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
17/01798/FUL	Valley View Dean Road East Grimstead Salisbury, Wiltshire SP5 3SD	GRIMSTEAD	Change use of land for the stationing of one mobile home, one touring caravan, and a day/utility room building for residential purposes, together with the formation of hardstanding, and landscaping and erection of maximum 2.8 fence (retrospective)	SPC	Hearing	Approve with Conditions	Allowed with Conditions	13/08/2019	Appellant Applied for Costs – Partial Award Allowed
18/03816/WCM	Northacre Renewable Energy Stephenson Road Northacre Industrial Estate, Westbury Wiltshire, BA13 4WD	WESTBURY	Revision of the layout and design of Advanced Thermal Treatment Facility permitted under consent 14/12003/WCM	SPC	Inquiry	Approve with Conditions	Withdrawn	06/08/2019	



Appeal Decision

Hearing Held on 24 July 2019

Site visit made on 24 July 2019

by Rory Cridland LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 13 August 2019

Appeal Ref: APP/Y3940/W/18/3215416

Valley View, Dean Road, East Grimstead, Sculsbury SP5 3SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Nicola Terry against the decision of Wiltshire Council.
 - The application Ref 17/01798/FUL, dated 23 February 2017, was refused by notice dated 19 July 2018.
 - The development proposed is change of use of land for the stationing of one mobile home, one touring caravan, and a day/utility room building for residential purposes together with the formation of hard standing, and landscaping and erection of Max 2.8m fence and stables.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of land for the stationing of one mobile home, one touring caravan, and a day/utility room building for residential purposes together with the formation of hard standing, and landscaping and erection of Max 2.8m fence and stables at Valley View, Dean Road, East Grimstead, Sculsbury SP5 3SD in accordance with the terms of the application, Ref 17/01798/FUL, dated 23 February 2017, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. Part of the development has already been carried out with the stationing of the mobile home on the land, the erection of fencing and the change of use of the land for residential purposes. I have dealt with those parts of the application on a retrospective basis.
3. Following the submission of the original application, the description of development was amended. In addition, the erection of stables in the north western corner of the site was added to the application. However, the stables were not included in the amended description. The Council confirmed at the hearing that they had included the stables as part of their consideration and agreed that the description should be amended. I concur and, accordingly, have used the agreed wording above.

Application for Costs

4. An application for costs was made by Ms Nicola Terry against Wiltshire Council. This application is the subject of a separate Decision.

Gypsy Status

5. The Council accepts that the appellant meets the definition of gypsy and traveller as set out in Annex 1 of the Planning Policy for Traveller Sites (2015) (PPTS). Similarly, there is no dispute about the lack of availability of alternative accommodation.

Planning Policy Background and Main Issues

6. The PPTS requires local planning authorities to identify a five year supply of specific deliverable sites to meet locally assessed need. In addition, it requires the identification of a supply of specific developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15.
7. The Council accepts that it cannot currently demonstrate the required 5 year supply of specific deliverable sites. Furthermore, it estimated at the hearing that there is currently an unmet need for approximately 46-48 pitches in the area. While I am mindful that these figures are out of date and may not be particularly robust, all parties agree that there is a significant need that is not being met. Furthermore, the Council has not identified any allocated sites and confirmed at the hearing that it expects this outstanding need will be met by private pitches. Based on the evidence before me, I have no reason to conclude otherwise and as such have not considered these matters further
8. It is against this backdrop that Policy 47 of the Wiltshire Core Strategy¹ (WCS) seeks to make provision for the recognised need for gypsy and traveller sites. It makes clear that proposals for new pitches will only be granted where there is no conflict with other planning policies and where no barrier to development exists. New development should be situated in sustainable locations with preference given to previously developed land or vacant or derelict sites in need of renewal.
9. It goes on to identify nine general criteria against which proposals will be judged. The Council's reasons for refusal focused on four of these criteria. In particular, that it considered the development fails to provide safe and convenient pedestrian access (criterion (ii)), is not located within a reasonable distance of a range of local services and community facilities (criterion (v)), has an unacceptable impact on the character and appearance of the surrounding landscape (criterion (vi)), and is not appropriate to the scale and character of nearby East Grimstead (criterion (viii)). These concerns are echoed by the Grimstead Parish Council ("the Parish Council").
10. Consequently, I consider the main issues are:
 - (i) whether the appeal site offers an acceptable location for the proposed development having regard to national and local planning policy;
 - (ii) the effect of the proposed development on the character and appearance of the surrounding landscape;
 - (iii) whether the development provides safe and convenient pedestrian access; and

¹ Wiltshire Core Strategy (adopted January 2015).

- (iv) whether the development is appropriate to the scale and character of the surroundings, including East Grimstead.

Reasons

Location

11. East Grimstead is a Small Village as defined by the Council's settlement strategy. It has a limited range of services and facilities which include a church, village hall/reading room. WCS Core Policy CP1 limits development in these areas to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities. Furthermore, WCS Core Policy CP2 limits such development to infill within the existing built up area and, in principle, supports development which seeks to meet local housing needs.
12. The appeal site itself is located on the outskirts of the village, around 1.2km from East Grimstead and outside any recognised development boundary. It comprises an area of around 0.3 hectares and forms part of a larger agricultural field. It is set back from the highway and accessed via a shared track which also forms part of public bridleway Grimm22. To the west is neighbouring Dillon's Farm while to the east is a development known locally as 'the encampment'. To the south is open countryside.
13. The Council accepts that the site is not isolated. However, it is concerned that it is not located within a reasonable distance of a range of local services and community facilities and as such will place heavy reliance on the use of the private car. The site is clearly near to the settlement of East Grimstead which I accept has a limited number of local services and community facilities. However, while I note the Council's argument, advanced at the hearing, that criterion (v) of WCS Core Policy 47 requires East Grimstead itself to offer a range of local services and community facilities, I do not agree. Instead, I concur with the approach taken by the Inspector on the neighbouring Dillon's Farm site² that those services and facilities need not necessarily be within the nearest settlement.
14. Although East Grimstead itself offers only a limited number of services and facilities, there are a variety of services within a reasonable distance of the site including local schools and health services, many of which are accessible by public transport. While I note the concerns raised by both the Council and the Parish Council in relation to the limited bus service, there is no policy requirement for sites to be located on regular bus routes and I note that the bus service available would enable occupiers to access services and facilities in West Dean as well as the large number of services and community facilities in Salisbury and other nearby settlements.
15. Furthermore, I note that the surrounding area forms part of a national cycle network and it is clear from the evidence that there are also opportunities to access other nearby settlements, including White Parish, on foot via the public rights of way network. I am also mindful of the contribution to which traditional lifestyles can make towards sustainability in general, particularly in limiting the number of travel to work journeys.

² APP/Y3940/A/14/2211452.

16. In addition, the WCS specifically provides for some modest development in the Small Villages to respond to local needs. This includes the identified need for gypsy and traveller sites. I also note the conclusions of the Inspector in the Dillon's Farm Appeal who came to the view that this was a sustainable location for a gypsy site which would not undermine the settlement strategy for the area. I see no reason that the present site would not be equally acceptable in this respect.
17. Consequently, I find the proposal would be located near to an existing settlement and would be within a reasonable distance of local services and community facilities. As such, I find it accords with criterion (v) of WCS Core Policy 47.

Effect on the landscape

18. The appeal site is situated in a locally designated Special Landscape Area (SLA). WCS Core Policy 51 and Saved Policy C6 of the Salisbury District Local Plan 2011³ (SDLP) seek to ensure that development protects, conserves and where possible enhances landscape character and maintains the character of the SLA. In addition, criterion (vi) of WCS Core Policy 47 favours new gypsy and traveller sites which do not have an unacceptable impact on the character and appearance of the landscape and are sensitively designed to mitigate any impact on their surroundings.
19. The Council's concerns centre on the effect the proposal would have on the SLA. However, it was confirmed at the hearing that no particular viewpoints had been identified from which the proposal would be visible other than from within the site itself. Indeed, the site is generally well hidden within the landscape. It is very well screened along its northern boundary with Dean Road and there is little intervisibility with Dillon's Farm to the west. The undulating topography of the land to the south provides a considerable amount of screening in views from the south and east including from the public bridleway.
20. I acknowledge the site falls within an area characterised as being very rural, isolated and peaceful in character with sparse human settlement, and note the suggestion, made at the hearing that development within the SLA is, by definition, harmful. However, a large section of the district is covered by the SLA designation and in view of its restricted size and visibility, its impact on the character of the wider landscape is limited.
21. Consequently, I consider the development to have been sensitively positioned so as not to have an unacceptable impact on the character or appearance of the surrounding landscape or the SLA. As such, I find no conflict with criterion (vi) of WCS Core Policy 47, WCS Core Policy 51, or Saved Policy C6 of the SDLP.

Pedestrian safety

22. The appeal site is accessed off Dean Road, a rural country road with no pavement or street lighting and where the speed limit is 60mph. The highway authority accepts that adequate visibility can be achieved and has raised no objection to the proposal on safety grounds.

³ Adopted June 2003.

23. The Council accepts that Dean Road is not heavily trafficked. This accords with the appellant's traffic survey as well as my own on-site observations. The Council has, however, raised concerns with pedestrian safety in accessing the site - pointing to the lack of pavements and street lighting in the surrounding area.
24. I noted during my site visit that there was an absence of footways and street lighting along the majority of Dean Road and throughout much of East Grimstead and the surrounding area. The absence of such features is often a characteristic of rural roads. These rural lanes form part of a national cycle network and I observed numerous signs directing walkers to interesting routes some of which involve navigating these sections of highway.
25. However, the Council has not provided any evidence that there is an existing risk to pedestrian safety either at the site access or more widely. Likewise, there is no evidence which would indicate that use of the site by the appellant has had any material increase in risk to pedestrian safety at the site access.
26. In the absence of evidence which would substantiate the Council's position, I find that the proposal would not result in an increased risk to pedestrian safety and find no harm in this respect. As such, I find the development accords with criterion (ii) of WCS Core Policy 47.

Whether the proposal is appropriate to the scale and character of East Grimstead.

27. Criterion (viii) of WCS Core Policy 47 favours development that is appropriate to the scale and character of its surroundings and existing nearby settlements. Similarly, the PPTS advises that sites in rural areas should respect the scale of, and not dominate, the nearest settled community.
28. The permission sought is for a single pitch. East Grimstead itself is classified as a Small Village and has around 70 households. Accommodating an additional gypsy and traveller pitch in this location would not be inappropriate to the scale and character of its surroundings and would not have a dominant effect on that nearby settlement.
29. Consequently, I find that the development is appropriate to the scale and character of its surroundings and does not dominate the nearest settled community. As such, I find no conflict with WCS Core Policy 47 or the PPTS in this respect.

Other Matters

30. Both the Council and the Parish Council have raised concerns around the cumulative impact that granting permission for an additional pitch would have on the local community when taken with other nearby gypsy and traveller sites. However, the Council confirmed at the hearing that the neighbouring site known as 'the encampment' was not a gypsy and traveller site and should not form part of any such assessment. The remaining sites identified are limited in both size and number. There is no robust evidence that even when taken with the appeal site, they have any dominant effect on the nearby settlement. While I note the various concerns put forward by the Council and the Parish Council, there is no evidence before me which would indicate that the addition of a single pitch at this location would have any material impact on East Grimstead.

31. I have considered the various comments made by both the Parish Council and the South Wiltshire Campaign for the Protection of Rural England. However, for similar reasons to those already set out above, they do not provide sufficient reason to withhold planning permission in the present case.

Planning Balance

32. I have found above that the proposal would accord with WCS Core Policies 47 and 51 and Policy C6 of the SDLP. Furthermore, it is clear that there is a considerable unmet need for gypsy and traveller sites and that private sites, such as the appeal site, will play a significant part in meeting this need.

33. Consequently, I consider the development would accord with the development plan when taken as a whole as well as with the guidance set out in the PPTS.

Conditions

34. I have had regard to the various planning conditions suggested by the Council. A condition requiring the development to be carried out in accordance with the approved plans is necessary in order to provide certainty. Likewise, a condition limiting occupation of the site to gypsies and travellers is necessary in view of the permission being applied for.

35. Similarly, conditions restricting the number of caravans that can be situated on the land and restricting commercial activities and the storage of large vehicles is necessary in order to ensure that the character and appearance of the surrounding area is preserved.

36. A condition restricting the burning of manure or other material derived from the keeping of horses on the site is necessary in order to protect neighbouring amenity. A condition securing the provision of visibility splays is necessary in the interests of highway safety.

37. I do not, however, consider a landscaping condition is necessary as there is already a considerable amount of hedgerow and boundary planting along the eastern boundary with Dean Road. Similarly, I do not consider the suggested condition which seeks to guard against the discharge of surface water onto the highway is necessary in view of the disused canal between the site and the highway. Furthermore, the Council confirmed at the hearing that a condition on surfacing was not considered necessary in view of the limited evidence of existing problems at this shared access.

Conclusion

38. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Rory Cridland

INSPECTOR

SCHEDULE

Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos: 16-823-001 Site Location Plan; 16-823-003 Proposed Site Plan; 16-823-004 Rev A Proposed Elevations, Floor Plan of the Utility/Day Room; 16-823-005 Fence Panel Detail; 16-823-005 Proposed Stable Block, Elevations, Section. Floor Plan and Roof Plan.
- 2) The site shall not be occupied by persons other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites (2015).
- 3) No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) (of which no more than one shall be a static caravan/mobile home) shall be stationed on the land at any time.
- 4) No commercial activities shall take place on the land, including the storage of materials.
- 5) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.
- 6) No burning of manure or other material derived from the keeping of horses or livestock in the stables hereby approved shall take place on the site or on the land edged blue on Drawing No: 16-823-001.
- 7) Within two months of the date of this decision, the visibility splays shown on drawing number 020.0308.001 (Proposed Visibility Splays) shall have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be kept free of obstruction at all times thereafter.

END OF SCHEDULE

APPREARANCES

FOR THE APPELLANT:

Ms Nicola Terry
Ms Alison Heine
Mr Paul Butler

Appellant
Planning Agent
Friend of Appellant

FOR THE COUNCIL

Mr Richard Hughes
Mr Joe Richardson
Mr Warren Simonds

Team Leader - Planning
Planning Officer
Consultant

Documents submitted at the hearing:

1. Case officer report for application reference 16/05231/FUL dated 07/07/2016 (Land North of Broken Cross Bridge, Winterbourne Earls, Salisbury) (Ref A.2).

END



Costs Decision

Hearing Held on 24 July 2019

Site visit made on 24 July 2019

by Rory Cridland LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 13 August 2019

Costs application in relation to Appeal Ref: APP/Y3940/W/18/3215416 Valley View, Dean Road, East Grimstead, Sculsbury SP5 3SD

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Ms Nicola Terry for a full award of costs against Wiltshire Council.
 - The hearing was in connection with an appeal against the refusal of planning permission for the change of use of land for the stationing of one mobile home, one touring caravan, and a day/utility room building for residential purposes together with the formation of hard standing, and landscaping and erection of Max 2.8m fence and stables.
-

Decision

1. The application for an award of costs is partially allowed in the terms set out below.

The submissions for Ms Nicola Terry

2. The application for costs was made in writing prior to the hearing. It is not therefore necessary to repeat the appellant's case in any detail. Nevertheless, the appellant essentially argues that the Council has failed to substantiate its reasons for refusal, has failed to determine similar cases in a consistent manner and has prevented or delayed development which, having regard to its accordance with the development plan, national policy and other material considerations should clearly have been permitted.
3. In addition, the appellant made oral submissions at the hearing which drew attention to the fact that there was no one present from the Council's Strategic Planning Committee (SPC) to explain why members had reached the conclusions they had. Furthermore, it was argued that members of the SPC had misunderstood or misinterpreted the development plan and national guidance and had ignored the conclusions of the Inspector on the neighbouring site, Dillon's Farm.

The response by Wiltshire Council

4. The Council's response was also made in writing prior to the hearing. In summary, the Council disputes that it has acted unreasonably or failed to substantiate its reasons for refusal. Furthermore, it argues that it has not prevented or delayed development which should clearly have been permitted and argues that it has determined the application in a reasonable manner,

taking account of the development plan, national policy and all relevant material considerations.

Reasons

5. The Planning Practice Guidance (“the PPG”) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. Furthermore, it indicates that Local Planning Authorities will be at risk of an award of costs being made against them if, amongst other things: (i) they fail to produce evidence to substantiate each reason for refusal on appeal; (ii) they fail to determine similar cases in a consistent manner; or (iii) where they delay development which, having regard to its accordance with the development plan, national policy and any other material considerations should clearly be permitted.
6. A single reason for refusal was set out in the Council’s decision notice; that being a failure to accord with the requirements of Core Policy 47 of the Wiltshire Core Strategy (WCS)¹. However, in formulating its reason for refusal the Council pointed to four distinct criteria set out in that policy which they considered the application failed to meet.
7. My decision makes clear that I do not agree with the Council on any aspect. However, their concerns regarding landscape impact are matters of judgement and members are entitled to reach their own conclusions. Furthermore, I acknowledge that the lack of footway and street lighting would pose some, albeit small, risk to pedestrians seeking access to the site. I do not therefore consider the Council has acted unreasonably in raising these matters.
8. Nevertheless, the same cannot be said of the Council’s other concerns. The Council’s officers concluded that the site was in a sustainable location and provided reasonable access to services and facilities. This accords with the conclusions of the Inspector in an appeal on the neighbouring site, Dillon’s Farm². While the Council is not required to follow the advice of its professional officers, and each case should be considered on its own merits, if a different decision is reached by members, the Council has to demonstrate, on planning grounds, why a proposal is unacceptable and provide clear evidence to substantiate that reasoning.
9. In the present case, little evidence has been put forward by the Council to support the concerns raised in relation to location. No detailed arguments have been advanced which would explain why members took a different view to their officer’s or why the Council considered this site was materially different in terms of its access to services and facilities to the neighbouring Dillon’s Farm site or the other infill development permitted by WCS Core Policy CS2. In failing to address these matters as part of the appeal, I consider the Council has acted unreasonably.
10. Similarly, when considering whether the scale and character of nearby settlements would be affected, the Council’s argument was centred around the effect that the development had on East Grimstead when taken cumulatively with other existing gypsy and traveller sites located nearby. However, while both the PPTS and WCS Core Policy 47 require regard to be had to the impact

¹ Adopted 2015.

² APP/Y3940/A/14/2211452.

of such developments on nearby settlements, this does not include an assessment of the cumulative impact on existing settlements with other sites that already form part of the local community. While I acknowledge that the cumulative impact may be a valid consideration in cases where numbers are large, the Council acknowledged at the hearing that other pitches near to East Grimstead are few in number. It appears to me that the Council has imposed further requirements into criteria (viii) of WCS Core Policy 47 and the PPTS which are not supported by those policies or the present circumstances. This is a further example of unreasonable behaviour on the part of the Council.

11. Accordingly, even though I accept that in raising concerns in relation to the effect on the landscape and pedestrian safety, the Council has not acted unreasonably, it has nevertheless failed to substantiate its concerns in relation to location and the effect of the proposal on East Grimstead. Furthermore, in failing to address the conclusions of the Inspector in the neighbouring Dillon's Farm appeal, it has failed to determine matters consistently and in line with local and national policy. These are the sorts of unreasonable behavior which the costs regime is intended to discourage as, in this case, they result in the appellant having incurred wasted expense in having to appeal the decision.
12. I therefore conclude that a partial award of costs, to cover the expense incurred by the appellant in contesting the Council's reason for refusal in so far as it relates to location and the effect of the proposal on East Grimstead, (including cumulative impact) is justified.

Costs Order

13. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Wiltshire Council shall pay to Ms Nicola Terry the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in contesting the Council's reason for refusal in so far as it relates to location and the effect of the proposal on East Grimstead, including cumulative impact.
14. The applicant is now invited to submit to Wiltshire Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Rory Cridland

INSPECTOR

REPORT TO STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 September 2019
Application Number	19/07427/FUL
Site Address	30 - 36 Fisherton Street, Salisbury, Wiltshire, SP2 7RG
Proposal	Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel
Applicant	Janus Henderson UK Property PIAF
Town/Parish Council	Salisbury City
Electoral Division	Salisbury St. Edmund and Milford ED (Cllr Atiquel Hoque)
Grid Ref	414160 130020
Type of application	Full Planning
Case Officer	Andrew Guest

Reason for the application being considered by Committee

The planning application is before the Strategic Planning Committee because it involves matters of strategic relevance.

Furthermore, the application follows an earlier application for a similar description of development which was refused by the Committee in June, as explained in the 'Background' and 'Relevant history' sections of this report. The new building now proposed is materially different in terms of its scale and design to that refused in the earlier application.

1. Background

On 19 June 2019 the Strategic Planning Committee endorsed the Maltings and Central Car Park Masterplan as a material consideration in the determination of relevant planning applications. The Masterplan sets out Wiltshire Council's broad requirements for the redevelopment of The Maltings and Central Car Park sites. As an endorsed material consideration the Masterplan – which in its production followed a process of public consultation and related scrutiny – must now be given significant weight. The Masterplan is attached at annex 1 to this report.

Also on 19 June 2019, the Strategic Planning Committee refused a planning application for the demolition of the existing building at 30-36 Fisherton Street, and the erection of a new building for a library, gym and 86 room hotel in its place. There was a single detailed reason for refusal relating to the unsatisfactory form, bulk and design of that proposed building, this contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.

2. Purpose of Report

The report assesses the merits of the proposal against the policies of the Development Plan and other material considerations leading to a recommendation – which is to grant planning permission subject to conditions.

3. Report Summary

This is a full planning application to demolish the existing building at 30-36 Fisherton Street, and to erect a new building containing a library, gym and 86 room hotel. The new building now proposed is materially different in terms of its scale and design to that proposed and refused in the earlier planning application.

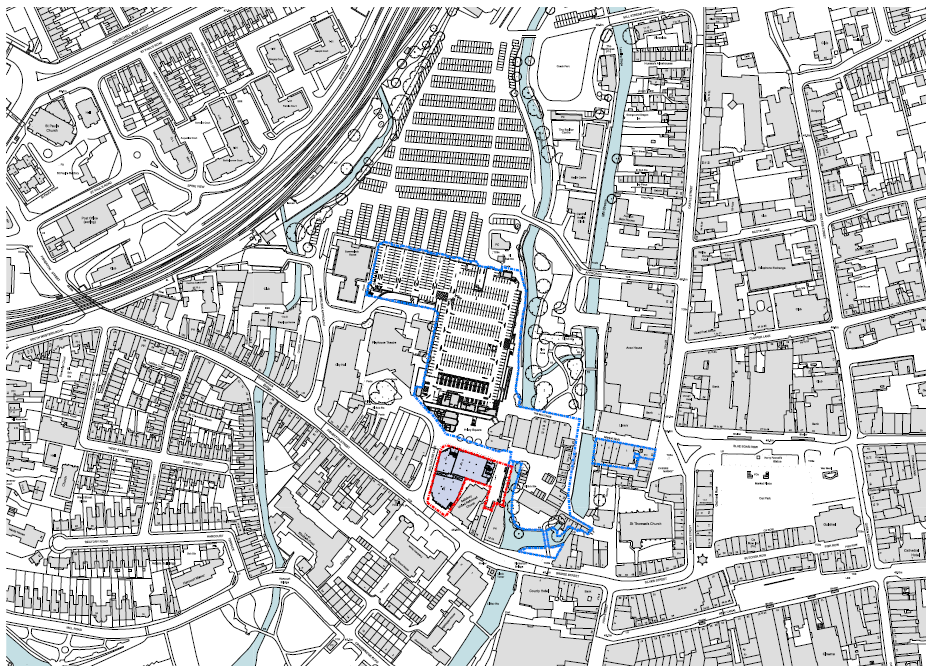
Salisbury City Council supports the application.

The planning application has been publicised by local newspaper advertisement, site notice and letters to neighbours. This has generated (at time of writing of 28 August) 14 representations (9 objection; 3 supports; 2 comments).

The application is recommended for approval, subject to conditions.

4. Site Description

The application site is located in a prominent position at the corners of Fisherton Street / Malthouse Lane and Malthouse Lane / Priory Square (with 'front elevations' to all three of these thoroughfares). The site presently supports a part two storey / part single storey brick and tile building split into retail units (all presently vacant) with a small service yard to the rear, all constructed in the late 1970's as part of the wider Maltings development.



Location Plan

Fisherton Street is a main traffic route into the city centre. Malthouse Lane is a no-through road providing access principally to the Maltings (Priory Square), City Hall and Salisbury Playhouse.

To the east side of the site is the United Reformed Church (a C19 grade II listed building), and beyond this relatively modest c. C19 buildings in mixed commercial and residential uses (nos. 12-20); the site and its service yard wraps to the rear of these neighbours. Further to the east (beyond nos. 12-20 and the service yard), is the River Avon, with further historic buildings on its opposing bank. To the north side are Priory Square and other elements of the Maltings development. To the west side (on the opposite side of Malthouse Lane) is further, older mixed commercial and residential development; including 38-40 Fisherton Street which are C16 grade II buildings concealed by later (C19) facades. To the south side of the site (on the opposite side of Fisherton Street) is the C18 grade II listed 'General Infirmary' – a sizeable 5 storey building, now in residential use. To either side of the General Infirmary are other, more modest, provincial-scale buildings of mixed age and in mixed uses (again, some listed).

In planning policy terms the application site is located within a 'Principal Settlement' as defined in the Wiltshire Core Strategy. It is also within the 'Salisbury City Centre' and the 'Secondary Shopping Area' as defined in saved policies of the Salisbury District Local Plan.

The larger part of the site is within the Salisbury Conservation Area (with Priory Square to the north lying mainly outside of the Conservation Area). Nearby listed buildings are as referenced above.

The larger part of the site lies within Flood Zone 2 (with a small part alongside the river within Flood Zone 3).

The River Avon is an ecological Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI).

Most of Salisbury city centre is within an Air Quality Management Area (AQMA).

More specifically, the site forms part of the 'Central Car Park' proposed area for development, and so is subject to Core Policy 21 of the Wiltshire Core Strategy. The site also lies within the Salisbury Skyline policy area and so is subject to Core Policy 22; and as already explained in the Background section of this report, the site now lies within the Maltings and Central Car Park Masterplan area, this recently endorsed by the Strategic Planning Committee as a significant material consideration in the determination of relevant planning applications. These policies / documents are also considered in more detail later in the report.

5. Relevant Planning History

18/11957/FUL – Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel – refused 19/06/19

There was a single detailed reason for refusal relating principally to the scale and design of the proposed building, as follows:

The proposed development, by reason of its form, bulk and design, would detract from the character and appearance of established development in the locality, notably in Fisherton Street, neither conserving nor enhancing its status as a conservation area and neither conserving nor enhancing the setting of nearby listed buildings. In particular, the bulk and design of the proposal, which is effectively two joined 'blocks' with limited roof articulation and with large and principally uniform / flat facades of considerable size, does not reflect the human scale and rich architectural detail which is otherwise a characteristic of Fisherton Street and Salisbury in general. This is particularly apparent in important contextual conservation area views of the site - along Fisherton Street and Malthouse Lane. The design, and notably the bulk of the proposal, would also result in a development which would insensitively compete with nearby listed public and former public buildings - notably the United Reformed Church and the General Infirmary, to the detriment of their significance and settings.

The proposal is, therefore, contrary to Core Policy 57 (Ensuring high quality design and place shaping) and Policy 58 (Ensuring the conservation of the historic environment) of the Wiltshire Core Strategy.

According to recent heritage records, the site included a listed building. However, this was actually demolished in the 1970's. The heritage records have now been updated to reflect this – meaning there is now no listed building recorded at the site.

6. Proposal

6.1 The Proposal

The proposal is to demolish the existing building on the site and erect in its place a new building containing, at ground floor level, a library (with potential inter-connected café) and separate gym (but also adaptable space); and on the first and second floors, an 86 room hotel. A service yard would be provided at the rear (more or less on the site of the existing service yard), with 5 parking spaces (for the hotel).

The building would be sited effectively 'back of pavement' on its Priory Square and Malthouse Lane sides, but further back on its Fisherton Street side, so allowing for a 'café terrace' to the front. The three stories would have a maximum height (at roof ridge) of mainly 12.4m; two relatively modest lift over-runs would increase this slightly by a further 2.1m towards the rear of the building.

The design approach is essentially contemporary, although with one or two nods to the past. To all intents and purposes the single building would 'read' as terrace rows of standalone buildings – two such 'buildings' (including a corner unit) fronting Fisherton Street, four (including the corner unit) fronting Malthouse Lane, and three (including two further corner units) fronting Priory Square. Each 'building' would subtly contrast with its neighbour/s in terms of their detailed designs and materials; and each would have subtly different articulation and relief relative to its neighbour/s (notably in terms of the building lines, eaves lines, and fenestration detailing). The nod to the past is apparent in the Fisherton Street / Malthouse Lane corner building where a grey framed building is proposed with white plaster pargetting panels and more traditional gable-ended roofs, albeit presented in a modern form. All of the 'buildings' within the overall building would have vertical emphasis and a human scale, this reflecting the character of most established and historic development hereabouts (notably in Fisherton Street).



Ground Floor Plan

1	VM Zinc Pigments Blue (R1 over rail)	13	Grey timber louvre
2	VM Zinc Pigments Bronze / Red	14	Library shopfront and signage in white colour coated aluminium frames and panels
3	VM Zinc Pigments Mint / Green	15	Light oak stained window frames and check loadings
4	Coloured Window frames orange	16	Traditional cove lead flashing to dormer windows
5	Aluminium window frames - charcoal grey	17	Reddish Rosemary clay plain roof tiles with Rosemary Heritage Cast Iron 150x100 cast iron gutters and square downpipes
6	Black glazed brick - Royal Blue	18	Roofack Linear Bronze Orange Glazed 1227 x 1032 + H32 with double eavesline down brick (type 1004)
7	Loaves to match Pigments Green	19	Roofack Linear Smooth - Natural white and royal blue glazed brick laid horizontally
8	Steel faced doors to match Pigments Green	20	Roofack Linear painted Limestone Royal clock feature with under pin cast stone coping to match window frames
9	Roofack linear range Bricks Click English L483 x 1032 + H50	21	Pre cast stone feature with decorative roof in recessed panel
10	Roofack Yorkshire Red Matt Black 307kg double eavesline course	22	Roofack Kingston Monochrome light grey (10037) with recessed header (see strategy)
11	Roofack Linear Smooth - Natural green glazed roof tiles as in 150mm above pavement and horizontally in full and back roof slope	23	How we've matched the stone walls with white painted brick and orange brick (see strategy for stone painting)
12	Roofack Linear Smooth - White and bottle green laid horizontally	24	Painted aluminium cladding (see strategy)

Finishes Schedule (NTS)



1. Proposed Fisherton St - South Elevation (1:100)

Fisherton Street Elevation



2. Proposed Malthouse Lane - West Elevation (1:100)

Malthouse Lane Elevation



1	VM Zinc Pigments/Blue Blue (88 over coat)	13	Grey timber louvers
2	VM Zinc Pigments/Orange Red	14	Utility (shopfront) and signage in white (clean) stainless steel frames and panels
3	VM Zinc Pigments/Red/ Green	15	Light oak shaker window fascias and check sidings
4	Coloured Windows (recessed) orange	16	Traditional cove lead flashing to dormer windows
5	Aluminium window frames - chemical grey	17	Redwood Rosemary clay glass roof tiles with Aluminium Heritage Cast Iron 330x150 white gutters and copper downpipes
6	British glazed brick - Royal blue	18	British Unisex Window Change (width 1227 x 1652) x 1652 with double rubber gaskets (range 2500)
7	Louvers to match Pigments/Orange	19	British Unisex Sashlock - Varnish white and red (blue glazed brick lead horizontal)
8	Steel faced doors to match Pigments/Orange	20	British Unisex (grey) Louvered Road lock feature work under pre-cast stone coping to match window frames
9	British Unisex Orange Barley (0.6m English 1482 x 1612) x 1652	21	Pre-cast stone feature with decorative metal in recessed panel
10	British Unisex (red) Malt Stock (375g) double rubber caisson	22	British Kingston Handmade light oak (1837) with recessed handle (see image)
11	British Unisex Sashlock - Varnish green glazed lead vertical up to 155mm above pavement and horizontally on the ground brick work above	23	See notes for details on shading with white panels to block out and lower facade (see to separate glass) regarding
12	British Unisex Sashlock - White and Baltic green lead horizontal	24	British Unisex (red) Malt Stock (375g) double rubber caisson

Finishes Schedule (NTS)

3. Proposed Priory Square - North Elevation (1:100)

Priory Square Elevation



4. Proposed Service Yard - East Elevation (1:100)

Service Yard Elevation

The application is accompanied by a Design and Access Statement, a Heritage Statement, an Archaeological Desk-Based Assessment & Archaeological Watching Brief, a Geotechnical & Geoenvironmental Report, a Surface Water Management Plan, a Flood Risk Assessment, a Transport Statement, a Preliminary Ecological Appraisal, and a Planning Statement.

6.2 Comparison with refused application

Although the description of development has not changed between the current application and the earlier refused scheme, this is where the similarities end. In addition to the fundamental changes to the appearance of the building summarised above, the proposed building is also lower than that refused, has three stories (not four), and has re-configured internal space (with more clearly defined entrances to the public elements – notably the library). There is now a potential café element, and improved external space allowing the building to more readily interact with the ‘street’ – in particular, with Fisherton Street where the building’s set-back relationship with the adjoining church ensures that the church remains readily viewable, and dominant, in the street scene.

7. Planning Policy and Guidance

Wiltshire Core Strategy

Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 20 – Spatial Strategy: Salisbury Community Area
Core Policy 21 – The Maltings / Central Car Park
Core Policy 22 – Salisbury Skyline
Core Policy 36 – Economic Regeneration
Core Policy 39 – Tourist Development
Core Policy 40 – Hotels, Bed & Breakfasts, Guest Houses and Conference Facilities
Core Policy 50 – Biodiversity and Geodiversity
Core Policy 55 – Air Quality
Core Policy 56 – Contaminated Land
Core Policy 57 – Ensuring High Quality Design and Place Shaping
Core Policy 58 – Ensuring the Conservation of the Historic Environment
Core Policy 60 – Sustainable Transport
Core Policy 61 – Transport and new development
Core Policy 64 – Demand management
Core Policy 67 – Flood Risk

Salisbury District Local Plan (‘saved’ policies)

Policy S2 – Secondary Shopping Areas in Salisbury and Amesbury

The Maltings and Central Car Park Masterplan

Referred to in the Planning Issues section of the report.

National Planning Policy Framework

Relevant paragraphs referred to in the Planning Issues section of the report.

8. Consultations

Salisbury City Council: Support

Wiltshire Council Archaeology: Support subject to condition

The proposed development is located on the edge of the historic core of medieval Salisbury. The site is located within the site of the Dominican Friary, which was founded in 1281, following the move of the friars from Wilton. By 1334 there were 40 friars resident, and even at the Dissolution in 1539, there were 13 friars and a prior present. The friary included religious and domestic buildings and gardens, as well as associated tenements by Fisherton Bridge. There are references to burials at the friary, which raises potential for human remains being present within the proposed development area.

The applicant has submitted a desk-based assessment and there has been archaeological monitoring of the geotechnical and site investigation works. The Desk Based Assessment (DBA) described the archaeological potential of the site, which was then confirmed by the archaeological monitoring. During the site investigations, medieval deposits were identified, along with gravels that include potential for Mesolithic and Palaeolithic remains. The archaeological deposits have suffered truncation but it is clear that there is proven potential for the site to retain very significant information about medieval Salisbury and both its population and its religious life. The potential for early Prehistoric remains is also high and, if present, the information to be afforded will be of regional importance.

Wiltshire Council Arts Service: Comments.

.... The arts service would expect the integration of public art and design in to this site should planning approval be made, as referred to in Core Policies 3 (Infrastructure Requirements) and 57 (Ensuring high quality design and place shaping) of the Wiltshire Core Strategy.

Given that this site forms part of the plans for the Cultural Quarter/Maltings development, the integration of public art and design and inclusion of creative practitioners is particularly relevant to the creation of a vibrant well-designed space that will mitigate the impact of the development, engage communities and provide a sense of place. There is currently a consultation taking place on a Cultural Strategy and Cultural Quarter for Salisbury and the outcomes of this should also be taken into consideration for this site.

Wiltshire Council Conservation: Support subject to comments

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

The site is at the heart of the Salisbury City Conservation Area and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy 'Core Policy 21: The Maltings/central Car Park' sets out the Council's aspirations for the redevelopment of this key city centre site in a 'retail led mixed-use development'. The policy requires that the "redevelopment of the Maltings/Central Car Park will be sensitive to Salisbury's skyline and respect the scale and building forms of the historic urban fabric."

The Council's Core Strategy 'Core Policy 22: Salisbury Skyline' sets a maximum height for development within the central area of the city in order not only to protect views of the cathedral but also to protect the City's roofscape.

The Council's Core Strategy 'Core Policy 57: Ensuring high quality design and place shaping' requires a high standard of design in all new developments. xiii advocates a masterplanning approach for major development sites in order that other objectives are met including: 'i. enhancing local distinctiveness by responding to the value of the natural and historic environment' and iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The Council's Core Strategy 'Core Policy 58: Ensuring the conservation of the historic environment' notes that development should "protect, conserve and where possible enhance the historic environment".

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Policies place responsibility on both applicants and the Local Planning Authority to take steps to achieve an understanding of the historic environment which can inform the development and assessment of proposals. Paragraph 196 of the NPPF requires a balanced approach towards decision making with any harm which would be caused being weighed against the potential public benefits which might be achieved.

Local policy documents including the South Wiltshire Design Code 2006, the Salisbury Vision and the Salisbury Conservation Appraisal and Management Plan are relevant.

Supporting information: Paragraph 189 requires that applicants should describe the significance of heritage assets affected, including the contribution made by their setting. Government guidance and the Council's Core Policies require a holistic treatment of the wider site, informed by a master-planning approach to ensure that aspirations are achieved. Design advice within the National Planning Practice Guidance and documents such as the South Wiltshire Design Guide place emphasis on the need for full and detailed analysis of the wider setting of sites to inform design which responds to its local context and reinforces local distinctiveness.

The submission is accompanied by a Heritage Statement, Planning Statement and Design and Access Statement.

The Heritage Statement appears to have been completed after the development of the proposals rather than being carried out in advance to provide a full understanding of the context and inform the development of proposals as envisaged by the NPPF and Council policy. However, it is adequate in identifying the affected heritage assets, describing their significance and providing some assessment of the context.

The Planning and Design and Access Statements have been updated to provide a greater level of reference to the Maltings Masterplan, which has now been adopted and provides an overview of aspirations for the city centre central Maltings and car park area. This provides context for the development and explains how it fits within proposals for the wider area.

The statement also explains the development of the current scheme and the attempts that have been made to respond to the criticisms of the previous proposals. There is also an

explanation of the intended construction and use of materials, which is welcomed in giving greater confidence in the appearance and quality of the final scheme although close control will be required in order to ensure that this translates into construction.

Principle of demolition and replacement: the existing building was constructed in the late 1970s following the incremental demolition of the historic buildings across the site, including the listed Nos. 30-32 Fisherton Street. Although there was confirmation that the historic building was demolished with consent in the late 1970s and that no fabric remains extant within the current structure the process to remove reference to these buildings from the statutory List had never been pursued and the site remained 'listed'. However, since the previous submission, this formal process has been completed and the building has been delisted.

Whilst it is open to accusations of pastiche, the main frontage of the 1970s building was relatively carefully designed with well executed brickwork and scale and window proportions etc. which reflect the character of the immediately surrounding townscape. The remainder is in a more modern 'vernacular' style which the Heritage Statement plausibly suggests was intended to reflect the malthouses which occupied the land to the rear, themselves also demolished by the late 1970s. Taking into account the curve of Fisherton Street which limits the visual impact from this key thoroughfare, the overall impact of the building can be considered as largely neutral. There is no objection in principle to the demolition of the current building however policy requires that a replacement should be of high quality design and construction in order to preserve or, ideally, enhance the character and appearance of the conservation area and the settings of neighbouring listed buildings.

Assessment: the review of requirements which has resulted in the removal of a floor of development is welcomed. However, this remains a very large building in its context and it is difficult to understand how the removal of a floor of accommodation has translated into only very slightly lowered overall eaves and ridge heights. The need for the maintenance of a raised slab level (at the level of the previous building plus a new slab) to meet EA requirements in respect of flood risk is understood but the remainder of the increase in the height of the three floors is largely due to the extremely high ground to ceiling height at ground floor level and a very large ceiling void between first and second floors.

The high ground floor was queried at pre-app but the only explanation provided within the D&AS is that it is "important due to the anticipated open plan nature of the volume". However, even taking this into account, the proposed 4.7m height appears overly generous to the point of potential impracticality and it is anticipated that there will be a desire for suspended ceilings throughout much of the area to create more humanly scaled spaces. Externally, the decision has regrettably impacted adversely on the proportions of the elevations of particular elements of the building from their initial depiction in pre-app sketches and I am concerned that the inflated ground floor height of the development risks appearing incongruous in the local context.

However, I am mindful that elected Members did not object to the overall height but to the apparent bulk of the building and the rather flat and bland elevational treatments which contributed to a metropolitan character to the development which was felt to be out of step with the area. From this point of view there is much to welcome in the evolution of the scheme.

The increased articulation of the elevations is more in character with the rhythm of the street and the adoption of a more eclectic style and palette of materials has resulted in a scheme which is less austere and metropolitan than the previous designs, with a sense of fun which has potential to deliver a development which can add to and enhance this vibrant and characterful area. Overall the scheme offers a better 'fit' with Fisherton Street and the

approach to a newly emphasised 'cultural quarter' which is an aspiration of the Maltings Masterplan.

I have some concerns about the 'corner' building into Fisherton Street but materials and elevational treatment have been amended since pre-app and have alleviated the previously rather overt references to an architecture which is alien to Salisbury, although the pargetting remains a slight oddity in this area. Otherwise there are many positives in the details, including:

- *Increased legibility with dedicated and visible entrances for both the library and hotel and increased presence, including an entrance, for the library on Fisherton Street.*
- *resolution of the previously 'left-over' space in front of the building at this location, although final details of materials etc will be required*
- *the design approach to be carried around the eastern elevation facing onto the R Avon, an area which is earmarked in the Masterplan for greater prominence within the public realm as a 'green route' through the area*
- *firm commitment to some interesting and high quality materials – it will be essential that these cannot be 'cheapened' in the translation to construction phase*

Some details, however, remain to be resolved including some discrepancies between materials shown on various documents/plans. Details including the following will be required:

- *details of materials and architectural treatment for building returns between the different units*
- *details of the proposed cladding and roofing to the rear library entrance*
- *Building B notes stall riser to be 'white painted brick' but image depicts glazed bricks*
- *confirmation of materials for the proposed window surrounds to the upper floors, Building A - noted variously as reconstituted stone or pre-cast concrete. Details of the decorative feature panels.*
- *details of materials including surfacing and wall facing for the raised platform to Fisherton Street, details of the proposed balustrades.*
- *rainwater disposal not resolved in all areas – for example, it is not immediately clear how the proposed cast iron guttering will be drained between the windows in Building B or from the central valley between the west elevation gables of Building A? Downpipes on Building F appear to drain from a flat step rather than a gutter?*
- *details of proposed lighting*
- *details of signage and additional details of shop fascias and surrounds etc*
- *constructional details, including pointing in particular (colour, texture and technique) will be critical to the final appearance of the development. Approval of details of the pointing mortar and sample panels to allow control of technique will need to be conditioned.*

Summary: there is no objection in principle to the demolition and replacement of the existing building which is of limited design quality and has a largely neutral impact within the conservation area. Current policy requires that a replacement should be of high quality design and construction.

Since the previous submission the Maltings Masterplan has been adopted and the Design and Access Statement has been updated to provide greater explanation of the context of the development in terms of wider aspirations for the area. This greater consideration of context has been carried through into a significant re-working of the scheme. A whole floor level of the development has been omitted and the building height now lies largely within the Council's policy limit for Salisbury (CP22) and although this remains a very large building in this context it is noted that elected Members did not object to scale in refusing the previous scheme. I have reservations about the high ground floor and impact within the street scene and would suggest that further explanation is required. However, on the whole, significant reductions in the apparent bulk have been achieved via the re-evaluation of the design treatment. Greater articulation of the elevations and consideration of detail and the introduction of a more varied palette of materials which are more reflective of the area have improved the relationship of the development with neighbouring buildings and the conservation area and assist in off-setting the tendency for an overbearing impact.

Overall I consider that the revised scheme is successful in reducing the perceived impact of the scale and bulk of the development on the surrounding buildings and area such that policy requirements relating to the character and appearance of the conservation area and to the settings of nearby listed buildings can be considered to be met. Subject to the details and suggested conditions noted above, therefore, I have no objection to a recommendation for approval.

Wiltshire Council Drainage: Recommend conditions

Wiltshire Council Highways: No objection

Wiltshire Council Public Protection: No objection subject to conditions relating to the AQMA, noise controls, odours controls, contamination and a Construction Environmental Management Plan (CEMP).

Wiltshire Council Urban Design: Support, subject to clarification of some matters of detail

The submitted DAS explains in its chapter 6 the reason for the changes since the previous application, and I agree with that description. There has clearly been an attempt to respond to a range of different concerns from both committee and officers and I recognise the difficulty of interpreting every concern accurately, and responding with a design that pleases everyone.

In terms of urban design, this step change in the appearance is welcome, and the applicant's explanation, through the DAS, of form and function is encouraging; this new concept has the potential to generate a level of excitement and better realise a vision for a bespoke, interesting and contextual mixed use development, with a greater degree of 'wow' factor. This approach could simultaneously fulfil the requirements of the Maltings Masterplan for this pivotal site.

The rationale for the concept for each section of elevation has been explained in the submitted DAS; there is a clear desire to take cues from the local context and national exemplars, and an effort to enhance the sense of place in a dynamic way.

However, there is some ambiguity in the detailing of these elevations, and some deviation in the technical drawings from the initial concept drawings, which appears to have weakened the sense of proportion across some facades. My concern is that these may be the result of haste and not intentional design decisions. Some clarification from the designer is recommended.

Environment Agency: No objection, subject to conditions

Flood Risk - The majority of the site lies within Flood Zone 2 as shown on the published Flood Map; part of the site lies within Flood Zone 1. The applicants' Flood Risk Assessment (FRA prepared by Campbell Reith Consulting Engineers, Revision D3, July 2019) acknowledges the presence of the flood zones, and hence the fluvial flood risk to the site, and includes some modelled fluvial flood levels based on the outputs of river hydraulic modelling carried out by us some years ago. It states that the levels are for the 'undefended' scenario. However, in fact, the levels quoted are for the 'defended' scenario, although it is appreciated that there is very little difference between the two scenarios at the site of the proposed development. The outputs of the river modelling were used to inform the current published Flood Map.

The FRA also notes that updated fluvial flood modelling is at present being finalised by us and some draft results, specifically indicative modelled flood depths, are included in the report to ensure the best, most up-to-date, fluvial flood risk data is taken into account for this proposal. We have also supplied the applicant with draft flood outlines for 3 design flood events, namely the 1% AEP, 1% plus climate change AEP, and 0.1% AEP, but these outlines have not been included within the applicant's FRA. It's possible the applicant submitted the application to the LPA before receiving the draft flood outlines. Nevertheless, the draft flood outlines show increased fluvial flood risk in the vicinity of the site of the proposed development when compared against the published Flood Map; Flood Zone 3 extends into Fisherton Street adjacent the site, and Flood Zone 2 covers the entire site.

The conclusion reached is that, based on the draft fluvial flood depth data supplied by us, the design fluvial flood level (the 1% AEP plus an appropriate allowance for climate change) is around 46.9 metres AOD. Based on all the information we have, and the applicants' FRA and supporting site topographic survey, we've no objection to using this figure as the design fluvial flood level for the site.

The proposal is for a library, gym and restaurant at ground floor level, with the hotel (the 'more vulnerable' flood risk use) at first floor level and above. The FRA proposes a 300mm freeboard allowance for setting minimum finished floor levels. This allowance should be considered the absolute minimum. A larger freeboard allowance, closer to 600mm, is recommended. However, mindful of the proposed 'less vulnerable' use at ground floor level, and the applicants' use of the most up-to-date, improved, fluvial hydraulic modelling data we have no objection to the proposed finished floor levels as set out in the FRA. Specifically, the library, fronting Fisherton Street, set no lower than 47.2 metres AOD. We note the gym, restaurant, and hotel entrance to the rear of the site will be set a little higher at 47.375 metres AOD by virtue of higher ground level in Malthouse Lane/Priory Square.

Conditions recommended for slab level, ecology protection, and construction environment protection (CEMP).

Historic England: Support

We are pleased to see this revised scheme, which in our view better responds to the delicate urban grain and variance in building heights that are a characteristic of the surrounding conservation area. Our concerns with regards to the Fisherton Street corner and Priory

Square elevation of the previous proposals are addressed by this amended scheme, which achieves better integration with its historic surroundings.

We applaud the stance of your development control committee in refusing the previous proposals on design grounds; Salisbury is an outstanding urban environment which demands high quality and contextual new development.

The situation regarding the previous listed building on the site, lost to demolition in the 1980s, has now been regularised and the address is no longer recorded as containing a listed building.

I repeat our previous advice in respect of the current building on the site, is of some architectural merit as representative example of 1980s vernacular revival architecture which interprets the maltings which once stood here to a degree, but it is not of such quality to merit its preservation. It should however be recorded prior to demolition, and the results deposited with the local Historic Environment Record.

Natural England: No objection.

As the site is directly adjacent to the River Avon SAC, suitable conditions should be attached to ensure no construction related runoff can enter the watercourse.

Wessex Water: No objection.

Separate foul and surface water systems are required.

9. Representations

The planning application has been publicised by local newspaper advertisement, site notice and letters to neighbours.

Salisbury Civic Society gives general support to the proposal, subject to a number of detailed points. Its full response is as follows:

The Salisbury Civic Society considers that this proposal is a significant improvement on the previous rejected design. It believes that it is important for the city that a scheme goes ahead on this site, to enable redevelopment of the current library site, and the attendant investment of £6.1 million in the Maltings by the Local Enterprise Partnership. It believes that the general approach of the new design justifies it as a replacement for the late 1970s building currently occupying the Fisherton Street/Malthouse Lane site.

It has some detailed comments, as below:

1) The double height concrete window surrounds on both the Fisherton Street and Malthouse Lane elevations of building A are an unnecessary addition of another windows material, which has no obvious place in this context. The substitution of zinc, copper or timber would be preferable visually, as well as probably having structural advantages in being lighter in weight.

Such substitution should be a simple change to make, which need have no impact on the timescale for the application.

2) The drawings show some alterations to building B, on the Fisherton Street/Malthouse Lane corner, compared with the pre-application version, but this still seems a rather

incongruous incorporation of a structure with neo-historic aspirations, and a radically different roof form to the rest of the scheme, perched up in the air. Some reconsideration of this corner would be advantageous.

3) The pulling back of the SE corner of the building, to allow a better view of the United Reform Church, is to be welcomed, as is the provision of a raised café area at this point. There seem to be no elevational details for the eastern part of the building from this point on, until the service yard elevation (H) is reached. More clarity here would answer the question of whether views of the W side of the church will be enabled, from the library or from the hotel (plans do seem to show some windows in hotel bedrooms). It also appears that the N part of the library is a single storey structure, raising the question of whether light levels in the library will be enhanced by the provision of top-lighting.

4) In the longer term, the Society hopes that public realm improvements can be facilitated in Malthouse Lane and Priory Square, to enhance the setting of the new building, and meet requirements set out in the adopted Maltings masterplan.

5) Another longer term aspiration, contained in the masterplan, is 'if possible, the opening or re-engineering of the culvert on the main River Avon channel at the Maltings', in association with the corridor of green infrastructure which is a very important element within the masterplan. The stretch of river emerging from the culvert runs alongside the eastern boundary of the application site. While enhancing the green corridor at this point, and enabling public access to this stretch of the river, may be problematic, they are factors to be considered. It is certainly to be hoped that no works are carried out which might hinder the eventual achievement of green corridor enhancement.

The Civic Society's final point would be a restatement of its long-term hope that independent design review can be restored to the local planning system. The need to press on with this scheme was given as one reason for the original proposals not being subjected to design review, but in fact had such review taken place, and the original design accordingly amended, it is quite likely that the first application would not have been rejected. The failure to go to design review may therefore in fact have delayed the whole process, rather than speeding it up.

Third party representations have been received (at time of writing on 28 August) from 14 parties – 9 objections; 3 supports and 2 comments.

Summary of objections –

- **Maltings / Central Car Park 'Masterplan'** – re-development should be comprehensive (not piecemeal) covering all issues (access, permeability, parking, bus terminus, cycleways, riverside walks, improvement of wider public realm, post office, police, toilets, etc.); proposal is premature - piecemeal approach will not achieve reimagining of city; insufficient community engagement; failure to follow principles of Salisbury Vision.
- **Economic considerations** – Proposal is developer / profit-driven and not planned with the wider future of Salisbury in mind. No need for a gym (there are others nearby); no need for a hotel;
- **Library relocation** – library should not be relocated – existing location is better-suited; if existing library in poor state, then repair; [or] relocation should be put on hold until final and permanent (and properly planned) site in the Maltings has been agreed; library should not lose its other facilities (galleries, meeting rooms, reference library); library needs to maintain popularity, which this proposal will effect / cause decline;

- **Design / conservation** – proposal is out of keeping with historic character and scale of Fisherton Street and would have detrimental effect on setting of nearby buildings – ‘an ugly contrivance of mimicked architectural styles’; loss of listed building, albeit that this was demolished in the 1970’s [*the anomalous listed building status of the site has now been corrected by Historic England*]; materials not all suitable (more timber and brick required to fit in); form of development and uses unsuited for Fisherton Street – more small units for small niche businesses required (along the lines of Camden);
- **Parking** – provision should be made for cycle parking; no Travel Plan; car parking is not always available in Central Car Park;
- **Air quality** – no Air Quality Assessment with application; contrary to CP55;

Summary of supports –

- **Principle** – support hotel as no suitable accommodation in city – it will bring Salisbury into line with other cathedral cities such as Canterbury and Winchester; Appropriate location with access to established food and drink facilities;
- **Design** – appropriate for location; Fisherton Street would be enhanced with the addition of these new facilities both aesthetically and with increased footfall from visitors and locals.

Summary of comments / advice –

- **Wildlife** – the development should incorporate swift bricks.

Any further representations will be reported verbally to the Committee.

10. Planning Issues

The main issues to be considered in this case are, firstly, the principle of the proposal; and, regardless of the conclusions in respect of the principle, the impact of the specific scheme on detailed matters, including design, conservation, highway safety, ecology, drainage and residential amenity. There are also important material considerations in this case to be weighed in the balance.

10.1 Principle –

10.1.1 Core Strategy principles

The Wiltshire Core Strategy sets out a ‘Settlement Strategy’ (Core Policy 1) and a ‘Delivery Strategy’ (Core Policy 2) for new development across the county. Proposed development which complies with the Settlement and Delivery Strategies will be sustainable in the overarching context of the Wiltshire Core Strategy.

The Settlement Strategy identifies four tiers of settlement – Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. With the exception of the Small Villages, each settlement has a defined boundary. Inside the boundaries new development which fulfils the defined purposes of the settlement will be acceptable as a matter of principle; outside of the boundaries, and so in the ‘countryside’, there is effectively a presumption against new development which should otherwise be inside.

Within the Settlement Strategy Salisbury is identified as being a Principal Settlement. Core Policy 1 explains that Principal Settlements “.... are strategically important centres and the

primary focus for development”; and there purpose is to “.... *provide significant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self-containment*”. The application site lies inside the Principal Settlement boundary. It follows that as a deliverer of jobs, community facilities and infrastructure, the proposal complies with the Settlement Strategy as a matter of principle.

Core Policy 20 of the Wiltshire Core Strategy sets out the specific ‘Spatial Strategy’ for the Salisbury Community Area. In the broadest terms it states that development in the Salisbury Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1. It further states that development proposals in the Community area will need to demonstrate how particular identified issues will be addressed. These include ensuring that Salisbury can maintain its place as an important retail centre in the face of intense sub-regional competition; and achieving significant enhancement to its retail core through development of the Central Car Park site to complement the historic street pattern of the city. As a matter of principle the proposal would contribute to the fulfilment of this Spatial Strategy. The detailed reasons are explained in later sections of the report.

In terms of tourism in general, Core Policy 39 of the Wiltshire Core Strategy, states that within the Principal Settlements [and Market Towns] proposals for tourist development of an appropriate scale (including tourist accommodation) will be supported [subject to a sequential assessment]. Core Policy 40 further confirms that proposals for hotels will be supported within Principal Settlements. The proposal, incorporating a hotel on a site which is sequentially acceptable (being within the City Centre and so preferable to out- or edge-of-centre sites) complies with Core Policies 39 and 40 as a matter of principle.

10.1.2 Principle – the changing ‘High Street’ and recent events

Notwithstanding the clear policy support for sustainable, economic development within the limits of the Salisbury ‘Principal Settlement’ (and, in particular, within its centre), there are also other material considerations to which weight must be given. These include the evolving role of ‘High Streets’ in general, the importance of Salisbury as a tourist and business attraction, and the negative impacts of recent events in the city on its image.

The proposal would address each of these considerations by contributing to the re-defining of Salisbury’s role through the offer of a wider range of uses, and by providing demonstrably needed accommodation for tourism and business (compliant with strategic policy in any event). In terms of broader national planning policy, and as this broader policy requires, this amounts to planning for a strong, competitive economy, and is accordingly fully compliant.

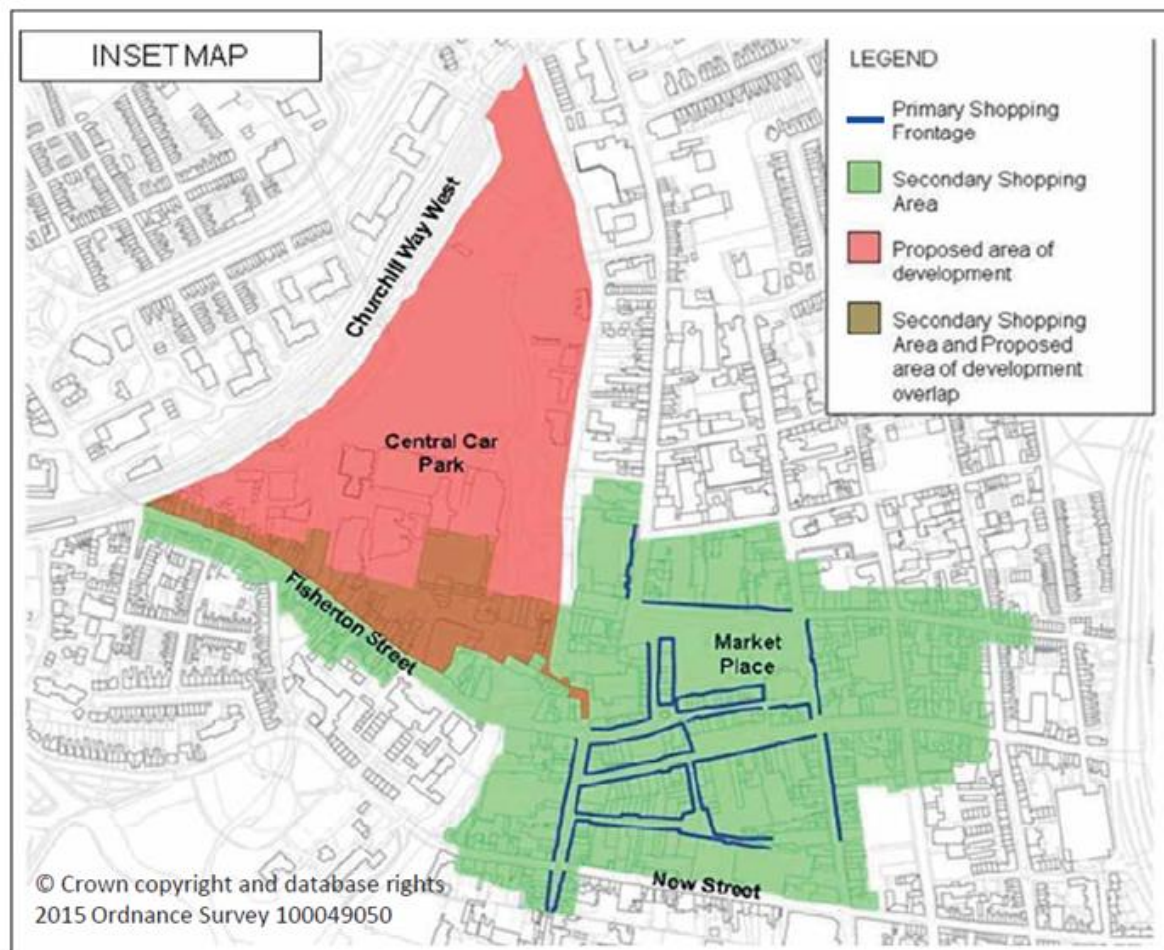
10.1.3 The Maltings and Central Car Park Site

Core Policy 21 of the Wiltshire Core Strategy allocates the area around the Maltings, Central Car Park and Library for a retail led mixed-use development to enhance Salisbury City centre’s position as a sub-regional and cultural centre. The policy states the following:

The redevelopment of the Maltings / Central Car Park will be sensitive to Salisbury’s skyline and respect the scale and building forms of the historic urban fabric. It will build on the city’s already strong retail offer to create a new quarter specifically designed to meet the demands of the modern shopper, and the modern retailer, with simple, regular shaped interior spaces which can be easily configured to meet a wide variety of needs and shop sizes.

The Maltings/Central Car Park will not be an enclosed shopping centre or self-contained mall style development, but a high quality outward looking design, which integrates into the city centre. Retail, residential and leisure areas will be linked by open, pedestrianised streets and

public spaces, with an improved cultural area around the Playhouse and City Hall, improving legibility from the new development through the cultural area to Fisherton Street. Relocation or remodelling of the library will open up links to the Market Square. This open streetscape will connect the prime retail units and will include retail with an anchor store, residential and leisure areas.



Extract from Wiltshire Core Strategy: Inset map accompanying Core Policy 21

Appendix A to the Core Strategy sets out further requirements for strategic allocations in the form of 'Development Templates'. For the Maltings and Central Car Park site, requirements identified in its template include to ensure the continued viability and vibrancy of the whole of Salisbury city centre and to provide a replacement or remodelled library. In addition to new retail floor space, expected land uses across the site include leisure uses, a replacement or remodelled library, and an improved cultural area around the Playhouse and City Hall.

Appendix A further states that the 'delivery mechanism' for the Maltings and Central Car Park site should be "... a partnership between private and public sector based on frontloading a masterplan to be approved by the local planning authority as part of the planning application process. ...". A masterplan has now been completed, and was endorsed by the Strategic Planning Committee at its meeting on 19 June as a material consideration; the masterplan's relevance, and this planning application's compatibility with it, is considered further below.

At the highest / strategic level the proposal in this planning application complies with Core Policy 21, as it would commence the delivery of the wider Maltings and Central Car Park site

development (albeit in isolation) in accordance with the Design Template. Notably, the proposal would provide leisure uses – the hotel and gym – and a replacement library (these uses complementary to, and so leading to the required improvement of, the cultural area); and would, through the relocation of the library, enable early consideration of improving linkages between the Maltings and Market Square. It is anticipated that the proposal would be a catalyst for the progression of other elements of the Design Template.

10.1.4 The Maltings and Central Car Park Masterplan

Notwithstanding that the planning application can be considered in isolation and on its own merits (because it proposes a development which can stand alone in any event), in accordance with the Maltings and Central Car Park Site Development Template, a Masterplan has been completed, and has been endorsed – recently – as a material consideration. Accordingly, significant weight must be given to it in the determination of relevant planning applications.

Within the Masterplan five ‘Areas’ are defined where, having regard to their context and particular circumstances, different developments and/or uses are expected. The planning application site lies within Area 2 which is defined as the ‘Cultural Quarter’, principally in view of it including the existing City Hall and Playhouse. The Masterplan states that “*A Cultural Quarter around the Playhouse and City Hall will be delivered, with improved pedestrian access from the Market Square, via the Cultural Quarter, to Fisherton Street. Within the Cultural Quarter will be provision for a replacement library and art gallery*”. The Masterplan further states that within the overall Masterplan area a hotel will also be developed; specifically it states “*The site will also deliver a hotel to make a significant contribution to the city’s tourist economy. ...*”.

Accordingly, the proposal – which incorporates a library and hotel – complies with the Masterplan. The synergies between the existing cultural uses in Area 2, and in Fisherton Street in general, and the proposed uses would ensure that they are all compatible and complimentary. As set out above, significant weight must be given to the Masterplan as a material consideration in the determination of this planning application; the planning application is fully compliant with it.

10.1.5 Relocation of library

The relocation of the library per se is not a planning consideration; rather, it is a matter for the relevant service of the Council responsible for libraries to determine having regard to other day to day operational considerations. This said, the city centre location of the application site and the compatibility of a library within the ‘Cultural Quarter’ of the Maltings development, *and* the other intended outcomes of the Masterplan relating to improving linkages between the Maltings and the Market Place, mean that relocation of the library as proposed would not raise planning issues in any event.

10.2 Matters of detail –

10.2.1 Heritage and Design

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the same Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

Core Policy 58 (ensuring the conservation of the historic environment) of the Wiltshire Core Strategy states that new development should protect, conserve and where possible enhance the historic environment.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to the significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 195 states that where a proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss (or unless other specified exceptional circumstances apply). Paragraph 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Historic England defines significance as “*the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*”. Setting is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.

10.2.2 Heritage Statement

The application is accompanied by a Heritage Statement. This ‘scopes-out’ heritage assets affected by the proposal, and then defines the significance of these assets. The assets so scoped are Salisbury City Conservation Area (and in general terms the heritage ‘structures’ therein), the General Infirmary, the United Reformed Church, and nos. 38-40 Fisherton Street.

On the Conservation Area (and by implication, the buildings therein), the Heritage Statement notes the strong Victorian character of Fisherton Street overlaying its medieval origins. The statement says –

“The architectural styles and local details in the Fisherton Street area span the periods from the late seventeenth century to the late nineteenth century and add to the architectural value of the Conservation Area, offering good and fine examples of the period housing stock ... and which is nationally a finite resource. All of this contributes to the architectural value of the Conservation Area”.

The statement confirms that the Conservation Area is of considerable architectural and historical value, as is its setting.

On specific assets, the United Reformed Church (adjoining the planning application site) is noted to be of considerable historic and architectural value. Within its context of the Conservation Area the Heritage Statement says the following –

“By far the most prominent feature within the Site [that is, the Conservation Area], and visible along the majority of Fisherton Street, is the spire of the Congregational Church, located adjacent to the Site. The spire is complimented and forms a symmetry with the lower, but similar linear form of the Grade II Listed Clock Tower (and former jail) located to the south. The retention of this skyline, with its linear structural forms with the prominence of the Church spire and flanked by the clock tower, is of key interest for any proposals at the Site”.

In isolation the statement refers to the church as being “.... of considerable historic and architectural value”; with its setting “... making a moderate contribution to its setting”.

The General Infirmary (opposite the application site) is noted to have “considerable historical” and “some architectural value, largely reflecting the structure being a good example of a nationally rare building type”. Its setting makes a “moderate contribution” to its significance. Similar conclusions are drawn in relation to 38-40 Fisherton Street.

Regarding the existing building on the application site, the Heritage Statement considers its loss through re-development to be not necessarily harmful to other heritage assets, including the conservation area, but this dependent on the quality of the replacement. The Statement says –

“The current structure located at the site, whilst not a negative contribution to the character of the Conservation Area, offers a pastiche take on the historic shop frontage which once was located on this section of Fisherton Street. As a result, the existing structure at the Site has dated badly and provided no sustainable use for the property following the vacation of the premises by two retailers. This unsustainable form, coupled with the unsympathetic use of steeply pitched roofs (designed originally to mimic those of the historic Maltings structures) within an area where this pastiche architectural detailing had no appreciable links to the modern setting, has meant that the current structure located at the Site has dated poorly”.

The Heritage Statement’s assessment of the significance of existing heritage assets is broadly agreed. Most particularly it is acknowledged that Fisherton Street is a bustling, just out-of-city-centre thoroughfare, supporting a wide range of buildings of mixed age, scale and form, and in mixed, and predominantly, independent uses. Its character is essentially provincial, or ‘small town’, as is typical of many evolved Victorian suburbs. Amongst the transitional ‘suburbia’ there are a handful of more significant buildings which, intentionally or otherwise, dominate the street scene, these including the United Reformed Church and the General Infirmary. The existing building on the application site has a neutral impact in this context, neither detracting from nor enhancing the appearance and character of the area.

10.2.3 The proposal – design, context and heritage (and ‘skyline’)

As set out in the ‘Proposal’ section of this report, the proposal is to replace the existing building with a more contemporary form of development. The footprints of the existing and proposed buildings would be similar, although with a slightly increased set-back on the Fisherton Street elevation. This increased set-back has two immediate benefits – firstly, allowing for an active ‘café terrace’ to be provided in the newly created open area; and, secondly, allowing the adjoining church to retain its dominance in the street scene (and allowing new views of part of the side of the church to be opened-up). These outcomes are both beneficial to the functionality of Fisherton Street and the setting and significance of the church.

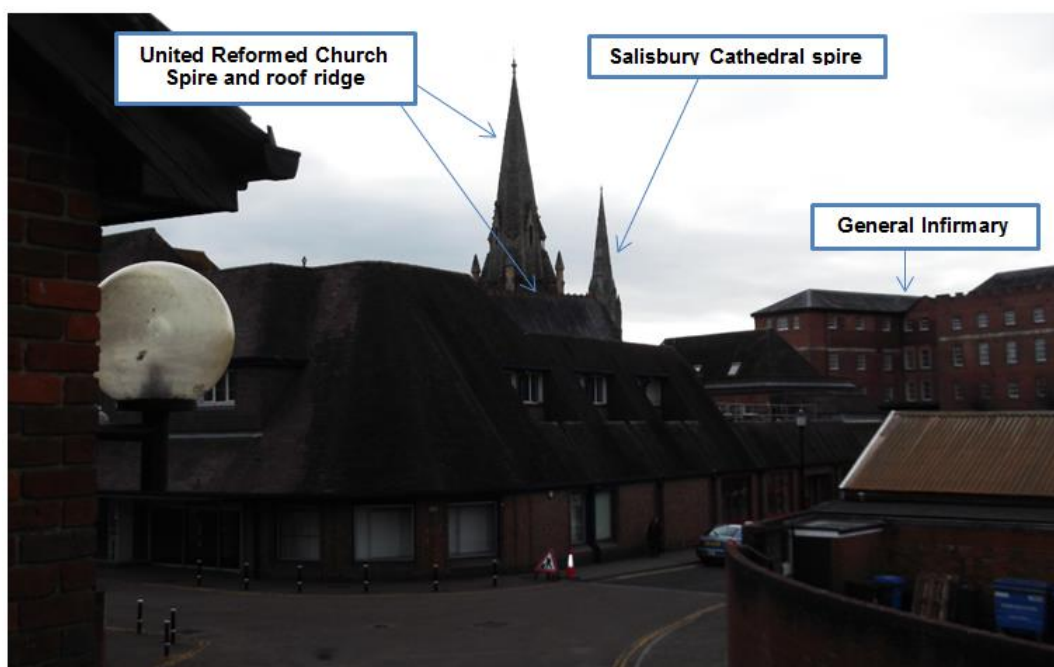
A significant difference between the current proposal and the earlier refused scheme is the reduction in its height. The building would now have three stories (rather than four, as previously proposed), with a maximum height (excluding lift over-runs) of 12.4m; the two lift

over-runs would increase this by a further 2.1m in two relatively small areas towards the rear of the building. The benefit of three stories is greater ceiling height on the ground floor, this appropriate for its intended public use (the library in particular).

Core Policy 22 of the Wiltshire Core Strategy states that in the Salisbury Central Area new development will be restricted to a height that does not exceed 12.2m (40ft) above ground level. Decorative features that contribute to the form and character of the wider roof-scape may exceed this figure; and in exceptional circumstances, and where there is adequate demonstration, development more generally in excess of 12.2m will be permitted if it would not cause harm to the roof-scape of the city and/or views of the cathedral; would be essential for the long term economic viability of the city; and has the height that is required to ensure the most efficient use of land.

The proposal exceeds the 12.2m 'rule' by just 20cm. In terms of the actual intentions of the policy (that is, to safeguard the city's roof-scape and views of the cathedral), this slight (and negligible in any event) infringement is justified. Within the vicinity of the application site there are no designed and/or meaningful views of the cathedral – indeed, lines of sight in the direction of the cathedral are largely screened by existing developments, including the United Reformed Church (see annotated photograph below). And similarly, views of the site from the cathedral across the city's roof-scape are largely hidden (again, by the higher ridge line of the intervening United Reformed Church), or are dominated by other larger scale buildings (notably the General Infirmary). It follows that within its immediate context the proposed building would not cause harm to the city's roof-scape, and so not undermine the intentions of Core Policy 22 or set a precedent.

The two lift over-runs add additional height, but in two small areas of the roof only. To reduce their impact quirky circular designs are proposed, and this moves them into the realms of 'decorative features', acceptable under the terms of Core Policy 22 in any event. Other plant is proposed to be hidden in compounds on the low flat roofs, effectively behind the frontage buildings. The result is a proposal which is acceptable, this regardless of its height. The design and context are such that the exceptions set out in Core Policy 22 apply, meaning that the proposal is compliant with the policy.



View towards Cathedral from Maltings first floor colonnade

In terms of the detailed design of the building, the approach of breaking it up into terraces of visually separate buildings achieves a form and bulk which is very much in-keeping with established, and historic, buildings hereabouts. Unlike the previously refused scheme, each individual 'building' has a vertical emphasis to its appearance, in-keeping with the mainly Victorian form of Fisherton Street; and a scale at ease with the human-scale of most nearby buildings. To ensure the buildings 'read' as a terrace there is also much variety in their detailing, this in terms of window sizes and designs, fascia and eaves levels, the frontage relief, and external materials. With particular regard to materials, high quality, modern materials are proposed, including bricks (of varying shape and colour), glazed bricks, timber, pre-cast stone, and zinc cladding (in a variety of colours). In contrast with the earlier refused proposal, bold and clear entrances to the building are now defined – in particular to the library, which has a double-height entrance and which is prominently positioned on the Malthouse Lane / Priory Square corner (with a further entrance on Fisherton Street too).

The Design and Access summarises the evolution of the detailed design in the following terms –

“The re-elevating of the original submission has led to a number of changes to the plan, layout and sections. These changes respond to the commentary received from the Planning Committee regarding the original proposal which was metropolitan and bland.

The principle issues expressed by the committee related to the wish to have a more articulated facade with more relief / movement. It was felt that Fisherton Street façade should have more verticality and the entrance to the Library would be better defined with signage/ lighting etc.. The level of detail needed further explanation and the quality and choice of materials better illustrated. The precast stone middle 'building' as drawn was ambiguous whilst the Priory Square elevation was bland. It was considered as this was outside the conservation area and would be the first new building in the Cultural Quarter it was possible to be of a more funky design

Our first approach was to consider the hotel, as it occupied the whole site, to be expressed as a single building. This would give it clarity of identity, however, with the library use being hierarchically a more important civic use the potential and apparent visual conflict altered our approach as to how these two principle uses could be expressed.

To reduce the overall height, the design has lengthened the Priory Square elevation by 2600mm extending it into the existing service yard. The hotel bedroom configuration can, with this strategic amendment, be accommodated on two floors enabling the height of the building to be reduced to meet the 40ft Core Policy 22 Salisbury Skyline with the exception of the lift overrun housings. These have been designed as circular housing in VM Zinc Pigmento blue cladding so that they are softer in overall appearance floating above the overall building skyline and reflecting the changing position of the day/sunlight throughout the day.

The overall roof configuration has been articulated in different forms with carrying parapet and edge details to respond to the surrounding building forms and scales.

The change of the layout of the hotel has enabled the ground floor accommodation to also benefit by increasing the floor to floor ceiling height, which is important due to the anticipated open plan nature of the volume. The proposed clear height from finished floor level to underside of the first floor slab will be 4,700mm, an increase of 1,000mm available currently in the existing Market Walk Library facilities.



Impression – Fisherton Street / Malthouse Lane



Impression – Malthouse Lane / Priory Square

These initial studies have informed the current application, together with the feedback received. The new application has focussed on redefining the overall height of the building as well as addressing the aesthetics of the conservation area. The adoption of the Malting Masterplan by Wiltshire Council has enabled the library entrance to be focused on the Cultural Quarter and Priory Square, rather than Fisherton Street.

The Fisherton Street Conservation Area has a typical Victorian grain in the overall streetscape with a number of Victorian developments occupying frontage plots of 12-15m such as numbers 86/90, 92/94 and 98/100. This size of frontage has informed the design cresting variety within the overall proposal articulating the various bedroom sizes forming a rhythm within the elevational treatments.”

The form, bulk and design of the development now presented is considered entirely appropriate for this situation. It is a modern take on the traditional buildings hereabouts at a scale and in a form which fits with the provincial character of this part of the city. It is not a pastiche, but instead introduces something new and different, and ultimately unique to Salisbury, and so in the best traditions of the city. At the same time the proposal is respectful of its setting, neither dominating nor competing with nearby listed buildings, including the church and the General Infirmary which will continue to be the principal public buildings in Fisherton Street. In terms of heritage policy the proposal would, therefore, have a neutral and/or slight beneficial impact on these assets, and have similar neutral and/or beneficial impacts on other more distant listed buildings and the wider Salisbury Conservation Area. The skyline policy (CP22) has been discussed above, but in summing-up it is worthy of repeat that the reduced height of the proposal now brings it in line with the requirements, with the slight increase of 20cm over the 12.2m being negligible in this context anyway.

Overall, it is considered that the proposal is now for an acceptable form of development in terms of its form, bulk and scale, being appropriate in this situation and fully addressing the reason for refusal of the earlier application. Conditions are recommended to address the matters of fine detail required by the Urban Design Officer and the Conservation Officer.

10.2.5 Archaeology

The application is accompanied by an Archaeological Desk-Based Assessment (February 2019) and an Archaeological Watching Brief (July 2019). The Desk-Based Assessment was prepared prior to fieldwork being carried out; its conclusion includes the following:

This assessment has established that there is an archaeological interest within the Site. This is defined as the potential for the presence of buried archaeological remains, in particular relating to the buried structural remains of the Black Friars of Salisbury’s Dominican Friary, which was located within the site. Remains could include structural remains relating to the Church or other structures, and possibly additional monastic inhumation burials. Any such remains, if present, would be of regional and national significance.

There have been multiple phases of occupation and redevelopment within the Site, beginning with the medieval friary, which was gradually superseded by post-medieval houses, potentially re-using the substantial foundations of the Church, ancillary structures and land divisions. Each of these phases will have had an impact upon the survival of any archaeological deposits present within the Site. The impact of the existing 30-36, Fisherton Street upon buried archaeological remains may be limited to the footprint and radius of the pilings used as support for the structure. The ground levelling works may not have extended to a sufficient depth (2.30 m) to encounter the medieval and post-medieval deposits.

Moreover, it was observed during the Site Visit that the ground level had been further raised prior to the redevelopment of the Site in 1978.

In the absence of clear evidence to the contrary, it should be assumed that there is the potential for buried archaeological remains, especially those pre-dating the 18th century, to survive well within the site.

Any adverse impact to buried archaeological features as a result of the implementation of the development proposals would be permanent and irreversible in nature. However the proposals for piled foundations will ensure that the impacts are distributed evenly across the site and confined to discrete locations.

The significance of any buried archaeological remains present within the site cannot currently be accurately assessed on the basis of the available evidence. Further archaeological investigation will be required to determine the level of preservation and extent of any buried archaeological remains.

It is proposed to carry out an archaeological watching brief during geotechnical works which are to be carried out within the Site prior to the determination of the planning application. These works will entail the excavation of 11 trial pits, as well as boreholes and window samples. The results of the watching brief have the potential to provide valuable information regarding the presence, depth and degree of survival of any buried archaeological remains associated with the Friary, as well as having the potential to shed light upon the possible layout of the Friary. Following consultation with the archaeological advisor to Wiltshire Council, it is proposed to submit a Written Scheme of Investigation for an archaeological watching brief to the LPA in advance of the geotechnical works.

In the light of the Desk-Based Assessment the Council's Archaeologist requested additional fieldwork to be carried out. This is reported in the Watching Brief. The key conclusions as follows:

The results of the work have indicated that inhumation burials, aligned W-E, extend across an area of approximately 50 m E-W and 20 m N-S, which constitutes the entire northern part of the proposed development. These results have provided the first indication of the extent and location of a cemetery attached to the friary; the southern extent remains unconfirmed. These inhumation burials are most likely related to the medieval friary and, as such, represent a very small sample of the associated cemetery population. Despite these limitations the results provide some embryonic information of the age, sex and lifestyle of this population sample.

No trace was found of the priory building, either as foundations or demolition rubble, from which it seems likely that the priory complex was located further to the north.

No assessment of deposits or structure preservation was possible at points on the Fisherton Street frontage.

The results of the work have also produced important information for consideration for future redevelopment. It has been demonstrated that there is considerable potential for further significant archaeological discoveries to be made across the site.

The site apparently lies outside, probably to the south of, the boundaries of the friary buildings but lies within the adjacent cemetery. It is clear that considerable damage to these archaeological deposits, specifically to those of involving human remains, went unobserved and unrecorded during the previous redevelopment. Nevertheless, additional material undoubtedly remains undisturbed.

Demolition of the existing building which involves total removal of the existing foundations will undoubtedly result in additional damage to the human remains.

No investigations were possible across the southern part of the site. This portion remains of considerable interest and is likely to include traces of buildings which fronted onto Fisherton Street. This route, which provided primary access to the medieval city of Salisbury from the west, has provided scant archaeological opportunities for investigation.

Any structures may relate not only to the friary complex but also to occupation following the dissolution. It is possible that preservation has been enhanced by deposition of material to raise the south side of the existing building.

In the light of these findings the County Archaeologist recommends a condition requiring a written programme of continuing archaeological investigation to be prepared, approved and implemented.

10.3 Highway Safety

Core Policies 60 to 66 of the Wiltshire Core Strategy relate to transport matters in general. Notably, Core Policy 60 states that the Council will use its planning and transport powers to help reduce the need to travel, particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within the county. This will be achieved by:

- i. Planning developments in accessible locations;
- ii. Promoting sustainable transport alternatives to the use of the private motor car;
- iii. Maintaining and selectively improving the local transport network in accordance with its functional importance and in partnership with other transport planning bodies, service providers and the business community;
- iv. Promoting appropriate demand measurement measures;
- v. Influencing the routing of freight within and through the county;
- vi. Assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment.

The proposal includes provision of 5 on-site parking spaces (for the hotel).

The application is accompanied by a Transport Statement which assesses the impact of the proposal on all forms of transport to and from the site. Using TRICS¹ data to inform the analysis, the Transport Statement concludes the following:

“As the gym and library are relocating from their existing premises the number of new trips to the proposed development will primarily be those to the hotel and restaurant² land uses. Based on the trip rates presented above, these land uses are anticipated to generate 17 two-way vehicle trips in the AM peak hour and 17 two-way vehicles trips in the PM peak hour. It is anticipated that the proposals will generate 53 two-way people movements in the AM peak hour and 110 two-way people movements in the PM peak hour for all proposed land uses.

It is considered that the anticipated level of proposed development traffic will not have a significant adverse impact on the operation of the local transport network.

¹ TRICS (Trip Rate Information Computer System) is a database of trip rates for development types used for transport planning purposes, specifically to quantify the trip generation of new developments.

² The restaurant element of the original proposal was removed during the evolution of the first application.

Based on the vehicle arrival and departure trip rates, it is estimated that an 86 bedroom hotel will see the vehicle accumulation between 07:00 and 21:00 vary by around 15 vehicles, with the least vehicles present at 11:00 and the maximum vehicle accumulation occurring overnight.

Parking surveys at The Maltings Shopping Centre and a number of Council car parks were undertaken in 2017 as part of a Parking Assessment exercise undertaken by Mayer Brown. The survey results showed that the existing car parks do not reach full capacity at any time during the week or at weekends. Therefore it is expected that the low number of vehicles predicted to be associated with the hotel use will be able to be accommodated in the local car parks with occupancy levels overnight being recorded as being less than 20% full.

.....

The local area has adequate pedestrian and cyclist facilities which provides good connectivity between the site and local facilities. The site is situated approximately 100 metres from the nearest bus stops and is approximately a five minute walk to the rail station.

It is considered that the anticipated level of proposed development traffic will not have a significant adverse impact on the operation of the local transport network with vehicles associated with the proposed development able to be accommodated in the local car parks.

The proposed development layout can be safely accessed and serviced from the existing highway network. In conclusion, there is no highways and transport reason why the development should not be permitted".

These outcomes are agreed by the Council's Highways Officer. Essentially this is a city centre location with excellent pedestrian, cycle and public transport accessibility, and with adequate public car parking facilities to meet the demands of the proposed development. The wider highway network can accommodate the limited levels of additional traffic generation. There are no highway safety issues around the use of existing roads and junctions within the locality.

On cycling, a condition is recommended requiring provision of bike parking facilities – this to encourage transportation means other than just cars.

The application site lies within the Salisbury Air Quality Management Area. However, as this is a re-development proposal, the implications for this designation are not considered to be significant.

10.4 Flood Risk and Drainage

The application site lies mainly within Flood Zone 2 although with small sections within Flood Zone 3 (beside the river) and within Flood Zone 1 (adjacent to Priory Square).

10.4.1 Flood risk

In view of the site's location mainly within Flood Zone 2, and in view of the proposal involving a change from a 'less vulnerable' use (retail) to a 'more vulnerable' use (hotel, albeit at first floor level)) it is necessary for the 'Sequential Test' to be applied. According to the NPPF, the aim of the sequential test is to steer new development to areas with the lowest risk of flooding (namely Flood Zone 1); development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Applying the Sequential Test in this instance it is considered that the proposal 'passes'. This is because there are no other sites reasonably available and/or

being delivered at this time outside of Flood Zone 2 for a sustainable city centre hotel such as this.

In situations where it is not possible for development to be located in zones with a lower risk of flooding, it is then necessary to apply the 'Exception Test'. According to the NPPF, the need for the Exception Test depends on the potential vulnerability of the site and of the development proposed; and for the Exception Test to be passed it should be demonstrated that –

- (a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.

To assist consideration of the Exception Test the application is accompanied by a Flood Risk Assessment (FRA). Based on fluvial flood depth data supplied by the Environment Agency, a design fluvial flood level (the 1% Annual Exceedance Probability, plus an appropriate allowance for climate change) is c. 46.9 metres AOD. In its response to the earlier application the Environment Agency accepted this figure, and accordingly concluded as follows:

“The proposal is for a library, gym and restaurant at ground floor level, with the hotel (the ‘more vulnerable’ flood risk use) at first floor level and above. The FRA proposes a 300mm freeboard allowance for setting minimum finished floor levels. This allowance should be considered the absolute minimum. A larger freeboard allowance, closer to 600mm, is recommended. However, mindful of the proposed ‘less vulnerable’ use at ground floor level, and the applicants’ use of the most up-to-date, improved, fluvial hydraulic modelling data we [the Environment Agency] have no objection to the proposed finished floor levels as set out in the FRA. Specifically, the library, fronting Fisherton Street, set no lower than 47.2 metres AOD. We note the gym, restaurant, and hotel entrance to the rear of the site will be set a little higher at 47.375 metres AOD by virtue of higher ground level in Malthouse Lane/Priory Square”.

Accordingly the Environment Agency raised no objection, subject to conditions.

At the time of writing the Environment Agency had not responded to the current planning application. However, it can be reasonably concluded that it will maintain a ‘no objection’, there being no changes in circumstances to those referred to by the Agency in its response above. A response is expected before the meeting and will then be reported.

10.4.2 Surface water drainage

The application is also accompanied by a Surface Water Management Plan. It sets out proposals for the management of surface water from the site, and these comprise a combination of SUDs measures in the form of ‘blue’ and ‘green’ roofs, and permeable paving. In combination these measures would restrict/control surface water flows to the River Avon (via a pump, trap and existing manhole) to no more than 2 l/s; this is a better outcome than the present arrangements at the site, and so satisfies (a) and (b) of the Exception Test (referred to above).

In the event of exceedance, the Management Plan proposes the following –

“The exceedance route in events in excess of the 100 year plus 40% climate change events will surcharge from the lowest manhole with the lowest cover level, which is in the service

yard area. The flooding will be stored here before draining back into the permeable paving when flooding subsides before leaving the site”.

The Council’s Drainage Officer has raised a holding objection, but this is in view of requirements for additional information relating to the design of the surface water drainage scheme and an emergency plan. These are both matters that can be covered by planning conditions in the event of planning permission being given.

10.4.3 Foul water drainage

Wessex Water raises no objections subject to there being no surface water drainage connections to the foul system. This is a matter for a planning condition.

10.5 Biodiversity

The application site is adjacent to the River Avon – a designated Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

The application is accompanied by a Preliminary Ecological Appraisal. It concludes on ecological considerations as follows:

Redevelopment of 32-36 Fisherton Street requires demolition of all buildings within the site. The nature and location of the site means that it has very limited opportunities to support protected species of fauna and no nature conservation habitats of Importance. Notwithstanding this, the site is adjacent to part of the River Avon SAC & SSSI which is a linear site with a conservation value of National Importance.

Further surveys are necessary to inform whether bats roost at the site and if so the species and roost types. If bat roost sites are present then a European Protected Species mitigation licence will be required before the site is demolished and roosts destroyed. A licence will be legally binding. It will compel the applicant to deliver a pre-agreed mitigation strategy and compensatory bat roosting provision in the replacement building so that there are no negative impacts on the local population of bats.

Common species of birds could also nest in the building and so demolition must be timed to avoid an offence; new nesting provision should also be made.

It is vital that the development does not result in pollution of the River Avon watercourse either directly or indirectly in the pre, during or post development stages. Biodiversity gain can be achieved by providing additional bat and nesting bird sites so that the proposals can remain compliant with legislation and policy and result in no permanent negative effects on bats, birds or the interests of the River Avon SAC/SSSI.

Planning conditions can address the requirement for bat surveys at the appropriate time. Protection of the river can be assured by means of a Construction Environmental Management Plan at time of construction, and the Surface Water Management Plan addresses discharges from the site into the river.

A third party representation requests that ‘swift bricks’ are utilised in the new build to provide nesting opportunities for swifts. This would be in addition to other bird and bat boxes. The applicant is agreeable to this, and accordingly – and because Core Policy 50 of the Wiltshire Core Strategy seeks protection *and* enhancement of biodiversity – a condition is recommended.

10.6 Residential amenity

Core Policy 57 of the Wiltshire Core Strategy requires new development to make a positive contribution to the character of Wiltshire through, amongst of things, having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration and pollution.

The Council's Public Protection Officer has highlighted that the proposed uses may have the potential to generate noise and odours. Accordingly conditions are recommended requiring schemes to ensure the building is suitably insulated and equipped to eliminate these.

Conditions are also recommended relating to air quality improvement and potential contamination.

The proposed building would be sited close to the adjacent United Reformed Church. However, there is sufficient separation between the buildings to ensure light levels at the church would not be adversely affected. The relationship between the two buildings would be similar to what presently exists, the change is not considered to be overbearing, and is not considered inappropriate within the city centre context where buildings often stand cheek by jowl.

11. Conclusion

The proposal seeks to re-develop this site to provide a hotel, gym and library. This as a matter of principle complies with the Core Strategy, and notably Core Policy 21 which allocates the area around the Maltings – including the application site – for a mixed-use development to enhance the city centre's position as a sub-regional and cultural centre.

The design of the proposed building in this revised application has taken on board the concerns, and the reason for refusal, arising from the earlier application. Notably, the building that is now proposed remains uniquely contemporary, but at a scale and in a form which relates to, and compliments, its surroundings. Through relief and articulation, and through the use of a wide palette of high quality external materials, the component parts of the building fit with the grain of established development in the area, so having a neutral and/or beneficial impact on existing heritage assets whilst achieving something which will be unique and special for Salisbury. At the highest level, this will be the first phase of the Maltings/Central Car Park re-development in accordance with the now endorsed Masterplan; and will result in enhancement of the 'Cultural Quarter', general betterment of the city centre in economic terms, and the provision of a new library facility.

Accordingly the application is recommended for approval.

RECOMMENDATION

To GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the details shown on the submitted application particulars, no development shall commence on site (other than demolition and related site clearance) until the exact details of the materials to be used for the external walls and roofs 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission, in the interests of visual amenity and the character and appearance of the area, which is a conservation area.

3. No walls shall be constructed on site, until a sample wall panel (or panels), not less than 1 metre square, showing the external materials and mortar colours/depths/finishes, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel(s) shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area, which is a conservation area.

4. No development shall commence on site (other than demolition and related site clearance) until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers, canopies, parapet copings, roof details (inc. white metal 'crown'), building returns, vents, meters, and external plant 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: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area, which is a conservation area.

5. No development shall commence on site (other than demolition and related site clearance) until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include (where relevant) :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels;
- means of enclosure;
- vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials, and their detailed arrangement on the site;
- minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory setting for the development.

6. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

8. No part of the development shall be first brought into use, until details of secure covered cycle parking, together with a timetable for their provision, have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and timetable, and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

9. No part of the development hereby permitted shall be first brought into use until an assessment of the acoustic impact arising from the operation of all proposed external plant at all uses within the development has been undertaken in accordance with BS 4142: 2014 and BS8233. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures as necessary to ensure the rating level of noise emitted from the proposed plant shall be at least 5dB less than lowest background level and is protective of local amenity. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to first use of the development and thereafter be permanently retained.

REASON: In order to safeguard the amenities of the area in which the development is located.

10. No part of the gymnasium element of the development hereby permitted shall be first brought into use until a scheme of mitigation and validation for the gymnasium element has been undertaken that meets the noise requirements of NR25 (maximum noise rating level) and to so protect the hotel and library elements of the development. The

scheme shall be submitted to and approved in writing by the Local Planning Authority and shall demonstrate substantial compliance over a 1 hour LAeq taking due account of frequency.

The scheme must include details of stages of validation during the construction phase and a post construction scheme of validation and measurement to demonstrate substantive compliance. The gymnasium use hereby permitted shall not commence until the approved details are fully implemented and details of post construction validation have been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of the area in which the development is located.

11. No part of the development hereby permitted shall be first brought into use until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odour & fumes, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to safeguard the amenities of the area in which the development is located.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

13. No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) - Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant

- linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
 - An assessment of the potential risks to
 - human health,
 - property (existing or proposed) including buildings, service lines and pipes,
 - adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) - Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) - Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) - Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) - Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) - Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
 - i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
 - ii. A description of management responsibilities;
 - iii. A description of the construction programme;
 - iv. Site working hours and a named person for residents / interested parties to contact;
 - v. Detailed Site logistics arrangements;
 - vi. Details regarding parking, deliveries, and storage;
 - vii. Details regarding dust and noise mitigation;
 - viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
 - ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The CEMP shall be implemented at all times during the construction phase as approved.

REASON: In order to safeguard the amenities of the area in which the development is located.

15. The development hereby approved shall not commence (other than demolition and related site clearance) until an Air Quality Assessment (AQA) is carried out to assess the impact, if any, of the development on the Salisbury Air Quality Management Area. The AQA shall be carried out in accordance with the requirements of the Council's Air

Quality SPD; and where impacts are predicted, shall set out mitigation and a programme of implementation to address these. The development shall not commence until the AQA has been approved in writing by the local planning authority; and the development shall then be implemented and operated thereafter in accordance with the approved mitigation and related programme.

REASON: The application site is within an Air Quality Management Area where air quality objectives have been breached. In these circumstances Core Policy 55 of the Wiltshire Core Strategy requires new development to demonstrate that it will not exacerbate the situation and/or to propose mitigation measures as necessary, this in order to protect public health, environmental quality and amenity.

16. Notwithstanding the details sets out in the application particulars, no development shall commence on site (other than demolition and related site clearance) until a scheme for the discharge of surface water from the site (including the service yard), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

INFORMATIVE:

In preparing the scheme for the discharge of surface water the applicant should have regard to the response to the application from WC Drainage; in particular, those comments relating to the shortcomings of the Flood Risk Assessment and Surface Water Management Plan accompanying the planning application.

17. No part of the development hereby permitted shall be first brought into use until a flood emergency plan (Flood Warning and Evacuation Plan) has been submitted to and approved in writing by the Local Planning Authority. The emergency plan shall address all sources of flooding (river, surface water, groundwater and sewer), and shall set out prevention and evacuation measures in the event of a flood event. Following first use of the development the flood emergency plan shall be implemented if and whenever flood events occur.

REASON: To ensure safe access and escape routes during times of flooding.

18. Notwithstanding the details set out in the application particulars, the finished floor levels of the development hereby permitted shall be set no lower than 47.2 metres above Ordnance Datum (AOD).

REASON: To reduce the risk of flooding and to accord with the terms of the Flood Risk Assessment which accompanies the planning application.

INFORMATIVE:

In view of the potential flood risks in this locality, the Environment Agency advises that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Guidance is available within the Department for Communities and Local

Government publication 'Improving the Flood Performance of New Buildings – Flood Resilient Construction, May 2007' available at:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

19. No development approved by this permission shall commence (other than demolition and related site clearance) until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include calculations to demonstrate how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

20. There shall be no surface water drainage connection to foul water drainage systems.

REASON: To reduce the risk of flooding.

21. No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) of the existing building to be demolished has been carried out. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to secure the proper recording of the existing building.

22. No works for the demolition of the existing building or any part thereof shall commence on site until evidence that there is an interested party obliged to complete and/or occupy the replacement development (such as a valid Agreement for Lease of the replacement development) has been submitted to and approved in writing by the Local Planning Authority.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the visual amenity of the locality, which is within a designated Conservation Area.

23. A written programme of archaeological investigation and mitigation, promoting better understanding of the impact of the proposed development, which should include both on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority;

The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

24. Prior to commencement of the development hereby approved (other than demolition and related site clearance), a scheme for the incorporation of bat and bird boxes (including swift bricks) into the new building works shall be submitted to the local planning authority for approval in writing. The bat and bird boxes / swift bricks shall be incorporated in accordance with the approved scheme and retained for nesting purposes in perpetuity thereafter.

REASON: To ensure enhancement of ecological interests in accordance with Core Policy 50 of the Wiltshire Core Strategy.

25. The development shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal by Ecological Consultancy Services Ltd dated February 2019; in particular, those recommendations requiring further bat surveys to be undertaken at particular times of the year.

REASON: To safeguard ecological interests, notably bats.

26. No development shall take place until a plan detailing the protection and enhancement of the adjacent SAC (Hampshire Avon River) and its associated habitats and species has been submitted to and agreed in writing the local planning authority. The plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the local planning authority. The species/habitat enhancement and protection plan shall be carried out in accordance with a timetable for implementation as approved.

REASON To protect the Hampshire Avon and its habitat within the development site, and to avoid damaging the site's nature conservation value.

27. The development hereby permitted shall be carried out in accordance with the following approved plans:

3097-A-1500 P02 (Site location plan) dated 31/07/19

3097-A-1600 P04 (Ground floor plan) dated 31/07/19

3097-A-1601 P04 (First floor plan) dated 31/07/19

3097-A-1602 P04 (Second floor plan) dated 31/07/19

3097-A-1603 P02 (Roof plan) dated 31/07/19

3097-A-1630 P02 (Elevations – sheet 1) dated 12/08/19

3097-A-1631 P02 (Elevations – sheet 2) dated 12/08/19

3097-A-1632 P02 (Elevations & sections – sheet 1) dated 12/08/19

3097-A-1633 P02 (Elevations & sections – sheet 2) dated 12/08/19

3097-A-1650 P02 (Elevation / section detail building A) dated 09/08/19

3097-A-1651 P02 (Elevation / section detail building B) dated 09/08/19

3097-A-1652 P02 (Elevation / section detail building C) dated 09/08/19

3097-A-1653 P02 (Elevation / section detail building D) dated 09/08/19

3097-A-1655 P02 (Elevation / section detail building E) dated 09/08/19

REASON: For the avoidance of doubt and in the interests of proper planning.

28. INFORMATIVE:

An environmental permit is required for any works within 8m of a main river, such as the River Avon. For more guidance on environmental permits, consult the Wiltshire Council website.

The Environment Agency issue environmental permits, however, as Wiltshire Council have the lead responsibility for surface water management, the discharge rate from the site must be agreed with the Council.

29. INFORMATIVE:

This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

30. INFORMATIVE:

The applicant should note that the costs of carrying out a programme of building recording and archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

31. INFORMATIVE:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If it is intended to carry out works in the vicinity of the site boundary, the applicant is also advised that it may be expedient to seek independent advice with regard to the requirements of the Party Wall Act 1996.

32. INFORMATIVE:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

33. INFORMATIVE:

The applicant is advised that Council offices do not have the facility to receive material samples. If samples are required then they should be delivered to site and the Planning Officer notified accordingly.

34. INFORMATIVE:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition,

you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

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The Maltings and Central Car Park Masterplan



Opportunities and Development Principles June 2019

1 Layout of this document

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2 Purpose of the Masterplan

This masterplan sets out Wiltshire Council's broad requirements for the redevelopment of The Maltings and Central Car Park, Salisbury. The site is allocated for development by Core Policy 21 of the Wiltshire Core Strategy (WCS)¹, which is supported by an appended Development Template setting out the broad intentions for the site. This masterplan has been prepared to fulfil the WCS requirement for a strategic masterplan for the whole site, and to provide site specific instructions for the development of the site, using a baseline of the WCS Development Template.

The masterplan is a material consideration in the determination of planning applications for the strategic development of The Maltings and Central Car Park. The document provides developers, Wiltshire Council's planning officers, and the local community with a prospectus of how the development will be delivered.

The masterplan sets out the strategy for a new development including its general layout, scale and other aspects that will need consideration. The process of developing the masterplan has tested options and considered the most important parameters for the area such as; the environmental constraints/opportunities, mix of uses, requirement for open space, transport infrastructure, the amount and scale of buildings, and the quality of buildings.

The masterplan shows these issues in an indicative layout, where the shape and position of buildings, streets and parks is set out.

Importantly the masterplan is designed to be viable and deliverable. For these reasons, while it clearly sets out where commercial opportunities are on the site, it is non-prescriptive over those specific end uses. This is due to the fast-changing nature of city centre uses, especially the changing retail environment and hence the plan is deliberately conceived to keep options open to underpin commercial viability. While Core Policy 21 is explicit in stating the quanta of specific end uses this has been superseded by the changing markets, and the brief responds positively to this.

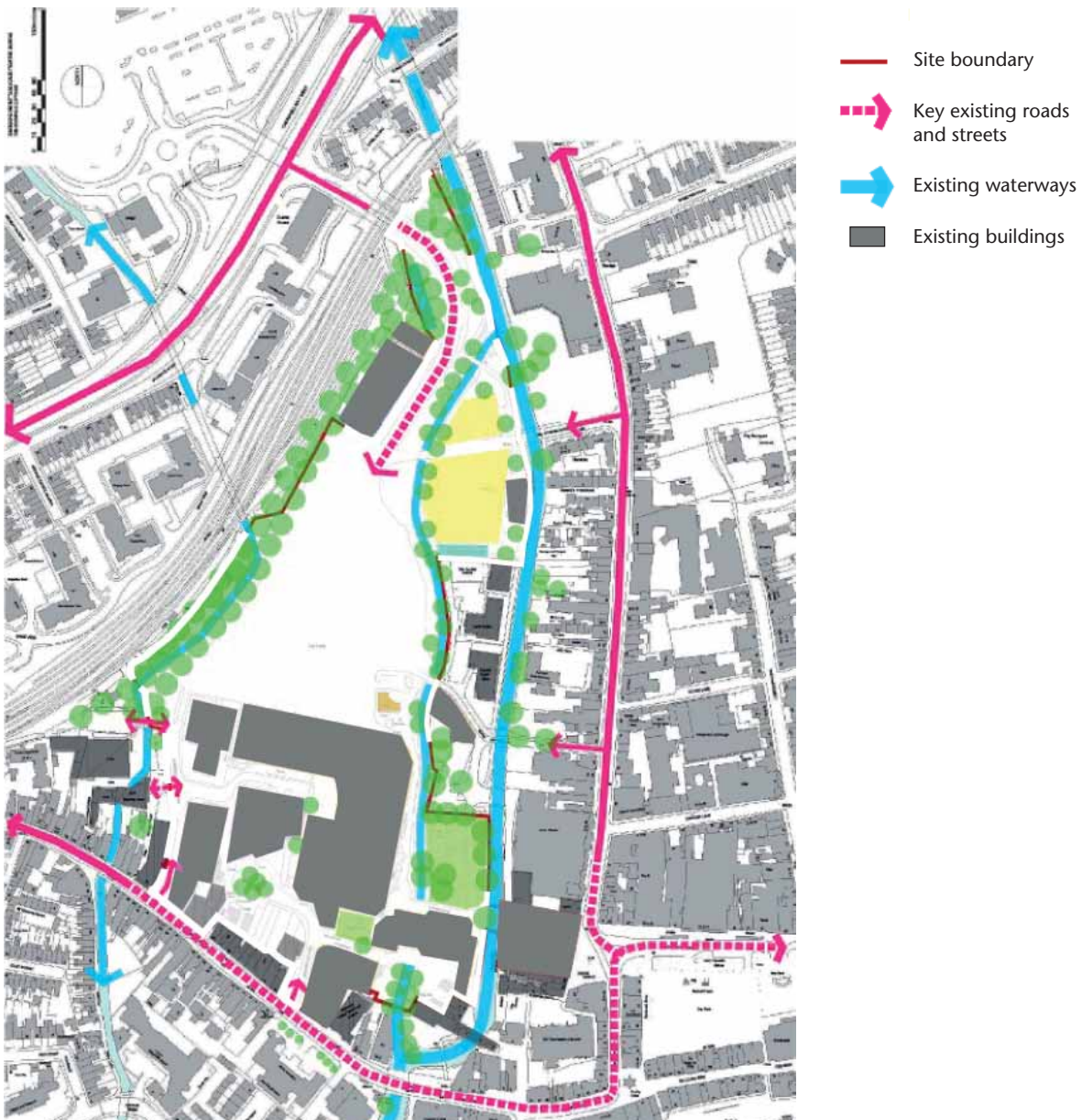
The graphical impressions of what the development could look like are indicative and highlight the art of the possible. Any detailed plans will be subject to further consultation through the statutory planning process and will be expected to reflect the character of Salisbury and respect the unique sense of place.

¹ Wiltshire Core Strategy, January 2015 – available at: <http://www.wiltshire.gov.uk/wiltshirecorestrategy.htm>

3 Planning Policy Context

The Maltings and Central Car Park site is allocated for strategic redevelopment by Core Policy 21 of the WCS. Applications for Planning Permission will be determined against planning Policies set out by the WCS underpinned by material considerations set by National Planning Policy and guidance. A summary of the Planning Policy context for the site is set out at Appendix A.

The WCS is now several years old, and it is important to recognise that the role and function of town centres has shifted in the past few years. Accordingly, the masterplan has been prepared with recognition that the long-term role of the town centre may be subject to change and there is a need to respond flexibly to the unknowns surrounding this. The masterplan is designed to respond to the requirements of WCS allocation, but with allowance for flexibility for subsequent planning applications to respond appropriately to market conditions. The masterplan led redevelopment of The Maltings and Central Car Park was also set out in the Salisbury Vision document adopted by Salisbury District Council.



4 The site and surroundings

The Maltings and Central Car Park site is located within the Salisbury city centre, to the west of the established shopping area.

The map below shows five broad areas within the site that are identified for a range of development opportunities:



The Maltings and Central Car Park – Broad Areas

Key:

- Area 1 - Market Walk and The Maltings
- Area 2 - Cultural Quarter
- Area 3 - Commercial and Residential Core
- Area 4 - Riverside and Salisbury Coach Park welcome
- Area 5 - Land between Fisherton Street and the railway line

Area 1 - Market Walk and The Maltings

Area 1 includes The Maltings shopping precinct which extends along the riverside walk leading to St Thomas's Square, and the Grade I Listed St Thomas's Church. The shopping frontage at the north of Area 1 faces out across public open space and a children's play area. Area 1 also includes commercial units, with service area and private car parking to the rear. The existing Salisbury Library and the Young Gallery are currently accessed from two entrances, one fronting Castle Street and the other via Market Walk pedestrian arcade, leading to The Maltings from the Cheese Market and crossing the River Avon via a footbridge.

One of the most well used pedestrian links to the site is taken from the Cheese Market through Market Walk, leading to a bridge crossing to The Maltings. This is a busy crossing point coinciding with the north/south pedestrian route, which together create a lively node of activity.

St Thomas's Square leads to pedestrian links into The Maltings riverside precinct. The route through St Thomas's Square opposite the High Street is of high quality and interest but is indirect.

An attractive, but indirect access to The Maltings can also be obtained crossing the bridge to Bishop's Mill.



View of the Maltings riverside precinct looking south



View of the Maltings riverside precinct looking north

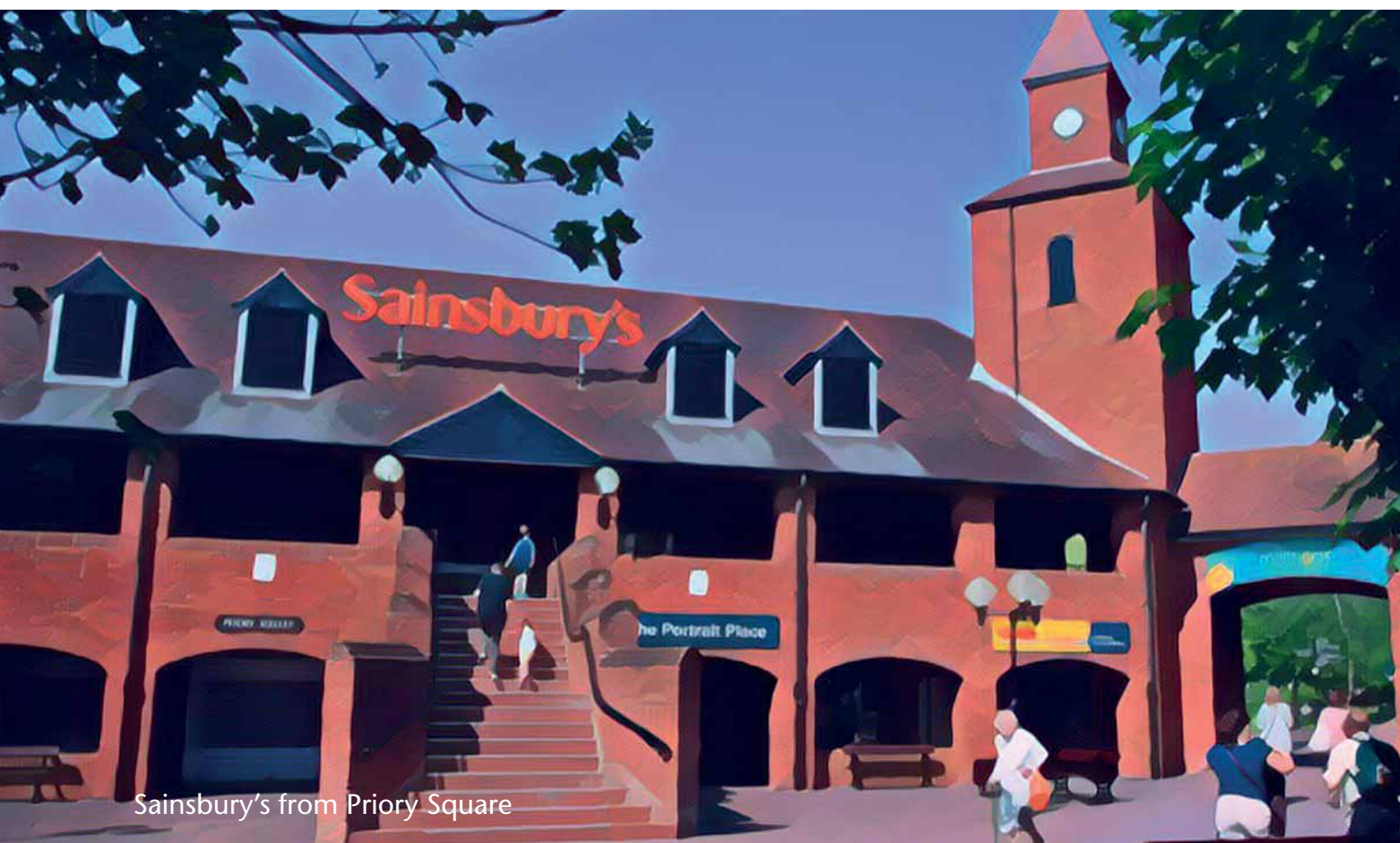
Area 2 - Cultural Quarter

Area 2 comprises land including Salisbury City Hall, Salisbury Playhouse and Priory Square, which are accessed from Malthouse Lane. Priory Square lies to the south of the existing Sainsbury's supermarket, comprising shop units set around a hard-surfaced public area, and the United Reformed Church in Fisherton Street. There are also several courtyards/servicing areas to the rear of shops and residences along Fisherton Street. There are several heritage assets in the area, which contribute to the character of the Salisbury Conservation Area.

Summerlock Approach feeds into the Central Car Park from Fisherton Street, to the rear of the City Hall and Summerlock House (a utilitarian 1970s office block). This approach serves as one of the principal access routes to the Central Car Park and is car dominated, lacking pedestrian legibility. Pedestrian only access via Chapel Place also leads from Fisherton Street to Summerlock Approach.

Area 3 - Commercial and residential core

Area 3 is defined largely by the Central Car Park and Sainsbury's supermarket. The supermarket is at first floor level, with stairway and ramped pedestrian access and parking beneath.



Sainsbury's from Priory Square

The Central Car Park occupies a significant area of land within the site and is a large surface level car park owned and operated by Wiltshire Council.

Area 4 - Riverside and Salisbury coach park welcome

The masterplan site benefits from three river channels passing through it. These are the River Avon, Summerlock Stream and Mill Stream, the latter of which are tributaries of the River Avon. All channels are of great ecological importance, being designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The river environment is currently undervalued and underutilised, and there is an opportunity to make much more of the riverside experience.

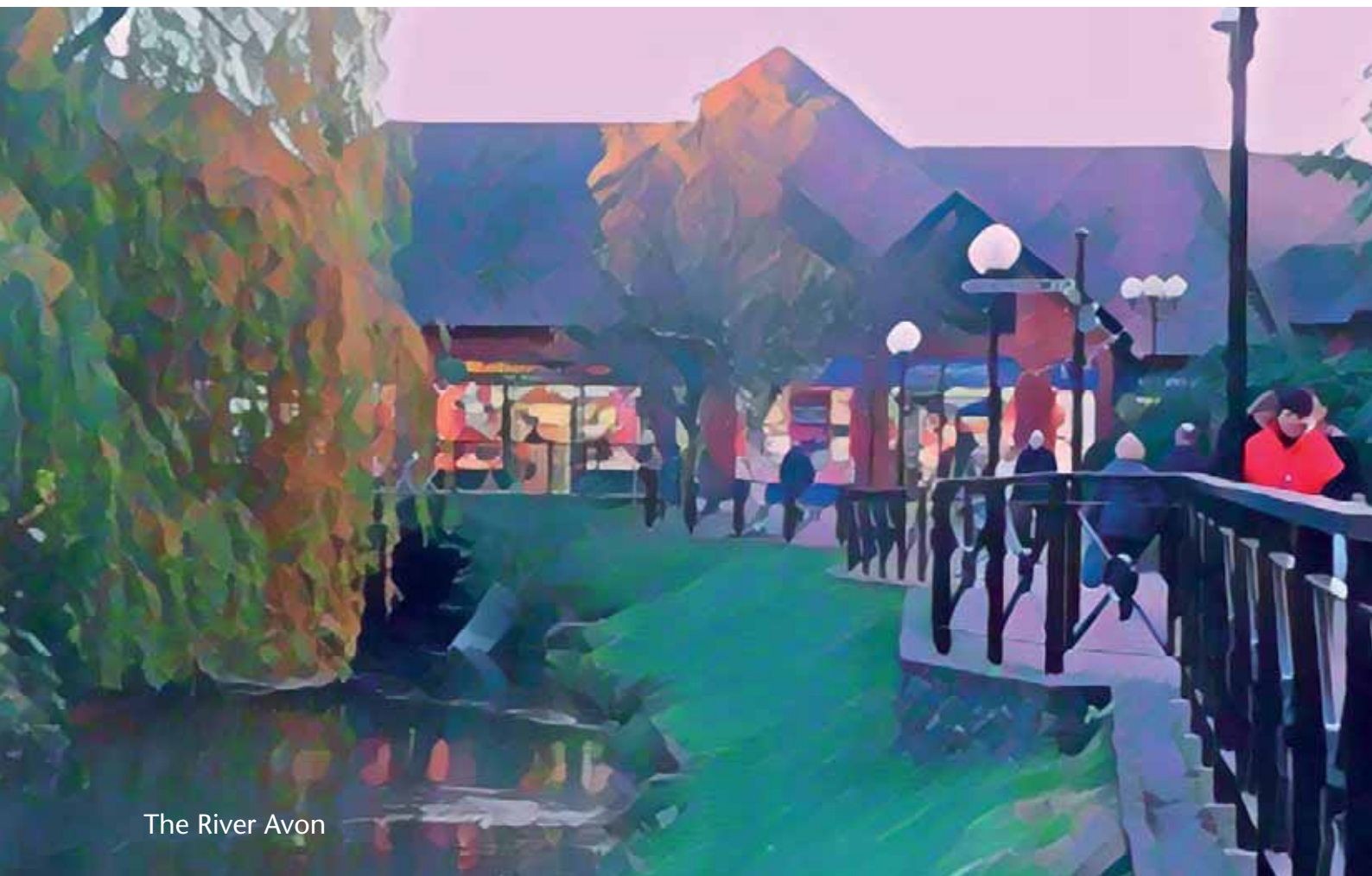
In extreme weather events any of these watercourses could breach their banks, leading to the flooding of part of this site and other parts of the city centre. It is important that this flood risk is addressed as an integral part of redevelopment to enable the site to be developed safely, be compliant with planning policy, and reduce flood risk to existing properties. This includes ensuring safe access to the site during a flood event.

The public open space and play area north of The Maltings, together with the whole of the 'blue and green corridors' of the River Avon and Summerlock Stream and their banks, form important features within the masterplan area.

Towards the north of the site, close to the vehicular entrance from Churchill Way is an electricity sub-station.

Vehicles accessing Central Car Park direct from the nearby Churchill Way ring road enter the site beneath the railway bridge at the northern end of the site. Pedestrian access can also be gained although the presence of traffic and the restricted footway width beneath the railway arches make this relatively unattractive. A riverside footpath runs the length of the eastern edge of the site, entering the site from beneath the railway line.

The coach park to the north-east of the site lies to the east of the River Avon and is a utilitarian tarmac area with little in the way of embellishment. It is a first impression many visitors have of Salisbury, being the principal drop-off point for tourist coaches visiting the city.



The River Avon

The eastern boundary is occupied by office and community buildings, including probation offices, the Millstream Surgery and a walk-in clinic.

From the east pedestrians and vehicles can access the site from Castle Street via Avon Approach. Pedestrians and vehicles can also access the site from Castle Street via Mill Stream Approach, which serves as one of the key vehicular access points to Central Car Park and also serves the coach park. Access is via a bridge.

Area 5 - Land between Fisherton Street and the railway line

Area 5 comprises a variety of commercial and residential units fronting Fisherton Street and the Sports Direct Gym. This part of the site is well used and in fragmented private ownership. There are no current aspirations for the redevelopment of this part of the site.

The Maltings and Central Car Park – Indicative masterplan



- Mixed use development opportunity (commercial/residential)
- Public Realm enhancement
- New major Pedestrian friendly avenue
- Car parking
- Enhanced streetscape
- Potential link to platform 6 of train station
- Existing building line
- Integrated cultural quarter
- Arcade opportunities
- Upgraded boundary treatment and screening
- Trader's layover parking
- New Salisbury Welcome Experience. Coach park, WC's, TIC Kiosk
- Salisbury City Hall and Salisbury Playhouse
- Enhanced Riverside Route to City Centre - Pedestrian/Cycle
- Active frontages (Shops, restaurants and bars)
- Future public realm enhancement opportunity
- Easy-in/Easy-out kiosks
- Re-engineered culvert - Long term aspiration
- Taxi drop off point for Cultural Quarter

5. Broad development principles

This section sets out the broad requirements for redevelopment of the site.

Uses

The WCS sets out that the site has potential to deliver 40,000 sqm retail and leisure floorspace (gross external area), providing a range of unit sizes. It is recognised that the role of the town centre has undergone significant changes in the past few years, which may have knock-on effects for the prospects of predominantly retail led schemes. The council will approach proposals for the development of the site with pragmatism. Where there is sufficient evidence to support alternatives to retail, which would still achieve the principal aims for the site, then this may be supported. Applicants will be expected to provide an open book analysis of commercial viability if proposing alternative uses.

To provide flexibility the council will consider a mix of the following uses on the site:

- Retail
- Food and Drink
- Leisure/cinema
- Health and fitness (gym, SPA, beauty)
- Office
- Hotel
- A new library will be delivered
- Young people's leisure activities (rock climbing walls, escape rooms, laser zones, trampoline, bowling)
- Pop up, 'easy in, easy out' outlets
- Theatre venues
- Conference space
- Residential
- Live, work, sell ('Makers') units
- Warehouse clubs and factory outlet centres);
- Nightclubs and casinos
- Tourism development (including museums, galleries)
- Doctors surgeries and health care

Proposals for new retail facilities will be required to demonstrate that they will complement the trading position of the city, without shifting the focus of shopping activity away from existing shopping streets. Analysis of retail impacts will be carried out in support of planning applications. Retail development will be located on key routes to ensure it attracts footfall and becomes part of the wider retail circuit.

Proposals for commercial development within the site will be underpinned by in-built adaptability, so that buildings are capable of re-use either through amalgamation or sub-division should

demand for unit size or use shift. For example, this could include appropriately high and adaptable floor-to-ceiling heights, avoidance of complex structures, and clear structural grids.

Opportunities to add interest and vibrancy through temporary commercial / cultural facilities from small independent retailers and restaurateurs should be explored.

The development will provide two areas of dedicated decked/multi-storey car parking, that will be predominantly short stay, to service the retail and leisure function of the city centre. It will safeguard in the region of 1000 parking spaces, which acknowledges the needs of the residents and visitors. There will also be dedicated spaces for any residential development provided as well as safeguarding the important Shopmobility facilities.

A Cultural Quarter around the Playhouse and City Hall will be delivered, with improved pedestrian access from the Market Square, via the Cultural Quarter, to Fisherton Street. Within the Cultural Quarter will be provision for a replacement library and art gallery.

Development of the site will add vitality to the city centre during the day and in the evening by providing leisure, entertainment, restaurants, bars, cafes, offices, community facilities and residential uses to facilitate activity in the area into the evenings and to complement the core retail uses. This may include the delivery of a new cinema within the site, which could come forward as part of the cultural offer.

The WCS indicates that the site is expected to deliver up to 200 dwellings (including 40% affordable). Given the uncertain trading position of highstreets, encouraging city centre living is ever more important to reinforce the vitality and viability of the centre. In addition, the WCS housing requirement is framed as an 'at least' figure. Therefore, should suitable schemes be brought forward that exceed the number set by Core Policy 21, then these may be looked at favourably, provided they are set within a clear context for delivering city centre economic resilience within a wider scheme, and providing they meet the policy requirements of the WCS.

To make efficient use of brownfield land that is located within a highly accessible location, residential development will be apartment led. Residential units should be a mix of rental and for sale and will be expected to meet the needs of a range of occupants; particularly young people. The precise number and type of dwellings to be delivered should be assessed in detail through the planning application stages.

The site will also deliver a hotel to make a significant contribution to the city's tourist economy. The detailed design and layout of the site will ensure that proximity of residential and commercial accommodation to venues serving the night time economy, mechanical plant, delivery and servicing areas, etc. are appropriately located to ensure there will be no conflicts between these uses.

The redevelopment will deliver a new park based around existing watercourses. The existing open space and play area will be reprovided. Linkages to the Market Square and Fisherton Street will be opened out for the benefit of pedestrian movement, in a manner that is sensitive to historic street frontages. The scheme will be required to clearly demonstrate how it draws on conservation area appraisal to ensure the design is sensitive to its local context.

Economic growth

The WCS is an economy led strategy and places an emphasis on economic growth as the driving force behind meeting its objectives. Planning for job growth and meeting the needs of business are central to the strategy. The underpinning idea of the strategy is to strengthen communities, wherever possible, by maintaining and increasing the supply of jobs to ensure that Wiltshire remains strong and prosperous (paragraph 1.2).

The WCS supports regeneration opportunities in each of the principal settlements and aims to maximise the re-use of previously developed land (Core Policy 36). Regeneration projects

are identified which are considered important to the future economic and social prosperity of the settlements. In Salisbury, The Maltings/Central Car Park (CP21) is recognised as a strategic regeneration priority given its location, scale and potential to support the continued economic growth and sustainability of Salisbury as a major driver of the wider economy. The site is recognised as having major potential to secure the city's long-term economic prosperity.

The Maltings and Central Car Park project has been the subject of extensive consultation over many years with all the key local stakeholders; community, civic and commercial. The local business community is highly supportive of the project and had positive engagement with the Salisbury Business Improvement District Team, as well as the main tourism/visitor economy stakeholders.

The Maltings and Central Car Park site has the scale and opportunity to provide a step change in the South Wiltshire offer, to enhance the attractiveness and sustainability of surrounding residential and commercial development opportunities, and to contribute to the wider success of the South Wiltshire economy.

Whilst the site has been a long-term policy aspiration, recent events have made it even more imperative that the project comes to fruition.



Examples of possible kiosk design

Salisbury city centre has been affected by the same issues faced by high streets throughout the country, particularly the rise of online shopping, and in order to remain competitive the city will need to redefine its role. Whilst the city centre will remain a commercial centre, consumers are now looking for a wider range of experiences that are not just centred on retail. Salisbury will have to respond appropriately if it is to remain vibrant/competitive. The relatively recent divestments in the financial services sector in Salisbury with the closure of Friends Provident in 2015, the second largest employer in Salisbury, has also brought fresh challenges to the local economy.

Added to this shift in the role of town centres, the incidents associated with the nerve agent attack in 2018 has had consequences for the public image of Salisbury alongside global media coverage of the event. Shopping areas, individual shops and restaurants, community facilities, parks and cemeteries were also closed for long periods because of the events.

Overall footfall has reduced since the incident of 2018 by an average of 12% with a knock-on impact of reduced spend in the local economy. A package of measures funded by Central Government and Wiltshire Council have sought to keep firms afloat and support public confidence. These have included free parking, cash support to businesses, a series of events to drive up footfall and extra advertisement to encourage tourism.

The longer-term recovery to ensure Salisbury continues to be a strong international tourist destination, a sub-regional centre for retail, and a place with a thriving night time economy which meets the needs of current and future residents is now imperative.

A third of tourism to Wiltshire is focused in and around Salisbury. Wiltshire's visitor economy is worth over £1.5bn per annum, supports over 29,000 jobs and contributes £860m GVA per annum to Wiltshire's economy. The city's visitor economy is worth £380m a year and supports 4,600 FTE jobs (10% of all employment in the area). It is the view of Visit Wiltshire that for tourism spend to improve the offer of Salisbury needs to expand, thereby enhancing the propensity of tourists to increase their dwell time and their propensity to stay for at least one night. There is documented evidence of demand for additional hotel accommodation in the city centre.

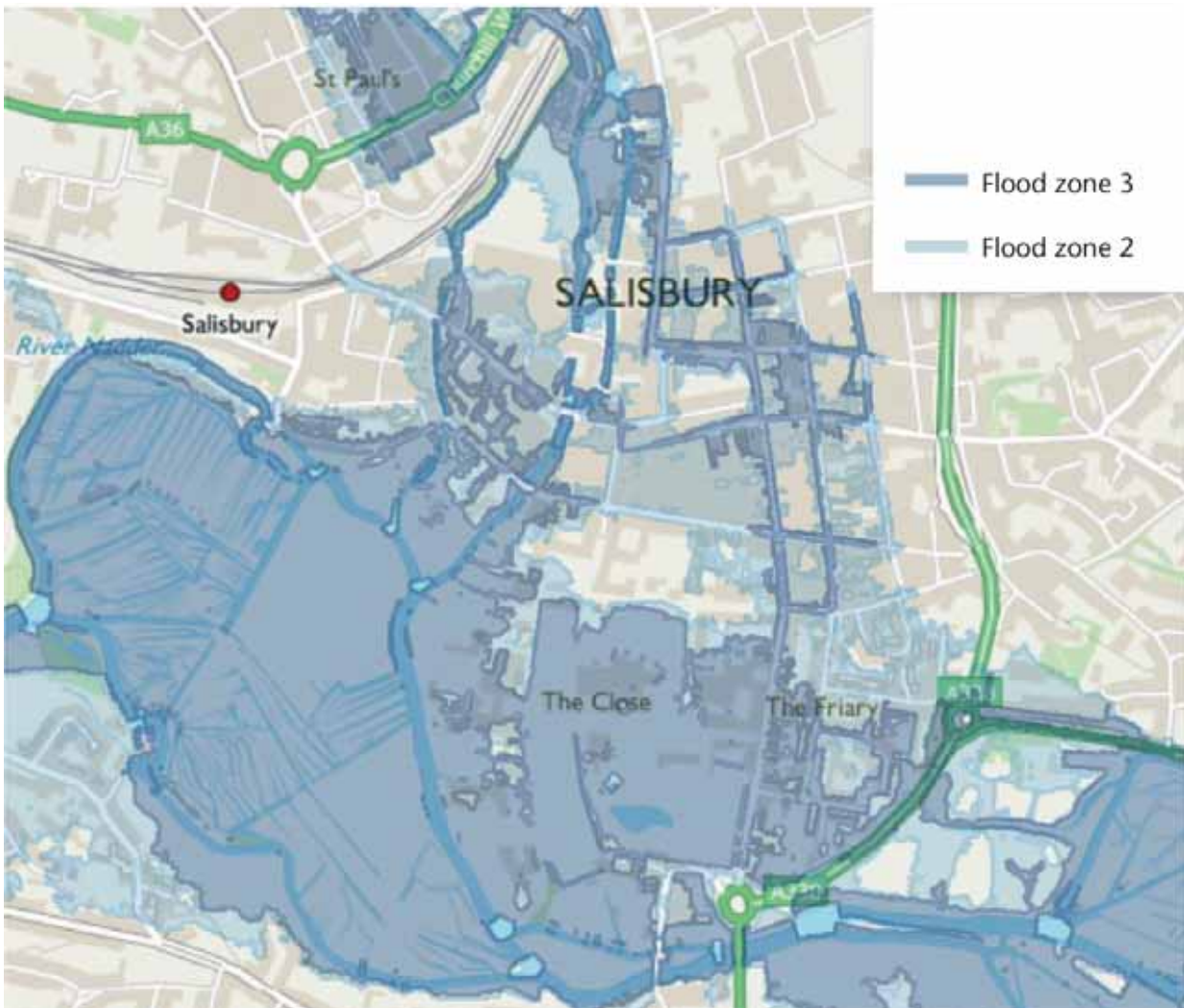
The site will deliver a range of uses to facilitate economic growth in Salisbury city centre. The proximity of the site to the existing city centre will complement the existing centre rather than compete with it, helping to contribute towards viability and vibrancy of the wider city centre. Developers will be required to demonstrate that the development would not result in a decline of specialist, independent and other retailing elsewhere in the primary and secondary shopping areas.

Opportunities will be created for easy-in easy-out short term or 'pop-up' style spaces to add vibrancy and interest to the retail and commercial offer in the city centre.

Flood Risk Reduction (Essential Infrastructure)

The Environment Agency has improved their understanding of flood risk across Salisbury, which has resulted in some areas in and around the city being reclassified into flood zones 2 and 3 (see image below)

The redevelopment of The Maltings and Central Car Park offers a one-off opportunity to reduce flood risk across the city centre by undertaking works on the three water courses that run through the area. This work is essential to support the long-term resilience of Salisbury and provide a safe environment within which to develop economic prosperity. Therefore, this work will be planned and delivered at an early phase of the masterplan development. Funding will be sought through partnership working with the council, Environment Agency and other parties and where justified contributions and works related to the enhancement, management and maintenance of watercourses will be sought from developers, to be agreed with Wiltshire Council and the Environment Agency.



Without early implementation of this essential infrastructure, larger parts of The Maltings and Central Car Park site, and indeed the wider city, would fall within Flood Zones 2 and 3. Therefore, this work is a fundamental early requirement to protect the long-term viability of the city, reduce risk for investment, and enable the site to be developed in compliance with planning policy. This work is also imperative in reducing flood risk to the surrounding transport infrastructure to ensure safe access during flood events.

The site will be developed in accordance with a new Level 2 Strategic Flood Risk Assessment (SFRA). Redevelopment will follow a sequential approach, informed by the Level 2 SFRA, taking account of all sources of flooding. Development will be directed to areas at lowest risk of flooding with lower flood depths and velocities.

At each stage, the development will incorporate Water Sensitive Urban Design (WSUD) and sustainable drainage principles, taking account of water quantity (flooding), water quality, (pollution), biodiversity (wildlife and plants) and amenity.

There are many watercourse structures on this site including; culverts, bridges, sluice gates and weirs. As part of the development, opportunities will be sought to remove as many of these structures as possible without negatively impacting on flood risk and the overall biodiversity and amenity value of the watercourses. Where structures remain, they will be optimised to minimise any impacts on flooding, biodiversity or amenity. Potentially these works could be delivered in the early phases of the development.

With regards to the control of surface water discharges from the site, the development, or each phase thereof, shall achieve at least 20% betterment for peak flow and volume post development.

Post development runoff shall include an allowance for climate change in line with Environment Agency guidance.

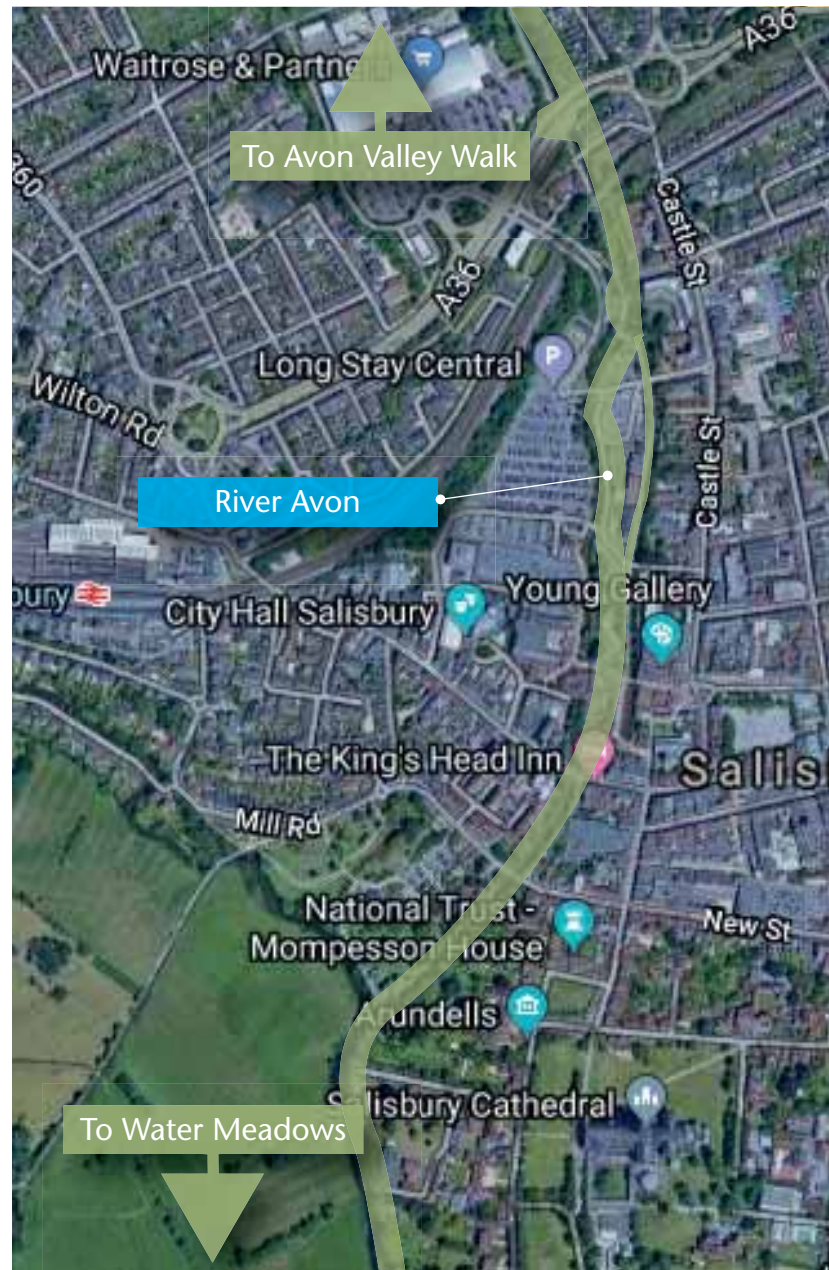
Existing structures will need to be maintained, and the council will work with the Environment Agency to determine a strategy for this.

Blue - Green Corridor

To provide the space necessary to increase the capacity of the watercourses to reduce flood risk, it is necessary to rethink how land uses on the site relate to the watercourses. By focussing greater water flow through the River Avon (central channel through the site) and where practicable implementing a new green corridor each side of it, this will allow:

- reduced flood risk to site and neighbouring areas
- habitat enhancement
- significant public realm improvements
- creation of a new park
- land to be taken out of the designated flood zone and so optimise commercial development potential
- provision of a greatly enhanced new visitor experience and route south to the city centre, and north to the Avon Valley, from an enhanced coach drop off
- residents and visitors to have more access to the river, and engage more with it and the wider catchment
- improvements to be made to the Millstream to increase its biodiversity and amenity value by creating a more natural watercourse within the existing channel constraints
- air quality improvements
- climate change resilience
- health and wellbeing benefits.

Future aspiration to create an uninterrupted green corridor between the Avon Valley Path to Salisbury Cathedral



Highways and transportation

A key objective is to deliver a safe and high-quality pedestrian and cycle environment while still ensuring there is ample car parking to support the retail and leisure needs of the city centre. A new high-quality coach visitor welcome point will also be provided.

The development will result in improvements to connectivity and ease of pedestrian flow into and from the site to Fisherton Street, Market Walk, Castle Road, the surrounding city centre and Salisbury railway station.

Vehicle access to the site will be restricted to defined car parking areas, bus and coach access and for servicing. Loading and servicing time restrictions will be put into place to minimise impacts on air quality.

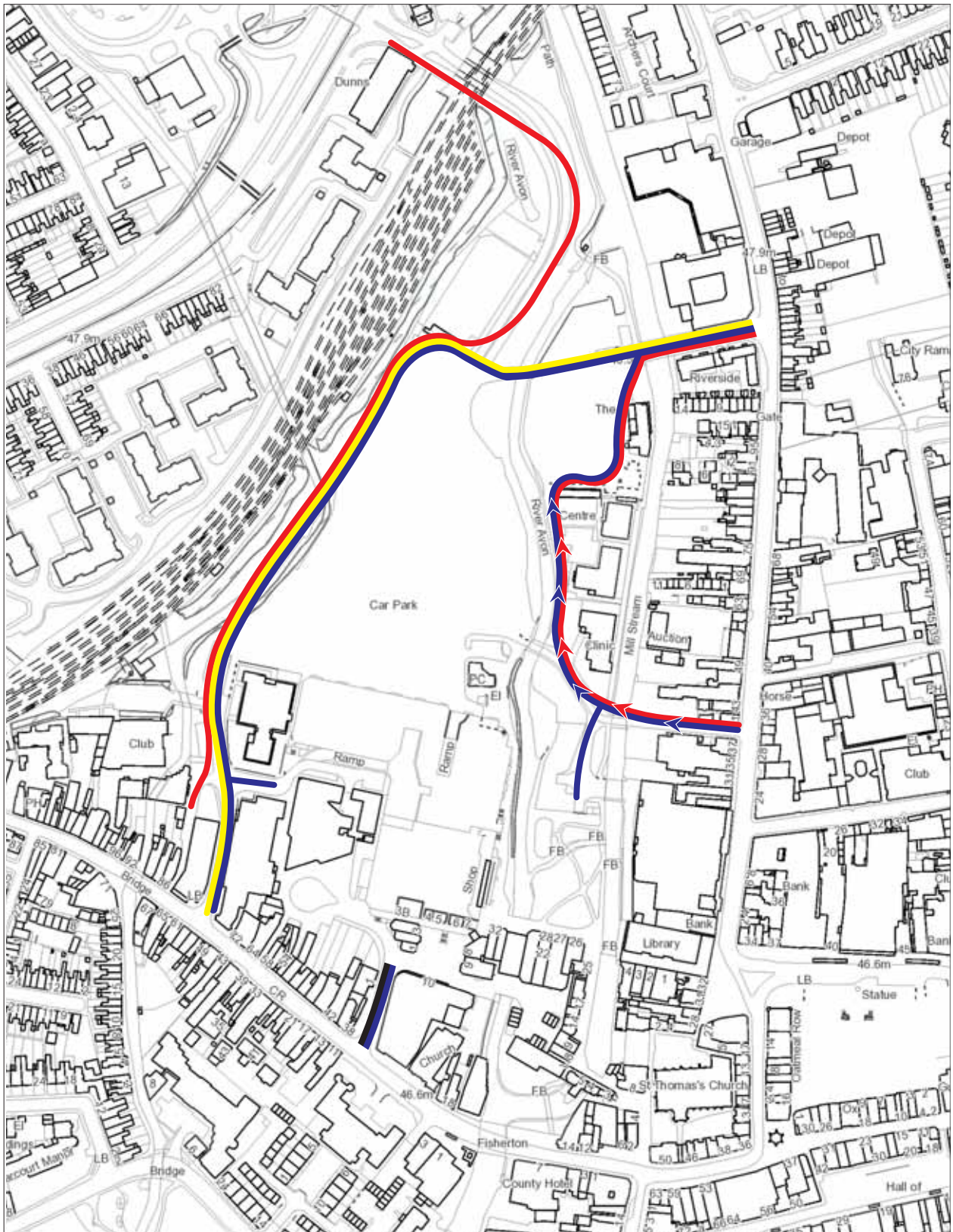
Proposals will clearly demonstrate how the levels of parking proposed on the site are appropriate for the needs for parking space in the city centre, having regard to the council's adopted parking standards.

Development of the site will address major infrastructure requirement outcomes identified by the Salisbury Transport Strategy, and where necessary applications will be supported by a transport assessment which explain the strategy for modal shifts, including improved bus, cycle and walking routes. Suitably placed bicycle and blue badge parking will be provided within the development. Innovative green technology such as solar bicycle racks for electric bikes will be explored.

Future applicants will work with Wiltshire Council to establish and respond as necessary to requirements for any works to the bridges within and accessing the site, to ensure they are fit for purpose.

There may be opportunities to improve linkages from the site to the railway station. Earlier proposals have included consideration of the potential to extend Platform 6, provide a walkway over Fisherton Street and along the side of the railway, and into a small private car park (currently the Sports Direct Gym car park). Such a proposal would require major investment and commitment from the rail stakeholders as well as the agreement of several private landowners. Despite these challenges opportunities to improve public transport accessibility and encourage modal shift will be encouraged and supported by the council.

In the shorter term, the council will encourage enhancements to the established linkages through to Fisherton Street, including improved wayfinding to make the pedestrian routes to the station easier and more pleasurable.



- Car access
- Service vehicle access (time restricted)
- ↔ One way
- Residential access
- Bus access

Urban design

Redevelopment of the site will be transformational and design-led. The height, scale and massing of new buildings will positively relate to the wider urban fabric, have particular regard to enhancing the character of Salisbury, and preserving its heritage assets and setting.

The redevelopment of the site will create a new, exciting and lasting sense of place with an attractive, functional, safe and uncluttered public realm. The design of the site will ensure ease of movement for all by promoting accessibility and permeability that is attractive, convenient and easy to understand by city residents and tourists alike, with appropriate use of way finders. New spaces will be designed to be adaptable and therefore responsive to changing social, technological and economic conditions.

Proposals for development will provide clear justification on how the design, elevational treatment and materials have been chosen and will be justified in having regard to the context of the site.

The redevelopment of the site will include an innovative and connected lighting scheme which creates vibrancy and interest.

The indicative masterplan shows the relationship between new development and the existing townscape. The masterplan is primarily conditioned by the River Avon, Millstream, Summerlock Stream, and the required expansive flood prevention zones offset from these as landscaped linear parklands. This helps define a framework of interrelated public routes and public open spaces that connect locally and more widely and establishes parcels of land for new building and possible building redevelopment.

The masterplan is designed to provide a flexible framework for development, however development must be designed in a manner which respects the historic setting of Salisbury, draws on its urban character, and makes a positive architectural contribution to its legacy. Therefore, within the flexibility of the masterplan, all new proposals for planning permission are required to demonstrate how they meet the following urban design parameters:

Active frontage

Delivering an outward looking development which adds to the attractiveness and vibrancy of the city. Well-defined streets and spaces are created by relatively continuous building frontage. Active frontage made up of shopfronts, commercial premises, front doors and windows (specially to ground floor habitable rooms) create lively and well-supervised streets. This is a key requirement for creating safe and attractive public spaces.

Urban structure

Relationship between new development and existing buildings, through the framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one another.

Density and mix

Potential for a high-density development to make optimum use of the site, but in a manner appropriate to its wider historic setting. Salisbury is characterised by a high density, but human scale urban core and proposals should use this as a design cue.

Height and massing

The development will need to demonstrate how the scale of a building relates to:

- the arrangement, volume and shape of a building or group of buildings in relation to other buildings and spaces
- the size of parts of a building and its details, particularly in relation to the size of a person as Salisbury is characterised by a human scale cityscape
- the impact on views, vistas and skylines, including compliance with the adopted Salisbury Skyline policy (Core Policy 22).

Building type

There is no prescribed right or wrong building type. The key is high quality design whatever the approach, however the site does lend itself to the creation of an excellent modern development that takes inspiration from its historic setting and gives it a fresh approach.

Facade and interface

The rhythm, pattern and harmony of its openings, relative to its enclosure, characterises much of what makes Salisbury so attractive. Proposals should demonstrate how they have drawn on the success of the past to realise the new designs. Buildings lines fronting hard onto the public domain are a strong characteristic of Salisbury city centre, as are the architectural expression of entrances, corners, roofscape and projections.



Example of positive lighting schemes

Details and materials

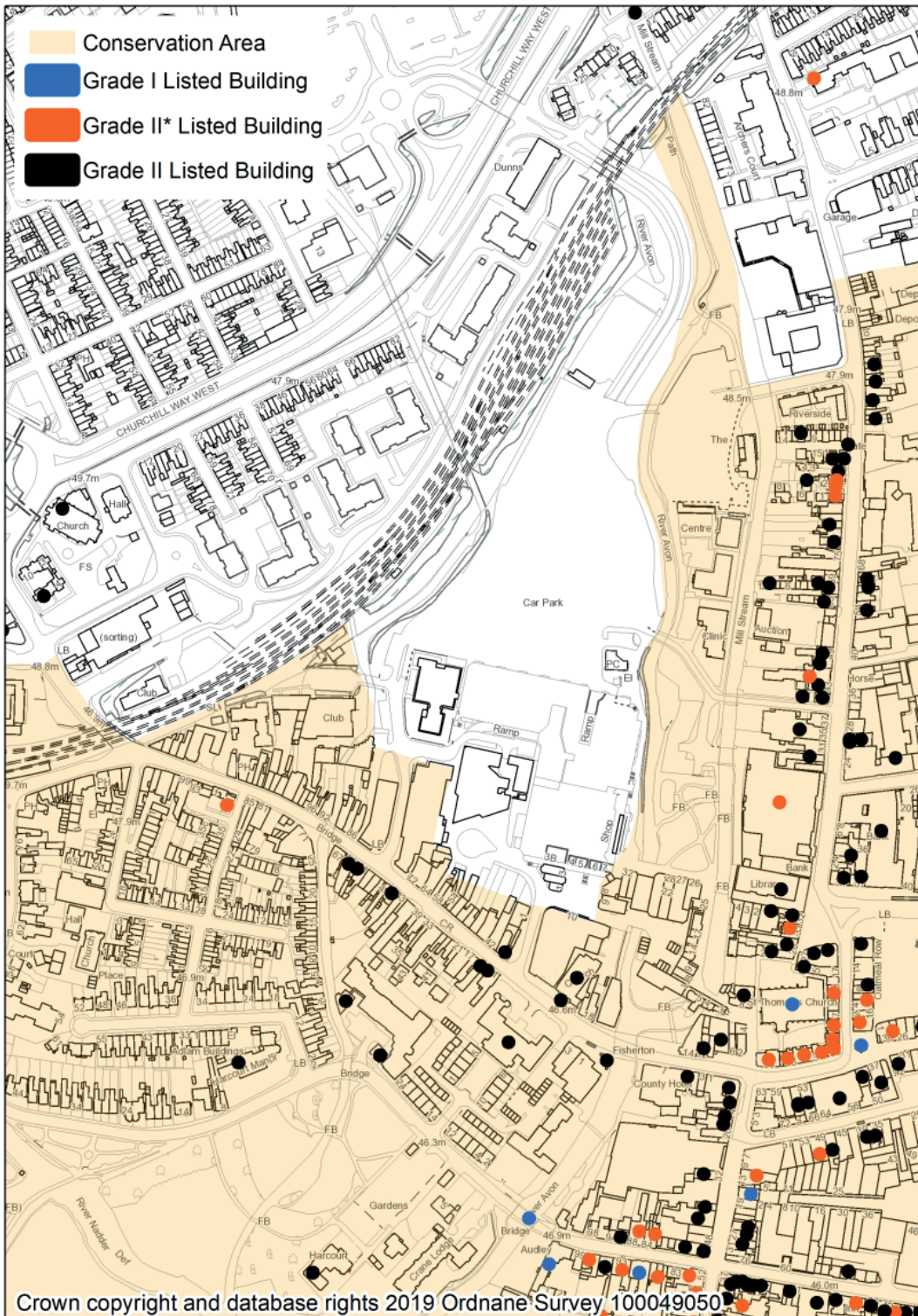
Proposals will be required to choose a palette of materials which sit comfortably within the city through:

- the texture, colour, pattern, durability and treatment of its materials
- the materials sourced from local and/or sustainable sources, including recycled materials where possible
- the lighting, signage and treatment of shopfronts, entrances and building security
- not being afraid of a bold use of materials which forms an eye-catching contrast to the wider townscape in an effective manner.

All planning applications for development on The Maltings will include a Design and Access Statement which responds positively to the detailed design criteria set out in Appendix D to this masterplan

Heritage conservation

Development of the site will take inspiration from Salisbury city centre's strong heritage context, ensuring that heritage assets are preserved, enhanced and responded to through the development. This will include design that is appropriate to Salisbury's roofscape and Cathedral skyline. Development proposals will be supported by a detailed heritage assessment that considers the setting of Listed Buildings, undesignated heritage assets, the Salisbury Conservation Area, and views across the site.



Archaeology

There is potential for archaeological deposits across the site, which will require investigative works. A comprehensive Desk-Based Assessment will be prepared for the whole site, drawing together known historical and archaeological data from the site, as well as placing The Maltings and Central Car Park in its historical and archaeological context. The results arising from the site evaluation should inform the requirement for any mitigation. Mitigation may include opportunities for public engagement with the past.

Land conditions

Parts of the site were subject to historic activity that included the deposition of material to raise the site levels. Site survey work has established that this material is varied in nature and includes in some areas deposits that may be deemed contaminative (including hydrocarbons). Development of the site will need to take account of the existence of these materials and be managed to ensure any material extracted as part of development works is safely removed. It is anticipated that much of material can safely remain in-situ, undisturbed, providing appropriate precautionary measures are taken during the development process. Applications for redevelopment of the site will be accompanied by land contamination investigations and where appropriate land remediation proposals.

Ecology and Nature Conservation and Environmental impact assessment

A key aspiration for the development is improved habitat continuity throughout the site. The development will be delivered to meet the requirements of the River Avon SAC Conservation Objectives: Supplementary advice on conserving and restoring site features, the strategic framework for the Restoration of the River Avon and associated documents including the River Avon SAC Nutrient Management Plan.

With regards to the Habitat Regulations, the River Avon SAC system is currently considered to be in an 'unfavourable condition'. The redevelopment of The Maltings and Central Car Park site provides an opportunity for achieving a favourable condition for this stretch of the river and will contribute to restoring the SSSI and SAC to favourable condition and conservation status overall.

Development in ecologically sensitive parts of the site will be designed to ensure lighting effects on the river are minimal. A wider biodiversity objective to provide continuity of habitats through the whole site to benefit a wider suite of species such as bats and swifts should also be considered.

A strategy for tree planting will be agreed with the council at an early stage.

The River Avon system, which includes the rivers and stream that pass through the site, is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). Development of the site will be undertaken in a manner that enables improvement to the internationally important wildlife habitats.

Construction will need to demonstrate that it has taken account of habitat creation through measures such as the use of Swift Bricks and roosts.

Developers of the site will work with the council, the Environment Agency and Wessex Water to find appropriate solutions to manage levels of phosphates entering the River Avon SAC.

The development of the site will be underpinned by green and blue infrastructure that actively pursues opportunities to create biodiversity opportunities within the site. Innovative ways of creating corridors and opportunities for wildlife, along with amenity space for residents and visitors, will also be expected within the built urban form.

Planning applications where required by regulations will be supported by an Environmental Impact Assessment and an Environmental Statement.

Prior to being able to determine any applications, the masterplan will be subject to an appropriate assessment under Regulation 105 of the Habitats Regulations 2017 in order to take account of changes which have occurred in the baseline situation since the Wiltshire Core Strategy was adopted. This will consider impacts on relevant European designated sites, in particular the River Avon SAC. It will also be supported by newly commissioned ecological surveys to inform this and other environmental impact assessments as necessary. Given its indicative nature, it is most likely the appropriate assessment would influence the manner and timing of works to the watercourses, rather than aspects of the layout but where changes are required these will be incorporated into the masterplan. The appropriate assessment and other environmental assessments will be made available to developers in order to ensure necessary mitigation measures are carried forward into the planning application stages.

Energy efficiency and sustainability

Wiltshire Council has a goal for the County to be carbon neutral by 2030 and planning applications will be supported by a statement clearly outlining the measures proposed to achieve sustainable development. Where possible and viable, development should be carbon neutral.

New buildings will be designed to maximise energy efficiency and where design imperatives permit, buildings should be orientated to benefit from solar energy and passive solar gain.

Development of the site will incorporate onsite renewable energy generation that is appropriate to the setting.

The inclusion of green roofs will be supported to maximise energy efficiency, slow down surface water runoff, and increase wildlife habitat area.

The council will support flexible mechanisms, such as allowable solutions for zero carbon development, in line with the definition published by central government as set out in Core Policy 41.

Sustainable energy strategies

The following minimum information should be provided within a Sustainable Energy Strategy for all major developments, as required by Core Policy 41:

Technical proposal - including the proportion of the target to be met following the energy hierarchy (energy efficiency, followed by on-site and then off-site measures). Details for each part of the proposal and details of any infrastructure needed, such as district heating, along with details for any phased delivery should also be included. The exploration of opportunities to support the development of low-carbon infrastructure to serve existing developments should be included.

Technical feasibility - including space availability, integration with building energy systems, impact on townscape, running hours of plant.

Financial viability - including capital costs and whole life cost, taking into account market mechanisms such as feed-in tariffs.

Deliverability - including opportunities and requirements for delivery of infrastructure through Energy Service Companies (ESCOs).

Impact on overall viability - an assessment method, such as the Home and Communities Economic Viability model, should be used that will examine factors including land value, sale value, construction costs and other developer contributions.

The council will support proposals for sustainable energy generation schemes on the site subject to planning permission and agreement between all necessary parties.

Landscape, Open Space and Public Realm

The site benefits from being dissected by a riverine system and existing green infrastructure. Redevelopment of the site will deliver a comprehensive strategy for the improvement and enhancement of all areas of open space and green infrastructure. This will include:

- enhancement of the riverside interface, providing opportunities for greater public appreciation and engagement with the riverine environment. This should include areas retained for rewilding for biodiversity gain
- delivery of comprehensive new landscaping through the site, including living walls to screen nearby poor-quality sites, improve air quality, soften hard surfaces and increase urban cooling for climate change resilience
- high quality hard landscaping and surface treatments with defined areas of public realm/public plazas, to reflect the overall design concept of the development
- incorporation of 'Secure by Design' principles
- appropriate and effective use of lighting, to create safe spaces and generate interest to the night-time environment
- provision for inspirational public art in key node locations
- contributions to the enhancement of the public realm, where justified.



Examples of spaces for art used as screening



Examples of a positive interaction space with a riverside frontage



Examples of green screening

6. Area based development principles

The Illustrative masterplan shows how the site will be holistically developed in accordance with Core Policy 21. In respect of the zones identified for potential commercial and leisure uses, the masterplan is intentionally high level, to allow flexibility for forthcoming planning applications to respond to market conditions. However, the masterplan is underpinned by requirements for the essential delivery of green infrastructure, and enhancements to the public realm through place shaping development.

Following the assessment of the opportunities and constraints presented by the site (section 4 “Site and Surroundings”) and the establishment of broad development principles (section 5), the development process has led to detailed design criteria that must be followed in developing this site, to:

- provide the safeguards needed to protect the special and unique qualities of this site and the surrounding area; and to
- provide sufficient design guidance to control and shape new development

The design criteria for each character area, have been informed by the City of Salisbury Conservation Area Appraisal and Management Plan December 2014, and are set out below.

Planning applications for development proposals within the following character areas, will need to demonstrate through a comprehensive Design and Access Statement how they have taken full account of the need to conserve and where possible enhance the existing townscape character and in particularly the specific important elements included in the bulleted lists.

Area 1 – Market Walk and The Maltings

This is a critical area in linking the site to the wider city. While it is vibrant and popular it fails to integrate well at the moment and can be a confusing and poor experience for the visitor. New development proposals brought forward in this area should specifically address the following:

- Orientation of buildings and entrances should be designed to exploit existing pedestrian routes and improve legibility and enhance existing nodes of activity.
- Areas for meeting, spending time, relaxing and having fun should be explored
- As the main public point of entry to The Maltings, Market Walk is currently a poor link with the link to the High Street also being substandard. Development must optimise this opportunity

to improve this link through the transformational realignment and remodelling of a new double story height arcade through the central arch of Market Walk, creating a key gateway entrance to the development site. Creation of a new pedestrian friendly boulevard, including a new bridge over the Millstream thereby creating a linear and direct link through the site from Market Walk to the Cultural Quarter.

- Listed buildings (see page 23) such as the Grade 1 listed St Thomas's, and non-listed heritage assets such as Bishops Mill, are near this character area; redevelopment must therefore respect and where possible enhance the setting of such heritage assets.
- Development should aim to create active frontages and more legible connections to other cultural attractions and streets from Playhouse Square.
- Priory Square is a poor urban space and needs to be redesigned and form part of a new direct link from the Cultural Quarter to the Market Place.
- The potential for a publicly chosen public art installation to counterpoint the events of 2018 which occurred in this area and to symbolise the cities resilience.
- Public realm enhancements to the Cheese Market to create a sense of place and improve legibility to and from The Maltings.
- Opening and enhancement of the public realm at the key pedestrian node from Market Walk and St Thomas's Square. Enhancements to improve the pedestrian environment.
- Enhancement of the riverside experience along The Maltings shopfront.
- Shopfront refurbishment and modernisation of The Maltings to enhance its appearance as an attractive shopping and leisure area.
- Introduction of public art to create interest and wayfinding.

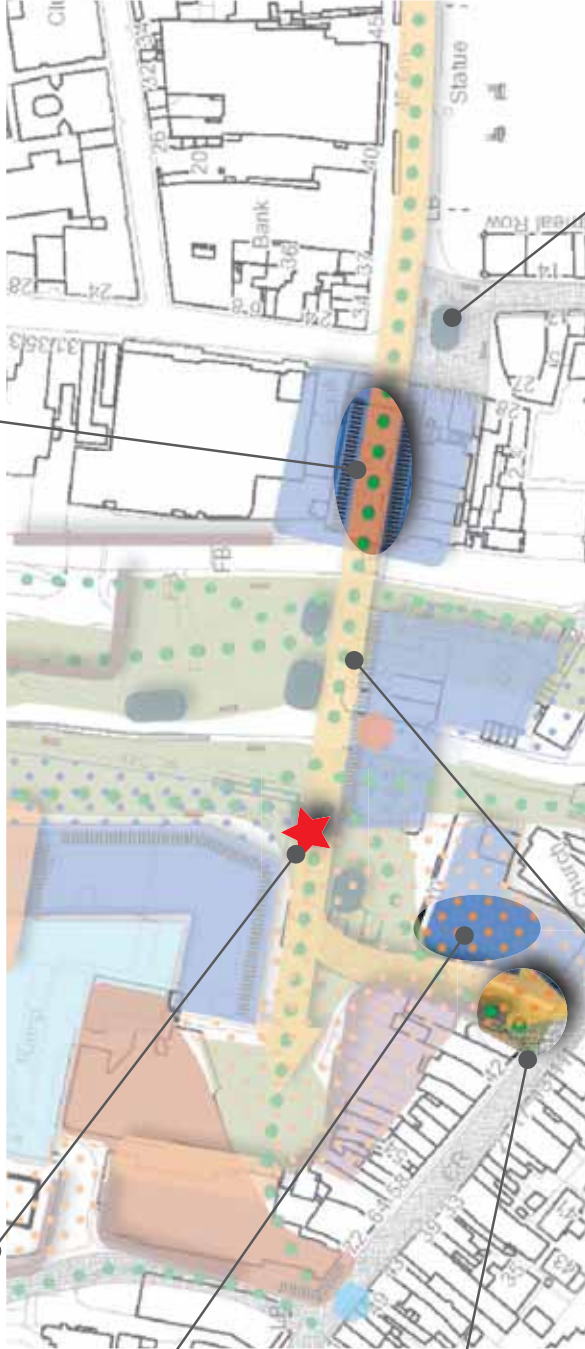
Area 1 – Market Walk and The Maltings



New galleried arcade



Designated space for public art



Temporary location for library



Large arched sign post to signify link between Cultural Quarter and Fisherton Artisans' Quarter



Mobile kiosk concession to add vitality to Cheese Market



Major new pedestrian boulevard created between Market Square and Cultural Quarter and Fisherton Gateway



Area 2 – Cultural Quarter

The area shown for the Cultural Quarter is purposely designed to look to the future so that its success can lead to further additions and expansion over time as and when opportunities arise. For clarity, the Cultural Quarter includes the City Hall, Playhouse, Library (interim and permanent), potentially Summerlock House and a remodelling of the backs of the properties facing Fisherton Street in front of the Playhouse/City Hall forecourt. The Cultural Quarter will also provide potential space for art installations and galleries including display and storage space required to house the Young Gallery and Creasey Collection.



Spacious pedestrian and cycle dominant spaces with active frontages. Hubs/nodes with civic sense of place.

This is an important interface with Fisherton Street which is within a conservation area and is occupied by several important listed and non-listed heritage assets. At the moment there is no real interface between the two areas and creating a vibrant, respectful and innovative interface is a priority. New development proposals brought forward in this area should specifically address the following:

- Development must respect and where possible enhance the setting of listed buildings (see page 23) in and in close proximity to this character area, such as the United Reformed Church on Fisherton Street, and the former Infirmary building opposite.
- Fisherton Street is positively enclosed throughout most of its extent by an almost continuous frontage of buildings on the back edge of the relatively narrow pavement. Development must ensure that this sinuous alignment of Fisherton Street is protected, and where possible, enhanced. An active, cohesive and consistent frontage should be retained along Fisherton Street.
- The subtle curvature of Fisherton Street allows views to be opened and deflected as one progresses along. In particular, church towers and spires are glimpsed, such as the tower of St Thomas's, the spire of Elim Church and the spire of the Victorian United Reformed Church. Development must ensure that these strong vistas and views to key civic buildings are retained.
- There are a number of intriguing glimpses through archways, especially on the north side of Fisherton Street. These enhance the experience of the street and give it some 'depth'. Design must capitalise on such features.
- The bridges not only concentrate the crossing points and provide a glimpse of the river, but they are gateways or stepping stones along the routes to the city centre; they break the continuity of development frontage and type of activity. Development must therefore capitalise on these gateways.

- The over-riding character of Fisherton Street is that of a shopping street comprising independent and specialist shops. Development should aim to foster this scale and type of land use. Shopfronts are an integral ingredient of the character of the street.
- The poor quality of the built environment around and fronting the City Hall and Playhouse has a significant impact on the character and appearance of this part of the conservation area. There is therefore a significant opportunity for development to improve the public realm here and for this area to become Salisbury's cultural focus.
- Malthouse Lane currently fails to create a gateway to The Maltings with visibility to Priory Square non-existent; the development offers the opportunity to address this.
- Build upon the existing strengths by establishing a reimagined Cultural Quarter, encompassing the City Hall and Playhouse and a relocated library and art gallery, developing potential synergies between these uses.
- Improvements to the public interface of the area by prioritising the Cultural Quarter for pedestrian and cyclist use. This should address potential for improvements to the pavement areas to the front of the temporary library and United Reformed Church on Fisherton Street.
- Utilise the open area contained between the Playhouse and City Hall.
- Any changes to the City Hall to respect its designation as a War Memorial.
- The enhancement should refer to the history of the Blackfriars Abbey which once stood on the site.
- Enhance the setting of the Conservation Area through sensitive redevelopment.
- Consideration of how future operational needs of The Playhouse can be accommodated.
- Development of a hotel.
- Improvements to Priory Square as an important interface between The Maltings, City Hall, Playhouse and Fisherton Street. Enhance the gateway function of this space, encouraging pedestrian and cyclist flows to and from the site from Fisherton Street.
- Appropriate and sensitive improvements to the visual appearance of the rear of properties fronting onto Fisherton Street, while respecting access of existing residents
- Interspersed new tree planting and landscaping, with creation of new biodiversity corridors within the urban form of the development.
- Introduction of public art to create interest and wayfinding.

Area 2 – Cultural Quarter



Pop up shops and bars encouraged to reinforce the creative feeling



Potential for Playhouse and City Hall to be linked to form new foyer, bar, café and reception areas



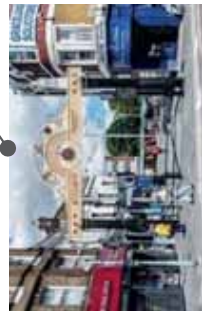
Potentially remodelled link from Fisherton Street



Reopened entrance to Fisherton Street



Pedestrianised area of public realm - new pocket park



Branding entry point - welcome to the Cultural Quarter

Area 3 – Commercial and Residential Core

This area is more of a blank canvas, currently occupied by the car park and as such represents a more unconstrained opportunity. However, development proposals will need to demonstrate how they respond positively to the following issues.

- While the site has not been identified as having an important vista to the cathedral spire, it is still important that development takes account of the most up to date study of the spire and roofscape of Salisbury
- Redevelopment provides the opportunity for improved landscaping and public realm enhancements in various locations of this area, such as around the electricity sub-station at the northern end of the site and Summerlock House.
- Current orientation of car park and Sainsburys cast shadows across primary urban spaces; re-orientated layout can take advantage of southern aspect.
- Opportunity to address the fact that the car park currently blocks potential pedestrian routes and vistas.
- Ensuring potential environmental issues such as noise and vibration from the railway line are mitigated
- Opportunity for excellent, innovative designs solutions which reflect the city but are not a pastiche.
- Transformational redevelopment to establish a new group of commercial/leisure premises to replace or provide a remodelled supermarket and dual level car park. Uses could include a range of commercial units, a cinema (etc.) Office/residential uses will be located on upper floors.
- Respond appropriately to the context of the site and create a sense of place that will endure. The development will be responsive and appropriate to locally distinctive patterns of development and address the river frontage.
- Buildings will be interspersed with features of interest and arcades, which form links to and from the Cultural Quarter and areas of green infrastructure, including a green link between the watercourses.
- Produce a high-quality public realm that promotes public spaces that are attractive, safe, uncluttered and work effectively for all.
- Safeguarding the 'Shopmobility' scheme.

- The council will work closely and proactively with the existing occupiers, including the occupiers of Summerlock House and Sainsbury's to explore potential opportunities for relocation or remodelling.
- The redevelopment will be framed by significant green infrastructure, including new tree planting and landscaping, with creation of new biodiversity corridors within the urban form of the development.
- The existing surface level parking area will be redeveloped to deliver car parking in a more consolidated form (multi-storey parking) which will be 'wrapped' by commercial/residential development to maximise the availability of space and minimise visual impacts.
- The quantum of car parking to be delivered will be determined having regard to the council's adopted parking standards.
- Car parking areas will be developed in tandem with the delivery of green infrastructure and will be delivered in a manner which is sympathetic to the historic context of Salisbury.
- Access to car parking will be from Churchill Way.
- Car parking areas will provide ample space for electric vehicle charging points.
- Space will be set aside to be utilised by a car club / car sharing scheme, together with an appropriate number of vehicles and associated infrastructure, to be determined at planning applying stage.
- Developers will be expected to demonstrate how they will help facilitate reduction of parking demand and maximise parking facilities during construction.



Examples of modern and interesting designs for commercial led redevelopment

Area 3 – Commercial and Residential Core



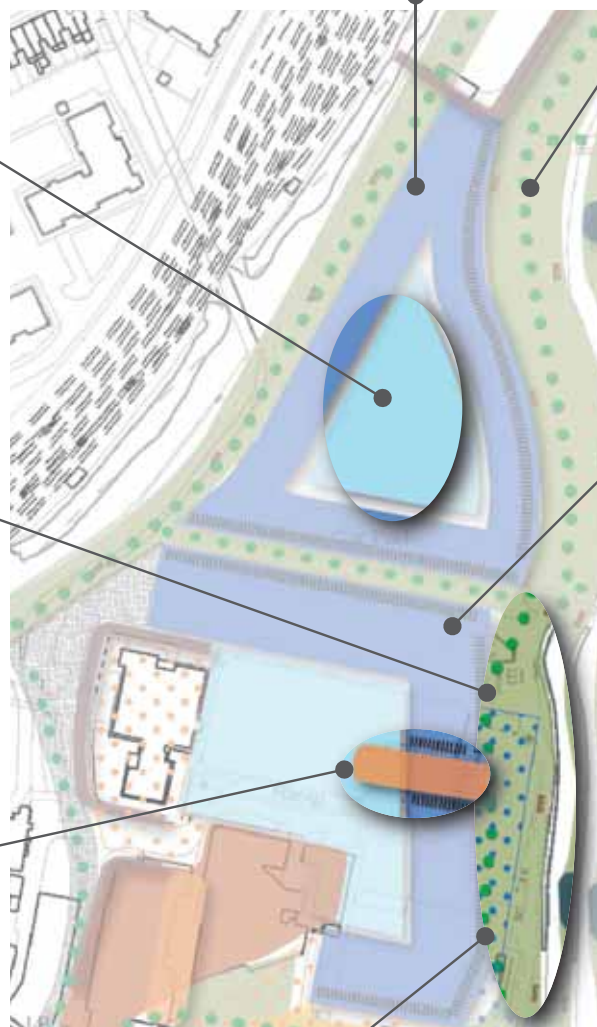
High density city living



Encouraging more enjoyable cycle trips into the city centre



Example of multi-storey 'wrapped' car parking



Decked car parking 'wrapped' by commercial development and residential



Branded entertainment area



Commercial development including food, drink, retail, entertainment with 3 floors of use above (eg. cinema, apartments, offices)



Frontage potentially articulated by human scale arcades



Vibrant riverside entertainment area enhancing night-time economy

Area 4 – Riverside and coach park welcome

This is a sensitive area for ecology being a Special Area of Conservation. Therefore, opportunities to form a new linear park through the heart of the city need to be balanced against habitat protection and enhancement. Proposals should take account of the following issues.

- The Riverside Walk is a unique experience to Salisbury but is currently underused and undervalued with limited bridges and access points. Development should aim to encourage more interaction between the public realm and buildings with the river, enhance points of interest along the river and enhance the riverside walk as a wildlife corridor.
- Development must protect views from the west bank of the river across to the rear gardens and garden outbuildings of Castle Street, which are part of the historic core of Salisbury. These gardens and outbuildings are particularly important to the character of these buildings backing on these largely domestic spaces which run down to the riverside. These private spaces are sensitive to change given their public role of providing a setting for the listed buildings fronting Castle Street.
- The mature trees on the northern section of the riverside must be protected, as these form an important part of the character of the conservation area and screen modern development to Castle Street from views across the former cattle market area.
- Enhance the public interface with the river environment along all river flanking footpaths within the site. Portions of the river frontage will be remodelled to form casual public areas, while other areas will be left to form wildlife refuges.
- Provision of approximately 40m width of green infrastructure through the development, where practical, to make space for essential channel capacity improvements allowing access to the river during times of low water levels, while providing increase river capacity to help reduce flood risk on the site and in the city centre.
- The corridor of green infrastructure will greatly enhance the public realm and riverside experience, while providing opportunities for biodiversity gain. If possible, this will include opening or re-engineering the culvert on the main River Avon channel at The Maltings.
- Explore opportunities to link the river fronting footpaths around The Boathouse bar at Millstream Approach.

- Deliver renovation of the open space and play area immediately north of The Maltings.
- Hard and soft landscaping will be introduced as screening around the electricity sub-station at the northern end.
- A public toilet facility located in the site.
- The potential need to widen the bridge at Mill Stream Approach will be investigated.
- Transformational redevelopment of the coach park to deliver a positive and welcoming first impression of Salisbury for arriving tourists, with a defined tourist welcome experience area/ structure.
- The coach park and arrival zone will be framed with green infrastructure and seamlessly linked to legible pedestrian routes to the town centre, and to the riverside path to the north. The exact quantity of coach parking spaces will be agreed with Wiltshire Council through the planning application process.
- Commercial investment into the new welcome centre (e.g. café, bar or shop) will be welcomed
- The area to the north of the coach welcome point (currently car parking) has the potential to provide a lay over area for market traders. This will be designed and planted to minimise impact on the green corridor and first impression for tourists.
- Delivery of a health and fitness zone based around the surgeries and surrounding green infrastructure links. This could include outdoor gym equipment at the riverside.
- Potential for reopening of the third railway arch on the north entrance to the site, to improve pedestrian and cycle access to the site via the Avon Valley Path



Area 4 – Riverside and coach park welcome



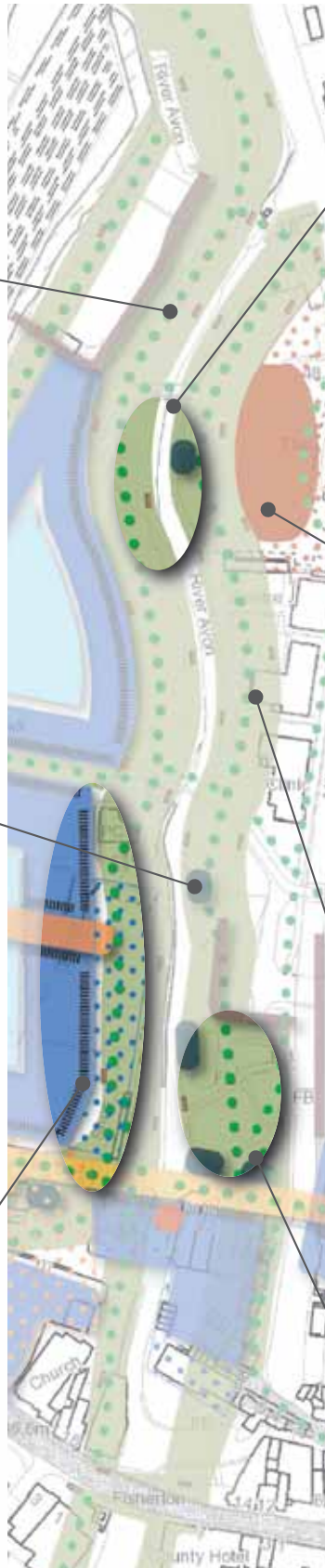
Informal green riverside walk comprising main tourist and local route into the city



Commercialisation via kiosk concessions



Urban feel informal seating and performance space



Picnic area to complement coach welcome point



Coach welcome point with, covered waiting area, information, café and WCs



Outdoor gym equipment to supplement NHS presence



Upgraded play area

7. Community input into Managing Green Spaces

While the maintenance of the watercourses remains the responsibility of the Environment Agency and Wiltshire Council, there may be an opportunity for a voluntary community role. Sections of the green corridor could be allocated to various community groups with an interest in wildlife, recreational, sustainability, cycling, walking, arts and educational projects.

Under this model, the responsible bodies would support volunteer organisations to assume the maintenance of sections of the new green space subject to: appropriate checks that may include provision of an appropriate scheme of works/business plan; and confirmation of the necessary public liability insurance cover and risk assessments.

8. Indicative Phasing and Delivery Plan

The delivery of the masterplan will be phased and to succeed will require financial commitments from both the public and private sector.

Early stages are being progressed between the council and the long lease holders of the Maltings shopping centre based around a phased delivery programme that will see a new hotel and library being delivered on the site of the former British Heart Foundation furniture store between Fisherton Street and Priory Square, which in turn will unlock the delivery of Market Walk in line with the principles set out in the masterplan along with related public realm improvements in the vicinity. To enable this initial phase to happen, £6.1m of funding has been secured from government via the Local Enterprise Partnership. This will be applied in the main part to the Market Walk development with the objective of achieving a commercially viable scheme. Beyond this funding opportunities are being explored with government from a number of sources to help facilitate later phases, including plans that are being developed for the Cultural Quarter and linked enhancements to Fisherton Street. The council will continue to work closely with the private sector and other key public sector partners such as the Environment Agency to bring forward the masterplan in a coordinated way.

The major public realm and green infrastructure proposals identified, including the green corridor will not be commercially viable projects so will need public support to be delivered. Plans are already being developed to bring these elements forward through a partnership approach that will help create greater certainty around the phasing and delivery of these elements. By doing this, a significant area of potential risk can be removed, which creates a more attractive environment in which the private sector will be more likely to invest. The council recognises the marginal nature of town centre regeneration schemes at the current time and the challenges that exist around complex sites and those with known constraints such as The Maltings. It can bring both expertise and financial investment to these opportunities. Joint ventures and other partnership arrangements will be considered as possible delivery approaches at the appropriate time.

An essential part of any development proposal will be a Construction Environmental Management Plan which will ensure that national standards for considerate construction, environmental management of waste and disturbance, interim measures to ensure businesses can maintain operation and how parking will be managed will all be set out.

This section summarises the indicative phasing plan for the delivery of the site. This phasing may change and will be dependant upon a number of factors highlighted in the masterplan including market conditions, the support of key stakeholders and funding.



Area	Indicative phasing
1 Temporary library and hotel on former British Heart Foundation building	2019 – 2020
2 Market Walk	2019 – 2022
3 Flood mitigation enabling work	2020 – 2022
4 New park, coach arrival	2020 – 2022
5 Cultural Quarter	2020 – 2022
6 Residential and car park	2021 – 2023
7 Commercial, residential and car park	2022 – 2024
8 Potential commercial redevelopment (only if market requires) and reopening or re-engineering of the culvert on the main River Avon channel	2024+

9. The Planning Process and Requirements

This masterplan sets a strategic framework to guide future phases of The Maltings and Central Car Park for the greatest benefit to the city. It is based on a sound baseline understanding of the constraints and opportunities which will influence development. There will be a presumption of approval for future planning applications which are in general accordance with the requirements of this masterplan and will help achieve its objectives. However, the master planning process is not a substitute for the application process and is not a tacit approval of development. It is strategic and necessarily high level. Therefore, individual planning applications will be required to demonstrate not only accordance with this masterplan but also to satisfy the relevant policies of the Development Plan. To demonstrate this the following information may be required depending on the scale of the proposals:

- Location Plan
- Site Plan
- Application Form
- Fee
- Construction Environmental Management Plan (CEMP)
- Design and Access Statement
- Existing and proposed floor plans, elevations, roof plans and site sections/levels
- Site Survey
- EIA Process (commencing with request for Screening Opinion)
- Flood Risk assessment
- Ecological Assessment
- Land Contamination Assessment
- Transport Assessment
- Archaeological Assessment
- Waste Audit

- Noise Impact Assessment
- Ventilation/Extraction Details
- Landscape and Visual impact appraisal
- Statement of Community Involvement
- Planning Obligations Draft Heads of Terms
- Planning Statement
- Retail Impact Assessment
- Heritage Assessment
- Strategy for Tree Planting
- Sustainable Energy Strategy

10. Pre-application Support for Prospective Developers

Wiltshire Council is committed to early engagement which has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.

Subject to the scale and complexity of proposals, it may be appropriate for prospective developers to engage with the council's Major Projects team who can provide guidance and support to developers in bringing forward proposals that align with the strategic objectives of the masterplan. This may include

- Policy advice
- Coordination of early input from statutory consultees
- Early identification of constraints and mitigation
- Assistance in the development of effective consultation strategies.
- Agreeing scope of application assessments required

If you are considering an investment in the masterplan area, then please contact:

majorprojects@wiltshire.gov.uk

Appendix A – Planning Policy Summary

This section summarises the relevant planning policies for the redevelopment of The Maltings and Central Car Park.

Wiltshire Core Strategy (January 2015)

The Wiltshire Core Strategy is the central development plan document for Wiltshire which sets the strategic policy framework for development in the county between 2006 – 2026.

The Wiltshire Core Strategy sets out a series of strategic level allocations which includes the redevelopment of The Maltings and Central Car Park at Core Policy 21. For ease of reference, Core Policy 21 and its supporting text are set out in full at Appendix A.

Core Policy 21 is supplemented by an appended Development Template. This is displayed at Appendix B.

In addition to the allocation set by Core Policy 21, the Wiltshire Core Strategy also includes other policies that will need to be addressed through the development of the site.

Core Policy 20 explains the Area Strategy for Salisbury, which sets strategic priorities for the city over the Wiltshire Core Strategy plan period up to 2026. Relevant specific issues to be addressed in planning for Salisbury are explained in the supporting text to Core Policy 20, and include:

- ensuring that Salisbury maintains its position as an important retail centre
- significant enhancement to the retail core of Salisbury, complementing the historic street pattern of Salisbury
- delivery of 29ha of employment land (B1, B2 and B8 uses) and up to 40,000 sqm gross external area retail and leisure floorspace
- ensuring that development in the vicinity of the River Avon (Hampshire) incorporate appropriate measures to ensure that it will not adversely affect the integrity of Natura 2000 sites
- provision of a mix of housing and employment growth, contributing towards improved infrastructure and community facilities
- consideration of cumulative impacts of strategic development sites at Salisbury.

Amongst a range of other strategic development sites, Core Policy 20 sets out that land at The Maltings and Central Car Park will deliver 200 dwellings and up to 40,000sqm gross external area retail and leisure floorspace.

A number of other Wiltshire Core Strategy Core Policies are of relevance to the development of the site, and will be required to be addressed through any proposals for sites development:

- Core Policy 22 - Salisbury Skyline
- Core Policy 36 - Economic Regeneration

- Core Policy 39 - Tourist Development
- Core Policy 40 - Hotels, Bed & Breakfasts, Guest Houses and Conference Facilities
- Core Policy 41 - Sustainable Construction and Low Carbon Energy
- Core Policy 43 - Providing Affordable Homes
- Core Policy 50 - Biodiversity and Geodiversity
- Core Policy 51 - Landscape
- Core Policy 52 - Green Infrastructure
- Core Policy 55 - Air Quality
- Core Policy 57 - Ensuring High Quality Design and Place Shaping
- Core Policy 58 - Ensuring the Conservation of the Historic Environment
- Core Policy 60 - Sustainable Transport
- Core Policy 61 - Transport and Development
- Core Policy 62 - Development Impacts on the Transport network
- Core Policy 63 - Transport Strategies
- Core Policy 64 - Demand Management
- Core Policy 67 - Flood Risk
- Core Policy 68 – Water Resources
- Core Policy 69 – Protection of the River Avon SAC

Saved policies of the Salisbury District Local Plan

Some of the policies contained in the former Salisbury District Local Plan (SDLP) continue to be 'saved', as set out at Appendix D of the Wiltshire Core Strategy. The saved policies that are of relevance to the development of the site are:

- D8 – Public Art
- H17 – Important Open Spaces within Housing Policy Boundaries
- E3 – Employment (Central Salisbury)
- C18 – Development affecting rivers and river valleys
- S2 – Secondary Shopping Areas in Salisbury and
- S3 – Location of Retail Development

- S10 – Shopfronts
- R2 – Open Space Provision
- R4 – Indoor Community and Leisure Provision
- R16 – Developments with River Frontages and Public Access

National Planning Policy Framework (July 2018)

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions, and the following sections are of key relevance to the development of The Maltings and Central Car Park. Proposals for the development of the site will need to be in conformity with the NPPF, particularly in regard to the following chapters:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Appendix B – Wiltshire Core Strategy - Core Policy 21

5.120. This strategy promotes the sensitive regeneration of a mixed-use retail led development on The Maltings and Central Car Park. Not only is the site sequentially preferable, but it also offers an excellent opportunity large enough to deliver the level of retail development needed for the city within a central location. Its proximity to the existing city centre means it can complement the existing centre rather than compete with it. This will help contribute towards the continued viability and vibrancy of the whole of Salisbury city centre and should incorporate an element of residential, office and leisure uses. It is important that the development on The Maltings and Central Car Park does not result in a decline of specialist, independent and other retailing elsewhere in the primary and secondary shopping areas. Comprehensive redevelopment of the area should therefore incorporate other regeneration projects including:

- improved legibility created along and through the Market Walk to draw visitors to the market square and onwards
- improved legibility between Fisherton Street, the Playhouse and City Hall to the proposed new development through to a scheme such as the creation of 'Fisherton Square' as depicted in the Salisbury Vision Document
- the development is shown to nurture and support the existing retailers and can demonstrate how it will complement and boost existing patterns of trade and not have a detrimental impact upon them
- the proposal will contribute towards a city centre Retail Strategy to manage the transition of retail change within the city centre and ensure that the impact on the existing retail circuit is not undermined.

Core Policy 21 - The Maltings/Central Car Park

The area around The Maltings, Central Car Park and Library is allocated for a retail mixed-use development to enhance Salisbury city centre's position as a sub-regional shopping and cultural centre. The development will consist of convenience and comparison shopping, leisure uses, housing, offices, library and cultural quarter.

The redevelopment of The Maltings/Central Car Park will be sensitive to Salisbury's skyline and respect the scale and building forms of the historic urban fabric. It will build on the city's already strong retail offer to create a new quarter specifically designed to meet the demands of the modern shopper, and the modern retailer, with simple, regular shaped interior spaces which can be easily configured to meet a wide variety of needs and shop sizes.

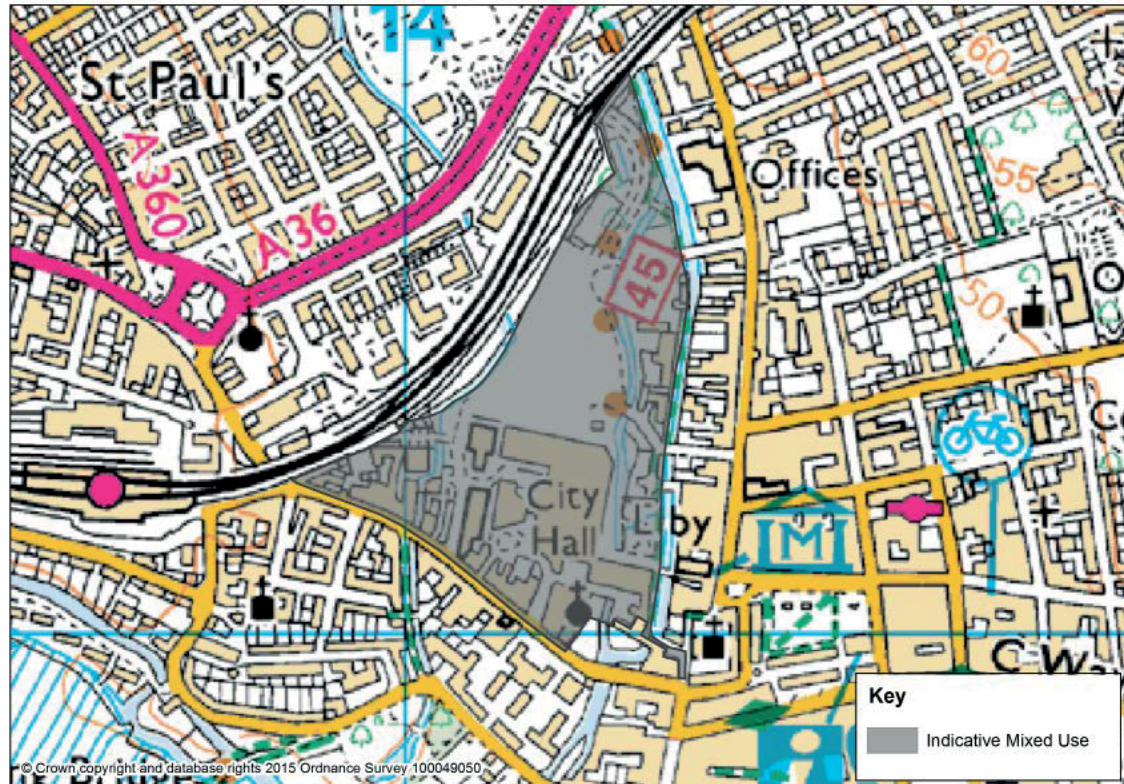
The Maltings/Central Car Park will not be an enclosed shopping centre or self-contained mall style development, but a high quality outward looking design, which integrates into the city centre. Retail, residential and leisure areas will be linked by open, pedestrianised streets and public spaces, with an improved cultural area around the Playhouse and City Hall, improving legibility from the new development through the cultural area to Fisherton Street. Relocation or remodelling of the library will open up links to the market square. This open streetscape will connect the prime retail units and will include retail with an anchor store, residential and leisure areas.

The development will also meet any additional requirements as set out in the development templates shown in Appendix A.

Appendix C – Maltings and Central Car Park Development Template

Development Template:

Land at The Maltings and Central Car Park, Salisbury



Description of Site

A city centre site situated to the west of the city's established secondary shopping area. The southern part of the site predominantly comprises The Maltings shopping centre. To the north is the central surface level car park. To the north east is the Millstream coach park. To the east of the coach park is the Boathouse bar and brasserie. To the south of the coach park are offices owned and occupied by the Probation Service and local health providers. To the immediate south of Avon Approach, leading to Central Car Park, is a service yard and private car park owned by Tesco's. The Playhouse Theatre, City Hall and Summerlock House (Department of Work and Pensions) are situated adjacent to The Maltings, to the south west of the site. Public open space runs along the eastern boundary and the city library and galleries are adjacent. To the extreme north of the site is an electricity substation and private car park. Several courses of the River Avon SAC flow through the site. To the west lies a railway embankment.

Objectives for the Development

To develop a retail led mixed use regeneration scheme through a high quality development, which delivers an appropriate sense of place in accordance with the South Wiltshire Design Guide, 'Creating Places', in a sustainable location within Salisbury city centre, in a manner which complements the existing retail provision and makes a significant strategic contribution to meeting local housing needs of south Wiltshire.

Specific issues to be addressed are:

- To provide a range of retail unit sizes including an anchor store format and supermarket and a mix of major shop units and smaller store units.
- To ensure the continued viability and vibrancy of the whole of Salisbury city centre.
- To provide suitable living accommodation for a city centre location.
- A replacement or remodelled library.

Site Constraints

- Protection of views of Salisbury Cathedral.
- Protection and proximity of the River Avon SAC.
- Salisbury city centre Air Quality Management Area.
- Salisbury Conservation Area and a number of listed buildings.
- Electricity Sub-station.
- Flooding.
- Some fragmented land ownership.
- Access, parking and servicing (including coach parking).

Land Uses and Quanta of Development

- Potential for a total of 40,000 sqm of retail floorspace (gross external area).
- A single or few large retail outlets providing the whole of the floor area will not be appropriate to achieve the aims of the development and will not be permitted.
- Comparison shopping uses, comprising a range of unit sizes including a mix of major shop units and smaller store units.
- Convenience floor space.
- Up to 200 dwellings.
- Office use.
- Leisure uses, to improve the quality of leisure facilities.
- A replacement or remodelled library.
- Adequate car parking spaces including multi-storey car parking.
- A new park based around existing watercourses and opening linkages to the Market Square and Fisherton Street.
- Improved cultural area around the Playhouse and City Hall, improving legibility from the new development through the cultural area to Fisherton Street.

Essential Infrastructure Requirements

Education

- Contributions towards primary and secondary.

Transportation

- Any major infrastructure requirement outcomes identified by the Salisbury Transport Strategy or subsequent transport assessment and travel plan. A transport assessment which sets out how the modal shift promoted at national level will be achieved, including improved bus, cycle and walking routes.

Green Infrastructure

- Formal and informal public open space to be provided on-site including a new park. Adequate land to be set aside for treatment of surface runoff. Incorporation of at least buffer strips adjacent to the river, restricting lighting near river. Construction method statement required with application. Other essential GI and BAP habitat and species requirements will be determined at or prior to masterplanning.

Flooding

- Requirements of SFRA level 2 to be incorporated into design. No development in Flood Zone 3b. Development should be directed to areas of lowest risk from flooding with lower flood depths and velocities. Old landfill sites should be avoided where possible due to the risk of potential contaminants. Culverts both at the site and upstream need to be maintained. Model shows that safe access/egress will be possible via both Churchill Way West and Avon Approach during a 1 in 100 year flood event with climate change.

Heritage

- Archaeological investigations should be undertaken prior to finalisation of the site design with the design responding to finds.

Drainage and Water

- On-site sewers provided by developers with separate systems of drainage. Off-site surface water disposal to local land drainage systems with attenuated discharge to satisfy national regulations is required. May require a pumped discharge and an off-site link sewer to agreed point of connection, subject to engineering appraisal and network modelling to confirm the scope and extent of capacity improvements. There is a high probability of capacity improvements being necessary associated with downstream overflows to reduce risk of pollution and maintain water quality. A contribution is required towards a management and mitigation plan to address phosphate levels in the River Avon SAC catchment and their threat to protected species as well as its implementation.

Renewable Energy

- 10% renewable energy generated on or near the site.
- These infrastructure requirements will be negotiated and delivered on a site by site basis as part of section 106 agreements until the Wiltshire wide DPD on planning obligations to incorporate the CIL, setting out a tariff approach, is adopted.

Place Shaping Requirements

As the site sits in a sensitive location between two river courses of the River Avon SAC, any proposal will also need to meet the following requirements:

- Softening the hard edges of the river to provide better marginal habitat for wildlife, including improved cover for fish and invertebrates.
- Meet the requirements of Core Policies 68 (Water Resources) and 69 (Protection of the River Avon SAC) of this Core Strategy.
- Be designed and provide for flood defences and mitigation measures in accordance with the SFRA level 2 for the site.
- Protection of views of Salisbury Cathedral.
- A development that upgrades public open space including riverside walks.
- A holistic approach to addressing the piecemeal nature of car parking, rear aspects of properties and land ownerships in a comprehensive manner.
- A development that is well integrated and opens up links to Fisherton Street, Market Walk and the surrounding city centre.
- Retention and enhancement of the 'Shopmobility' scheme continued provision of public toilets.
- Massing of new development respects the scale and building forms of the historic urban fabric.
- The development can protect and enhance both the built and natural conservation interests surrounding the site.
- The character of the development creates a sense of place that responds to and is sympathetic to locally distinctive patterns of development.
- Providing a high quality public realm that promotes public spaces that are attractive, safe, uncluttered and work effectively for all in society.

Strategic Linkages

Provision of a key link in the retail circuit of Salisbury, particularly between the High Street, Fisherton Street and Market Place/Castle Street.

Delivery Mechanism

This site should be the subject of partnership between private and public sector based on frontloading a masterplan to be approved by the local planning authority as part of the planning application process. This masterplan will guide the private sector led delivery of the site.

Key Delivery Milestones, Monitoring and Review

This site has been chosen not only because strategically, environmentally and consultatively it can make a significant contribution to meeting local needs through regeneration, but also because early discussions with landowners, agents and prospective developers have encouraged the local planning authority that this site can be brought forward within the first five years.

In order to expedite the delivery of development within this period, the council will work closely with the developers and landowners to facilitate delivery, and will expect to see significant, tangible progress towards a planning application following the date of adoption of the Core Strategy. This work should include masterplanning, community engagement and progress on the necessary

assessments. If the council is concerned that significant progress is not being made on the preparation of a planning application, or that, subsequent to the grant of planning permission, as identified through regular monitoring work, there does not appear to be a reasonable prospect of development commencing in a timely manner, a review into the delivery of the site will be instigated. This review will comprise:

- detailed dialogue with the landowner, developer and their agents to ascertain the cause of delay
- an update of the Strategic Housing Market Availability Assessment to identify whether market demand has reduced or is being met through other sources
- a further independent viability study of the site to assess its delivery using the council's influence to try and remove any barriers identified that stand in the way of progress, such as working with statutory consultees and the community
- as a last resort, if the council feels that the new evidence renders the site undeliverable, a new allocation or allocations equivalent to the Strategic Allocation will be considered through the appropriate development plan process.

An independent viability review of the site will be undertaken by Wiltshire Council to review the standards of delivery set in view of the projected recovery from the recession of 2009. This review will not be undertaken where the developer has demonstrated commitment through delivery in the first two years of the strategy.

Appendix D – Urban design guidance for a high standard of design and place shaping

Urban Design

As an 'indicative' Masterplan in outline it provides a flexible framework for development, however development must be designed in a manner which clearly respects the context and setting of the neighbouring historic townscape, draws on its valued urban character and townscape qualities, and makes a positive architectural legacy. Successfully integrating such a sizable and expansive development with the organic growth of incremental small scale development over the centuries will therefore require a contextual sensitivity to this for all aspects of the building and landscape design. The following design approach and criteria should inform the development towards achieving this: a high quality of building and landscape design as a lasting sense of place with an accessible public realm that is attractive, welcoming and uncluttered.

Urban Structure and form

The Indicative Masterplan shows the relationship between new development and the existing townscape. The Masterplan is primarily conditioned by the River Avon, Summerlock Stream, and the required expansive flood prevention zones offset from these as landscaped linear parkland. This helps define a framework of interrelated public routes and public open spaces that connect locally and more widely and establishes parcels of land for new building and possible building redevelopment.

These parcels should contain a high density of development making efficient use of land in this urban city centre context. The nature of the possible food store, retail, commercial uses and multi storey car parking provision set out in Section 5 are likely to create relatively sizable single use volumes with deep floorplates with long uninviting blank frontages to the public realm that would appear out of scale with and detract from the character of the neighbouring historic townscape. This is particularly the two large parcels in Area 3 with development on the existing surface car parking incorporating a multi storey car park and with possible redevelopment of the food store and associated parking deck.

The principle is therefore to 'wrap' these building volumes in a way that articulates or sets back and masks these to present a perimeter building face and roofscape to the streets and open spaces reflecting the characteristic neighbouring historic streetscape of relatively small scale buildings and building elements with regular height floor levels and exhibiting their overall degree of variety in massing, articulation and external appearance.

Any necessary large and flat roofs should be contained within the body of each parcel and masked in longer distance viewing angles by the higher perimeter wrap of building. External rooftop service plant should be contained in attractive enclosures and restricted to these lower internal roofs which present an opportunity for green planted roofs and arrays of photovoltaic panels which should be accommodated. These may also be considered on a gantry above the top deck of a multi storey car park.

The perimeter of each land parcel should therefore take the form of continuous and closely spaced apart building façades and building elements on a human scale with typically traditional height floor levels, incorporate frequent ground floor pedestrian access, regular individual windows

across each façade and a roofscape of traditional pitched roofs extending significantly back into each parcel. The building form should also recognise the subtle features that help characterise the historic townscape including for example the frequent deflection and set back of building faces and building lines and variation in ridge height to create a broken skyline. This should then collectively contribute to avoiding a long rigid edge to the street and open space perimeters of each land parcel and avoid a monolithic block of built form in each parcel.

To address this long elevations of large single uses fronting street and open space should be expressed as constituent parts but in a way that maintains a clear expression of the function as one legible entity rather than a superficial approach superimposing on this a vertical subdivision of the façade into a series of quite different unrelated building styles confusingly suggesting more than one building or use. Guidance 'Buildings in Context - New development in historic areas' (English Heritage/CABE 2001), advocates a more unitary form and appearance which is also characteristic of historic buildings with long street and return facades of which the Bear Hotel in Fisherton Street and Old Fire Station in Salt Lane are examples breaking down their scale and mass through providing sufficient visual intricacy and interest with repetition and symmetry of varied common detail and distinctive common elements combined with subtle steps in their façades. Residential apartments as a number of joined but separately accessed blocks in a continuous façade should offer greater scope for differentiation of each block.

The separation of the two larger development parcels from the historic Chequers area to the east by the necessary flood zone as parkland, and this edge following the winding course of the River Avon does present in principle some measured freedom in the design departing from this characteristic grid pattern of streets enclosed by buildings. For example a curved or crescent shaped facade expressing a distinctive shape to the immediate parkland. A key theme of Wiltshire Council Core Strategy Core Policy 57 is that development should be both locally distinctive by reflecting local character and this should also contribute to the development also being individually distinctive. There should be a legibility and consistency to the appearance of the development as a whole. A subtle classical architectural leaning to the form and appearance of new buildings in the modern design style can impart a certain pleasing stature and degree of formality; in effect helping to impart a city 'quarter' to the overall development area, distinctive in its own right but appearing as a cohesive natural extension of the existing historic townscape.

There is scope for the Salisbury 'Welcome Experience Coach Park' in Area 4 to be a set piece stand alone design statement seen across the parkland but the scale, massing, form, materials/ finishes of this structure and associated facilities should be similarly considered and articulated to sit comfortably in proximity to its backdrop with the historic Chequers.

The Masterplan is based on delivering an outward looking development of well-defined streets and public open spaces which adds to the attractiveness and vibrancy of the City. These should be lined with 'active' building frontages revealing and accessing engaging activity within such as shopfront glazed front entrances and shop window displays where these provide clear views in, associated foyers and cafes overlooking the parkland/river, windows to habitable rooms of apartments and front entrance doors encouraging lively, well overlooked and supervised streets and spaces. Frontage to the cross route(s) dividing the large development parcels and the vehicle route down the side of Summerlock Stream must be similarly active built form and not feeling the back yard to the development dominated by plant room faces, service yards and other utilitarian ancillary areas and entrances to these.

As an attractive, welcoming and uncluttered public realm the design of paths/cycleways and planting within the linear parkland should present a strongly legible design 'structure' and movement pattern. This should include pedestrian/cycleways on desire lines, planting maintaining expansive views along and across the space for legibility and surveillance and of the river itself. Planned and creatively designed cafes, public information/historical appreciation points, public gathering /event spaces, and feature riverside viewing spaces should all provide a draw to the two riversides where the potential for making this asset within the central area more apparent, accessible and enlivening should be seriously considered, for example local widening with access for shallow wading, shallow weirs and other water features adding movement and sparkle and strengthening the flora and fauna particularly along the currently less accessible east bank of the River Avon including waterside ledges and possibly small islands.

The design structure for the parkland should recognise and emphasise the wider and more revealing and long distance skyline view of the spire of the Victorian United Reform Church and to some extent the St Thomas Church Tower in this prospect that would be enabled with the further setting back from the river of the existing development currently obscuring this occupied by the food store and continuing the linear park width through as shown on the Masterplan. A sinuous path /cycleway framed by an avenue of trees and following the riverside could focus on this along much of its length up the linear parkland.

Reasonable thought should be exercised in the spatial and structural design of new buildings and open spaces to accommodate social, technological and economic changes through modification, conversion, change of use and addition of fixtures and facilities in a way that would maintain the essential design criteria outlined. For example this would include planned/designed in provision for photovoltaic panels and electrical charging points for vehicles and the linear park and rivers may also provide potential for ground source and water source heat pump energy and storage.

Character

A modern stylistic design approach is required to the appearance of all aspects of the design: buildings, open space, landscaping and fixtures is promoted but one that is a measured approach reflecting the historic context: a development clearly of its time but extolling a sensitive timeless quality, Architecture that will stand as a valued contribution to the city.

The 'wrap' should therefore follow the characteristic traditional scale, form, depth and appearance of buildings in the central area avoiding: iconic design statements; the trend for minimal and paired back façade embellishment; a boxy appearance with extensive flat roofs, unsympathetic modern materials and finishes and a recognisably standardised and repetitive corporate building design which is generally inflexible to this design approach and often of uncharacteristic scale, form, proportions and inferior appearance and quality of facing and roof materials.

Overall scale (height and massing)

The buildings should respect the requirements of Wiltshire Core Strategy Core Policy 22 that limits the height of new buildings not exceeding 12.2 metres (40ft) in the Salisbury Central Area within which the subject development area is contained in order to protect views of the Cathedral and city roofscape which plays a major part in preserving the unique character of the city. Development in excess of 12.2 metres is permitted in exceptional circumstances by this policy and in this context it is expected this would be few incidental well-spaced apart building elements of

small size and volume which can help create the necessary varied skyline profile to the perimeter wrap of buildings and help pinpoint important building entrances. These would need to be carefully articulated and modelled in the traditional manner to appear elegant as opposed to crude rooftop appendages.

The scale, massing, form and variation of the building volumes and roofscape forming the wrap should also be consistent with the characteristic roofscape of the central area and the development should appear to closely tie in with this where viewed both at a distance from neighbouring higher ground and more immediately from the viewing platform on the Cathedral spire notably in juxtaposition with the neighbouring 'Chequers' and Fisherton Street areas of the city centre.

Scale and proportioning of building elements

Large use of flat roofs or mansard roofs typically in order to maximise volume within these height constraints, metal and inert sheet cladding/panel systems to roofs and facades, large scale applied commercial signage/panels, very large undivided and tall openings and areas of glass such as those reflective of retail and business parks and on standardised corporate buildings would all appear incongruous in the historic urban context of the central area and should be avoided on the 'wrap' or reserved for any possible internal facing streets and arcades within the development parcels which do not outwardly face the streets and open spaces.

Frequent architectural expression of entrances, building corners, roofscape and projections should help to highlight important access and routes and in vistas along these from public open space to aid orientation and wayfinding.

The characteristic window opening of traditional size and height to width proportions providing a vertical emphasis and regular balanced placing of these in masonry facades across the historic townscape create a pleasing rhythm to the façade and characterises much of what makes Salisbury so attractive. This approach should be carried through across the development.

Each apartment should incorporate an external sitting out space. This should require careful design as balconies or terraces if they are to appear an integral part of the façade design and not appear crude appendages detracting from the characteristic townscape. In this regard facades should contain a substantial amount of masonry to void rather than large areas of glazed openings.

Detailing, Facing materials and finishes

The standard and level of detailing, materials /finishes and workmanship to the building envelope and external areas will have a strong bearing on the visual quality and lasting appearance which should be consistently well composed and modelled.

The publication 'Salisbury in Detail' (Salisbury Civic Society 2009) illustrates the level of articulation and modelling which characterises the neighbouring townscape of the historic central area. This visual richness and variety of detailing and use of characteristic traditional materials for typical building elements can be effectively translated with design skill into a timeless modern design style without appearing contrived or a pastiche of the past and should form a benchmark for the creative detailing and use of roof and facing materials and finishes which should be exhibited throughout the perimeter wrap to the development parcels, the 'welcome' facility and incidental buildings within the public open space.

This includes reconstituted stone cills, expressed heads over openings, decorative brickwork and decorative tile hanging which should enliven the facades. Proprietary façade, roof and external products aping their traditional counterparts should be used with discretion and generally avoided in these settings as by comparison they are often of inferior appearance through crude detailing, clumsy proportions and poor weathering qualities. For example clay or reconstituted slate tiles should be used as opposed to concrete tiles, powder paint coated aluminium sheet as opposed to steel sheet, powder paint coated aluminium window and doors as opposed to uPVC, cast metal rainwater goods as opposed to plastics or extruded metal guttering, high quality fine cast stone as opposed to concrete backed blocks and foam cored resin stone substitutes, secret fix as opposed to face fixings to panels and avoiding glass fibre mouldings in elements such as dormers and porches on residential buildings.

Modern shopfronts and other large openings can appear particularly severe without significant detailing of surrounds to these. A modern interpretation of traditional shopfront and door surrounds should be provided for example projecting cast stone reveals and frame to openings. Shop signage and other applied signs should be similarly be an integral part of the facade design without drawing undue attention by detracting from or dominating the facade.

Access and movement.

The framework of interrelated public routes should comprise a primary path/cycle route along the length of the linear park as part of a wider network. This should be relatively direct and uninterrupted with the Framework envisaging Avon Approach continuing as a pedestrian/cycleway only cross route west of the River Avon. Millstream Approach would continue as the route to the Coach park and may continue over the River Avon providing a limited vehicle route as an alternative to/from the city centre ring road as it avoids a low bridge and would distribute vehicles approaching and leaving the car park as it does now.

Vehicle access would be maintained onto Fisherton Street along an extended Summerlock Approach providing access for servicing the two large development parcels. This would continue along Summerlock Stream to provide the access point to the multi storey car park and connect up with the route to/from the ring road. This route would also provide a path/cycleway along its length.

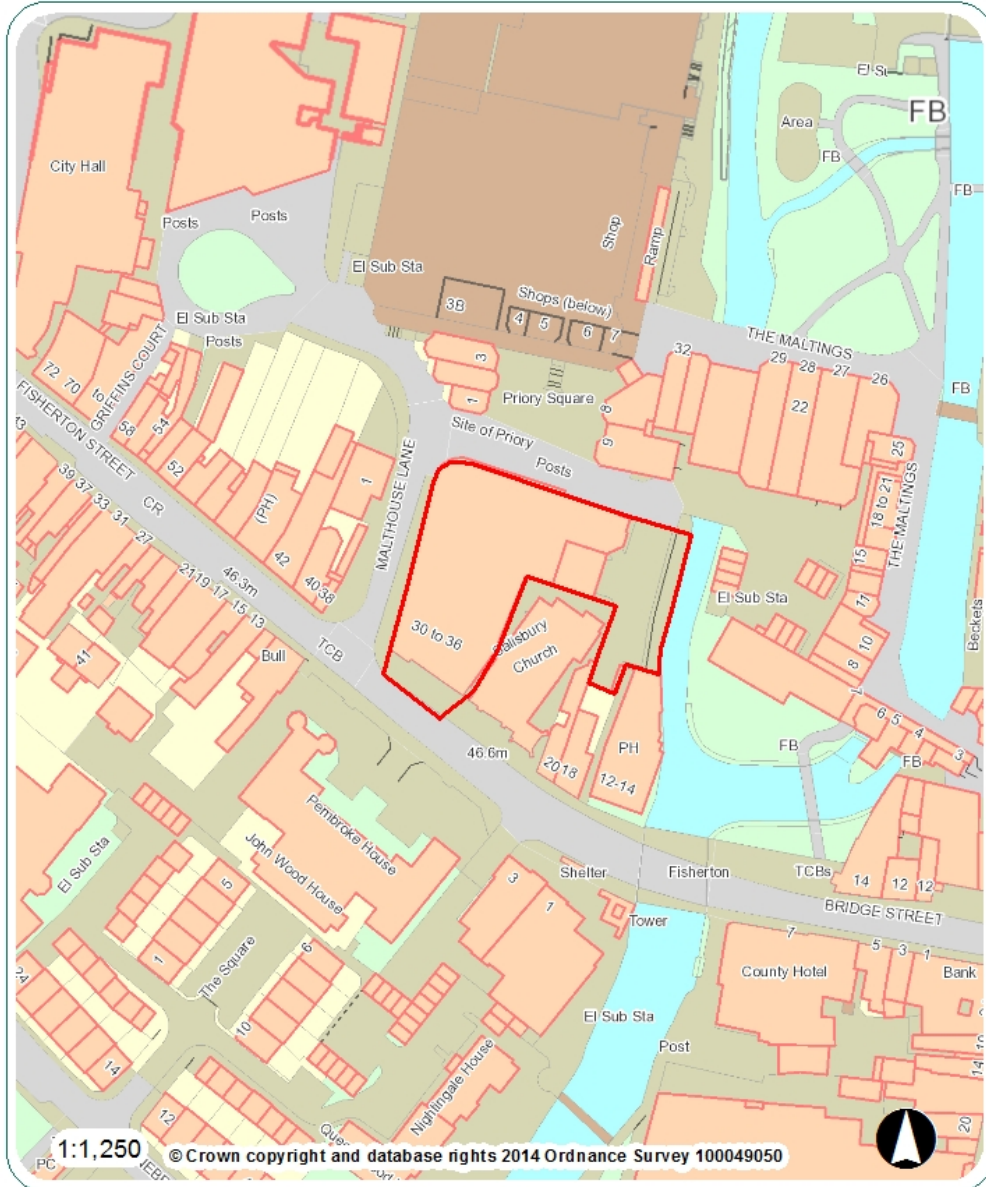
The cross route(s) between the two development parcels should ideally be primarily a pedestrian/cycle route rather than providing significant vehicle access off this into each parcel i.e. it should be of significant width with tree planting and not overbearing building frontage to emphasise its important role as linking Summerlock Approach so that both this route and Summerlock Approach/Stream frontage are inviting and do not appear as or feel something of a backwater.

The eastern building frontage edge to the linear parkland should give directly onto the parkland a perimeter path serving individual and communal entrances rather than a road with parked vehicles along this side which would detract from the appearance of the park and building frontage. All car parking serving the residential apartments would be allocated in a dedicated area within the multi storey car park accessed by vehicles from the extended Summerlock Approach.

It is envisaged the multi storey car park within the body of the parcel for simplicity of construction and management should be a stand-alone structure, of a regular shape with a single common floorplate per floor level incorporating a long up search pattern and fast down out ramp or spiral rather than multiple split level ramps with half landings.

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30 - 36 Fisherton Street
Salisbury
Wiltshire
SP2 7RG



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REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 September 2019
Application Number	18/11739/FUL
Site Address	The Paddock ,Hook, nr Royal Wooton Bassett Wiltshire SN4 8EA
Proposal	Change of use of land to a residential caravan site consisting of 4 pitches each containing 1 mobile home, 1 touring caravan, 1 semi-detached utility building, car parking, access and children's play area.
Applicant	Mr & Mrs C L Richards
Town/Parish Council	LYDIARD TREGOZE
Electoral Division	Councillor Groom
Grid Ref	407749 184726
Type of application	Full Planning
Case Officer	Eleanor Slack

Reason for the application being considered by Committee

The application was called into Committee by Councillor Groom to consider the visual impact upon the surrounding area; the relationship with the adjoining properties; the bulk, height and general appearance of the proposal; the environmental or highway impact; the disposal of surface water and sewage, and the building line of the village.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of development
- Impact on the context and character of the surrounding area
- Impact on neighbour amenity
- Parking/highways
- Drainage

As a result of the consultation exercise, 40 letters of objection were received across two consultation periods. The Parish Council also raised a number of concerns regarding the application.

3. Site Description

The application relates to land to the rear of 'The Paddock', a residential dwelling in Hook which includes two residential caravan pitches with permitted mobile homes, touring caravans and day rooms to the rear of the property. At the time of the case officer's site visit, this area was partially hard surfaced, with the remainder covered with grass. To the north and west of the site are agricultural fields, and to the east are the residential dwellings known as Elm House and Willow House. Elm House is a detached 2.5 storey dwelling which is separated from 'The Paddock' by a wooden fence, and the dwelling is sited less than a metre from the boundary. To the south of the site are Nos. 5 and 28 Windsor Close which are set at a slightly lower level than the application site.

The site is located adjoining the village of Hook which is defined as a small village in the Wiltshire Core Strategy. Although Hook does not have a settlement boundary, the site falls outside of the previously defined settlement boundary in the North Wiltshire Local Plan that has since been deleted. It is situated to the north of the M4 Motorway and is arranged around the C4141 which runs between Royal Wotton Bassett and Purton. The properties in Hook are of a wide range of ages but the majority are fairly contemporary. Surrounding the village is open agricultural land without significant mature vegetation although the site itself features mature boundary planting which screens part of the site from some neighbouring properties to the south. The landform rises in height in a northward direction.

4. Planning History

N/12/00625/FUL	Siting of two mobile homes, two dayrooms and hardstanding (refused; and dismissed at appeal on amenity grounds only in 2012)
13/05525/FUL	Siting of 2 mobile homes, 2 dayrooms, two touring caravans and hardstanding (revised application to 2012 proposal that addressed the amenity issues raised in previous appeal) Approved 2014

5. The Proposal

Permission is sought to change the use of the land to a residential caravan site consisting of 4 pitches, each containing 1 mobile home, 1 touring caravan, 1 semi-detached utility building, car parking, access and a children's play area. The Agent confirmed in writing that the occupants of the site are part of the same extended family of Romany Gypsies as the Applicant.

6. Local Planning Policy

Wiltshire Core Strategy (2015):

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 19: Royal Wootton Bassett and Cricklade Community Area

Core Policy 47: Meeting the needs of Gypsies and Travellers
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and New Development
Core Policy 67: Flood Risk

National Planning Policy Framework (2019):

Paras 2, 11, 12, 38, 46

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes including paras 59 and 61

Section 9: Promoting sustainable transport including paras 108, 109 and 110

Section 12: Achieving well-designed places including paras 127 and 130

Section 14: Meeting the challenge of climate change, flooding and coastal change including para 163

Section 15: Conserving and enhancing the natural environment including para 170

Planning Policy for Traveller Sites (2015)

7. Summary of consultation responses

These are based on the revised plans submitted during the course of consideration of the application, including a landscape plan and drainage strategy

Wiltshire Council Drainage

No objection

Lydiard Tregoze Parish Council

Objection raised. The site entrance is near a blind bend and the proposal would increase vehicular movements to and from the site which would increase the risk of an accident. The site is outside the village boundary and the village structure plan. Development should be contained within these boundaries to avoid creeping development. There is a sewage flooding issue in Hook, and the proposal would exacerbate this. The access width by the side of The Paddock is not suitable for multiple vehicles. Some of the conditions that were applied to the Applicant's previous Planning Application (13/05525/FUL) have not been complied with. Landscaping and screening has not been carried out and touring van numbers are often exceeded. Hook experiences low water pressure and this will be made worse with the addition of a possible further eight households.

Wiltshire Council Spatial Planning

Core Policy 47 states that for the North West Housing Market Area for the period December 2016 – December 2021, an additional 22 pitches are required. The Council's monitoring data shows that as of December 2018, this need has been met. In accordance with paragraph 11 of Planning Policy for Traveller Sites, where there is no identified need, proposal should be

assessed against locational criteria. The criteria in Core Policy 47 should therefore be applied.

The Gypsy and Traveller Accommodation Assessment (2014) states that in the North and West Housing Market Area there is a net requirement of 68 pitches for 2014-29. For the first five years of this period (2014-2019), 21 pitches are required. Since 2014, 50 pitches were permitted in the North and West Housing Market Area, with a further 7 pending consideration including this application. There is no need for additional pitches based on that assessment as the requirement has already been exceeded by 29 pitches.

There is sufficient evidence to conclude that the applicants meet the definition in Annex 1 to PPTS

Wiltshire Council Highways

The information provided by the applicant indicates that anticipated daily vehicular movements would be less than 20 per day. The expected number of vehicular movements would not produce a severe highways impact. Visibility and the proposed parking arrangement are adequate

Wiltshire Council Public Protection

Recommend that ground works/noisy works are carried out between specified hours only. They suggested that no burning should occur on the site during the works.

Wiltshire Council Private Sector Housing (Site Licence matters)

No objection. However the officer noted that if planning permission is granted, the Applicant will be required to apply for a site licence.

Wiltshire Council Landscape

No objection. If the landscaping scheme is successfully implemented, then the soft landscape proposals would be acceptable for the purpose of helping to screen and soften views of high solid timber perimeter fencing from local countryside receptors..

8. Publicity

Publicity of the application was by way of a site notice and neighbour notification letters. The first public consultation period was extended as the development description was changed. A second public consultation took place following the receipt of revised plans and this was advertised by way of neighbour notification letters.

Public Consultation – original plans

29 letters were received in objection to the proposal. The main points raised were as follows:

- The previous consent restricted the site to close family. It is not therefore an authorised caravan site.
- The Core Strategy does not set out a requirement for any traveller sites in the parish.
- The proposal would elongate Hook, contrary to planning policy
- The proposal is contrary to the Mobile Homes Act 2013
- Harm to the character and appearance of the area
- There would be increased light pollution
- The proposal would increase noise coming from the site.
- Loss of privacy
- Increased traffic would disturb the adjacent residential dwellings
- Loss of views. *Case Officer note: this is not a material planning consideration and cannot be taken into account in the determination of the application.*
- The views gained from the public footpaths will be affected.
- Increase in traffic exacerbating existing highways safety issues
- The access is unsuitable for the additional traffic which could be generated
- Hook is a quiet hamlet which has few amenities and services. The proposal does not constitute sustainable development.
- Occupants of the site would be reliant upon private vehicles for transport.
- There is no footpath on the west side of the road, and pedestrians would be required to cross the busy road.
- Local infrastructure would not be able to support additional residents. Water pressure is low in the area.
- The rubbish created could impact the environment.
- Harm to wildlife
- The proposal would exacerbate existing drainage and flooding issues in the locality
- It is unclear how storm and foul water would be managed.
- There are other caravan sites in the locality which could be occupied rather than developing the site.
- The proposal would put people off buying properties in Hook, and would devalue existing properties. *Case Officer note: this is not a material planning consideration and cannot be taken into account in the determination of the application.*
- The land is being used for commercial purposes and it has been partially hardsurfaced. Queried whether the site is registered for business use.
- The conditions attached to the previous consent have not been adhered to.
- There has been extensive tree, hedging and grass removal.
- The proposal would create a precedent for development which would not be compatible with this location.
- The plans and the application form are not accurate.
- The information submitted with the application is inadequate. The intended use of the accommodation is unclear, as is the extent to which mobile caravans will be present on site. The duration and extent to which caravans will be occupied is unclear, as is the impact on the existing access and infrastructure.
- A elevation plan along the southern boundary was requested, showing the heights of the structures in relation to the land, trees, fencing and hedges. *Case officer note: the height of the proposed structures is indicated on the proposed plans and it is not reasonable to require the submission of additional information in this respect.*
- It was requested that fast growing trees be planted around the site.
- Concern that there may be hazardous waste on the site.

Public Consultation – revised plans

11 letters of objection were received. The main comments raised were as follows:

- The site is not suitable for the proposed development.
- A previous objector was not notified of the second public consultation period.
- The infrastructure and services in and around Hook are unable to support the proposal which is a change of a residential house into a business.
- Would exacerbate existing drainage issues and the surface water drainage arrangement would flood two other properties.
- Increase in traffic which the road cannot accommodate.
- Increase in traffic would have a detrimental impact upon the nature of the village.
- The proposed siting of the proposal is ill considered.
- The chalet style properties are out of keeping with the village and the proposal would impact the existing rural nature of the area.
- The revised plans show trees which do not exist
- The previously approved landscaping has not been implemented.
- The proposal would have a detrimental impact on wildlife, green space and the rural aspect of the area.
- Homes are now struggling to sell and the proposal would have a detrimental impact on property value. *Case Officer note: these are not material planning considerations and cannot be taken into account in the determination of the application.*
- The location of the site boundary is confusing.
- Harm to the hedgerow adjacent to Windsor Close.
- Loss of the village's culture, tradition, value set, ethos and character.
- Loss of privacy for neighbouring properties.

9. Planning Considerations

9.1 Planning History

A previous application (N/12/00625/FUL) for the siting of two mobile homes, two dayrooms and hardstanding on the site was refused for the following reasons:

“The proposed development by reason of its scale, siting and location would result in an unacceptable loss of privacy and amenity to both existing occupants of Slough House, Elm House and no. 28 Windsor Close by reason of noise and nuisance from comings and goings to the pitches, but also in terms of loss of privacy and overbearing impact. Further the development would not provide an acceptable level of privacy and amenity of the proposed occupants who would be overlooked by Elm House. The proposed development thus fails to accord with Policies C3 and H9 of the adopted North Wiltshire Local Plan 2011 as well as Core Policy 47 of the emerging Wiltshire Core Strategy Pre-submission document 2012.”

This decision was the subject of an appeal which was dismissed by Inspector's decision letter dated 4/9/2013. The Inspector dismissed the appeal due to the harm caused by the

proposal to the living conditions of the occupiers of Elm House and Willow House. The Inspector noted that:

“The appellants have the opportunity of submitting a revised application which seeks to address the harm and there appears to be a willingness to do so having regard to the concerns of the Council and local residents. I have taken account of the other considerations of need and personal circumstances but find that they do not justify permitting the development in the form that is before me. I have considered whether the harm found could be addressed by the imposition of conditions but find that this would require a fundamental re-design of the scheme which goes beyond the scope of what could reasonably be achieved by condition, altering the nature of the development.

I am conscious of the human rights of the appellant family and the best interests of the children. This is not an enforcement case so they are not threatened with having to vacate the land at present or in the near future. There is also a desire of all affected parties to reach a solution which could lead to planning permission for an alternative scheme. In these circumstances I consider that the dismissal of this appeal is a proportionate course of action in terms of the rights engaged and that no violation of these rights would occur in doing so. I will therefore dismiss the appeal.”

An application for the construction of two mobile homes, two day rooms, two touring caravans and hardstanding was subsequently approved in 2013 (13/05525/FUL). The mobile homes approved by this consent were to be occupied by the Applicant’s son and daughter, and the consent was restricted via conditions to occupation by close family. The land to which the current application relates was shown as a meadow on the site location plan accompanying the 2013 consent.

9.2 Principle of development

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the ‘saved’ policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Hook is defined by the Wiltshire Core Strategy CP1, CP2 & CP19 as a small village which does not have a settlement boundary. In planning terms, the site is therefore located in the open countryside. It is noted that when the previous application on the site was refused (13/05525/FUL) Hook had a settlement boundary. Although the application site falls outside of the previously defined settlement boundary, this has now been deleted.

An objection was raised to the Agent’s reference to the site as an authorised caravan site. Although this term is included in the development description, it is clear that the proposal seeks to provide accommodation for specified individuals who are Travellers. As such Core Policy 47 is relevant. CP47 states that for the North and West Housing Market Area, in which the site is located, for the period December 2016 to December 2021, an additional 22 pitches are required. As highlighted by their consultation response summarised above, the

Council's Spatial Planning team consider that the need has now been met. This is confirmed by the Council's published 2018 five year supply statement for Gypsy and Traveller Sites which relates to the pitch requirement set out in Core Policy 47. This statement confirmed that the five year requirement from January 2018 to December 2022 has effectively been met by historic completions, and that there is at least 5 years supply up to December 2022. It concludes that the Council can demonstrate a supply of 12.3 years in the North and West HMA as of 1st January 2018.

However as is made clear in the Inspector's report accompanying the Core Strategy examination, the Council agreed that immediately following the adoption of the Core Strategy, a new Gypsy and Travellers Needs Assessment (GTAA) would be undertaken to inform a review of Core Policy 47 as part of a Gypsy and Traveller DPD. The Inspector stated that '*until such time as the intended DPD is complete and to ensure flexibility, the pitch requirements are best considered as minimums*'. The required DPD has not been completed, the decision having been made by the Council to address this instead in the forthcoming Wiltshire Local Plan, and therefore the pitch requirements set out in Core Policy 47 must be treated as a minimum. It is therefore considered that the pitch need cited in the Core Strategy is out of date. This is further demonstrated by the high number of applications for new Gypsy and Traveller pitches currently being received by the Council within this Housing Market Area, particularly from existing families as is the case with the current application.

In accordance with Paragraph 11 of Planning Policy for Traveller Sites, where there is identified need, proposals should be assessed against locational criteria. In Wiltshire, Core Policy 47 contains the relevant criteria and it states that:

Proposals for new Gypsy and Traveller pitches or Travelling Showpeople plots/yards will only be granted where there is no conflict with other planning policies and where no barrier to development exists. New development should be situated in sustainable locations, with preference generally given to previously developed land or a vacant or derelict site in need of renewal. Where proposals satisfy the following general criteria they will be considered favourably:

- i. No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable*
- ii. It is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users*
- iii. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal.*
- iv. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play area*
- v. It is located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.*
- vi. It will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.*

- vii. Adequate levels of privacy should be provided for occupiers*
- viii. Development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements, and*
- ix. The site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology.*

In assessing sites for Travelling Showpeople or where mixed-uses are proposed, the site and its surrounding context are suitable for mixed residential and business uses, including storage required and/or land required for exercising animals, and would not result in an unacceptable loss of amenity and adverse impact on the safety and amenity of the site's occupants and neighbouring properties.

With regard to **criterion i.** it is noted that several comments received during the public consultation highlighted drainage and flooding issues in the locality, and in particular it was felt that the surface water drainage arrangement would cause two properties to flood. Although the Drainage Engineer initially raised an objection to the proposal, this objection was revoked following the submission of the proposed drainage strategy. The drainage strategy indicates that surface water would be disposed of by discharging to the existing ditch and through the installation of a sub-base storage sustainable urban drainage system. Moreover, it indicates that foul water would be discharged to the on-site private foul drain which connects to the foul sewer in Hook Road, which Wessex Water have confirmed has capacity to accommodate the proposed flows. It also confirmed that the connection to the existing on-site foul drain would not require access to third party land. It is therefore considered that an appropriate drainage strategy is achievable on site and it would not be reasonable to recommend the refusal of the application on this basis. The proposal is also considered to be in accordance with Core Policy 67. It is noted that there are no other significant barriers to development in terms of poor ground stability or proximity to other hazardous land.

Several objections were received during the public consultation period which relate to **criterion ii.** It was felt that the proposal would increase traffic and exacerbate existing highways safety issues, that the adjacent road could not accommodate the increase in traffic associated with the proposal and that the access was unsuitable for the additional traffic which would be created by the proposal. It was also highlighted that there is no footpath on the west side of the road, and as such pedestrians would be required to cross the busy road. Although the Highways Officer noted that the proposal would result in a total of seven residential units at the site which would be served by a single access, they considered that the information provided by the Agent indicated that the daily vehicular movements from the site would likely be less than 20 per day. The Highways Officer advises that this number of vehicular movements would not produce a severe highways impact, and that the visibility from the access in addition to the proposed parking arrangement were adequate. It is therefore considered that the proposal would not have a severe detrimental impact upon the surrounding highway network, nor pose any significant risk to highway safety. Whilst it is noted that occupants would be required to cross the road in order to access the pavement, this is the existing situation for the existing residential units on the western side of the road and given this existing arrangement it would not be reasonable to recommend the refusal of the application on this basis.

Criterion iii. requires that the site is properly serviced and is supplied with essential services. As outlined above, the proposed drainage/sewage arrangement is considered to be acceptable by the Drainage Engineer. The Parish Council highlighted that Hook experiences low water pressure and they considered that this would be worsened by the proposal. This concern was also expressed during the public consultation period. However Thames Water was consulted as part of this application and they made no objection or other comment on the proposal. On balance, there is no evidence that water supply services or electricity supply would be significantly or severely undermined by the development proposal. As such, there is no sound and defensible basis for a refusal of the application on these grounds. Although no details of the proposed waste disposal arrangement have been provided, it is not considered to be necessary to request further information in this respect. The occupants of the proposed units could share a waste collection point with the existing dwelling, and given that the site would serve a single family unit, this arrangement is considered to be appropriate. The proposal therefore complies with criterion iii.

With regard to **criterion iv.** the Highways Officer was satisfied with the proposed access and parking arrangement. The submitted plans indicate that each of the plots would contain a mobile home, a touring van, two parking spaces and a semi-detached amenity block. The proposed units would have adequate private amenity space, and it is noted that a play area is also proposed on the site. The proposal is therefore considered to comply with criterion iv.

Concern was raised during the public consultation period that occupants of the site would be reliant upon private vehicles for transportation. However in the appeal against application N/12/00625/FUL, the Inspector addressed the issues relevant to **criterion v.** With regard to services, he stated that:

'Hook only has a modest range (pub, restaurant, hotel – no shops) but the town of Wootton Bassett, containing a wide range of shops, services, surgeries and schools, is only a short distance away (about 2km to the centre). There are some bus services to this town and Swindon during the day (excluding Sundays). The Council do not dispute that the appeal site is in a sustainable location and given the relatively close access to services I tend to agree.'

Although the site is now located in the open countryside in planning terms, given the above it would not be reasonable to refuse the proposal on this basis. The factors relevant to this criterion have not materially altered since the appeal. It is also noted that CP47 allows sites to come forward outside of defined settlements, whilst CP1 and CP2 allow for limited small scale residential infill in such locations. It is therefore considered that the proposal complies with criterion v.

Several comments were received during the public consultation period which relate to **criterion vi.** It was felt that the style of the properties was out of keeping with the area, that the proposal would impact the existing rural nature of the area, and that the previously approved landscaping scheme had not been implemented. Although these comments are noted, it is considered that the proposal would not have an unacceptable impact on the character and appearance of the landscape. It is accepted that the previously approved landscaping scheme has not been implemented. However, this does not provide a sound basis on which to refuse the current proposal. The Landscape Officer confirmed that even when assessed against the landscaping scheme approved as part of the 2013 consent, the

harm to the landscape would be localised to the loss of the meadow and trees, and that this harm would be limited. A landscaping scheme was subsequently submitted and the Landscape Officer considered that if the submitted landscaping scheme were successfully implemented, the soft landscape proposals would help to screen and soften views of the proposal from local countryside receptors. Compliance with the submitted landscaping scheme can be secured by condition and on balance it is not considered that the proposal would cause such harm to the rural character of the area or the landscape that the proposal could reasonably be refused on this basis. It is also noted that consent exists and has been implemented for the construction of two pitches on the site (13/05525/FUL). Therefore the proposed development is not entirely out of character with the locality. In broader terms, there are a wide variety of plot sizes, building age and style, building line and materials in Hook. The built form in the wider locality is therefore of a mixed nature, and within this wider context the proposal is considered to be acceptable.

Criterion vi. also requires that the proposal will not have an unacceptable impact upon the amenity of neighbouring properties. A number of concerns were raised during the public consultation period regarding the impact of the proposal upon the amenity enjoyed by neighbouring properties. It was felt that the proposal would increase noise, result in loss of privacy for neighbouring properties and would increase traffic which would disturb the adjacent residential dwellings.

Whilst it is accepted that the proposed development would be visible from the neighbouring properties known as Elm House, Willow House and Nos. 5 and 28 Windsor Close, it is not considered that the proposal would cause such harm to the amenity enjoyed by these properties that the proposal can reasonably be refused on this basis.

With regard to the impact upon Elm House and Willow House, revised plans were submitted and the proposed mobile home within Plot 4 has been re-orientated. As such, only the side elevation of the mobile home, which would not contain any windows, would face towards Elm House. The amenity block serving plots 3 and 4 would be positioned beyond this mobile home and the primary windows contained within it would be orientated away from Elm House and Willow House. Although the proposed mobile homes sited within Plots 2 and 3 would be orientated towards Elm House and Willow House, the proposed block plan indicates that the front elevation of these mobile homes would be over 36 metres from the boundary line with Elm House. Given this significant distance, combined with the fact that the mobile homes would only be of a single storey, they would not erode the privacy enjoyed by these occupiers. With regard to the proposed amenity block serving plots 1 and 2, the main windows within this building would be located in its northern elevation, with only small windows being located in its eastern and western elevations. The block plan indicates that this amenity block would be located approximately 27 metres from the boundary line with Elm House, and given its orientation, it is considered that it would not give rise to any significant loss of privacy for Elm House or Willow House such that the proposal could reasonably be refused on this basis. Finally, the proposed mobile home within plot 1 would be approximately 10 metres from the boundary line with Elm House. The plans indicate that one of the windows contained within the eastern elevation would be obscurely glazed. Although there would be other non-obscurely glazed windows in this elevation, due to the position of the proposal in relation to Elm House, and the scale of the proposed mobile home, it is considered that no significant loss of privacy would occur. The proposed

landscaping scheme would also provide some level of mitigation in this respect. A 2.25 close boarded fence would be erected along the boundary line with Elm House and Willow House in addition to three silver birch trees which would provide a further degree of screening and privacy.

It is considered that the relationship between the proposed development and both Elm House and Willow House as described above, would not be of an overbearing nature. Similarly, the proposed development would not give rise to any overshadowing or loss of light.

The supporting information indicates that the proposal would be occupied by the Applicant's extended family, and this would be controlled by condition. As such, it is not considered that the proposal would give rise to a significant number of additional vehicle movements along the boundary line with Elm House. In their report on the 2013 appeal, the Inspector noted that the side elevation of Elm House contains no windows to habitable rooms. They considered that although the previous proposal would increase comings and goings to/from the site, *'in the prevailing circumstances this is unlikely to add significantly to the levels of noise experienced by neighbour'*. It is considered that the same applies to the current proposal and it would not be reasonable to refuse the application on this basis.

It is considered that the proposal would have an acceptable impact upon the amenity enjoyed by Nos. 5 and 28 Windsor Close. The Inspector considered this issue in the 2013 appeal and concluded that *'due to the dense screening vegetation and fences on the boundary... no harm to the living conditions of the occupants' of these dwellings would arise'*. The same is considered to apply in the case of the current proposal.

It is considered that the proposal would also not have an unacceptable impact upon the amenity enjoyed by The Paddocks and the adjacent existing mobile homes. The western most existing mobile home does not contain any windows in its side elevation and given the location and scale of the proposed mobile home within plot 1, it is considered that there would be no unacceptable overshadowing or overbearing impact for this adjacent occupier. The mobile home in plot 4 would be orientated away from the aforementioned existing mobile home and it is therefore considered that there would not be any unacceptable overlooking between the two units. The occupants of the proposed units would drive past the two existing mobile homes and the dwelling known as The Paddocks. However the units would be occupied by the extended family of the occupants of the wider site, and there would not therefore be significant additional vehicle movements associated with the proposal. The proposal is therefore considered to be acceptable in this regard.

Criterion vii. requires that adequate levels of privacy should be provided for occupiers. There is considered to be adequate privacy between the four mobile homes, amenity blocks and touring vans as indicated on the site plan.

With regard to **criterion viii.** permission is sought for four additional pitches to provide accommodation for the Applicant's family. As outlined above, the development of a small family site is considered to be in-keeping with the scale and character of the locality. It is noted that concern was raised during the public consultation that the proposal would increase traffic which would have a detrimental impact upon the nature of the village.

However as outlined above, it is not considered that the proposal would produce significant additional vehicle movements to or from the site, and therefore the proposal would not have any significant impact upon the nature of Hook in this respect.

The proposal would not conflict with **criteria ix.** as there are no nationally or internationally recognised designations on the site or in its vicinity. The proposal would not be in close proximity to a river, nor would it cause harm to biodiversity or archaeology.

In summary, the proposal is considered to be acceptable in principle as it complies with criteria i. to ix. of Core Policy 47.

9.3 Other matters

A comment was received during the public consultation period that the proposal would increase light pollution. The proposal does not indicate that any external lighting is proposed, however a condition is suggested to control the installation of external lighting on the site. Moreover the existing and proposed landscaping would provide some level of mitigation, particularly in respect of any small domestic lights emitted from the mobile homes themselves.

It was also felt that the proposal and the rubbish created by it would harm wildlife and the environment. There are no ecological constraints on the site, and there is no indication that the proposal would have any adverse impact upon protected species or the environment in a broad sense. Moreover, given the nature of the site and the proposal, it is not likely that its construction would produce a significant amount of waste or rubbish or any evidence that the residential accommodation proposed would produce any more waste than any other form of residential accommodation.

Reference was made during the public consultation period to other caravan sites in the locality which could be occupied as an alternative to the current proposal. However as the proposal is considered to comply with relevant policy, it is not reasonable to refuse permission on the grounds of alternative sites which may be available in the locality. Moreover, this application seeks to provide accommodation for extended family members. Other sites are often similarly constrained by condition as to occupancy and cannot therefore be readily occupied. Concerns were also raised during the public consultation period that the proposal would set a precedent for future development. Although this concern is noted each application must be assessed on its own merits.

Concern was raised during the public consultation period that the site is being used for commercial purposes. There is no evidence to suggest that the site is being used for commercial purposes, and the current proposal would not grant consent for any commercial uses per se on the site. However if any member of the public has any concerns in this respect, they are able to report these to the Council's Planning Enforcement Team to investigate. Concern was also raised that there may be hazardous waste on the site. However, as above there is no evidence to indicate that there is hazardous waste on the site. Moreover, the Public Protection Officer reviewed the proposal and raised no concerns in this respect.

It is noted that comments received during the public consultation period suggested that the plans and application form submitted in support of the application were not accurate. It was felt that the revised plans showed trees which did not exist, and it was felt that the location of the site boundary as shown on the plans was confusing. Based upon the available information, the plans and application form appear to be accurate. The landscaping plan does show trees which do not currently exist as it is proposed to plant additional trees and vegetation as part of the current proposal. The boundary of the site is considered to be sufficiently clear, and is consistent across the plans submitted. However, for the avoidance of doubt it should be noted that the grant of planning permission would not override any third party property rights which may exist.

10. Conclusion

The proposal is considered to be acceptable on its planning merits. The proposal is considered to comply with Core Policies 47, 51, 57, 60, 61 and 67 of the Wiltshire Core Strategy and sections 4, 5, 9, 12, 14 and 15 of the NPPF (2019). With no material planning considerations indicating otherwise, the application is recommended for approval.

RECOMMENDATION

Grant permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

01551/5 Rev 1 - Proposed fencing; 01551/4 Rev 1 - Double amenity block;

01551/1 Rev 1 - Existing layout - Received 22/01/2019

01551/2 Rev 4 - Site development scheme - Received 14/06/2019

BW/AM/H/L1R1 - Landscaping plan - Received 15/07/2019

01551/3 Rev 2 - Static Van - Received 19/07/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites (DCLG, 2012).

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary

to keep the site available to meet that need.

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 The fences shown on the approved plans shall be erected prior to the first occupation of the residential units hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans without the prior grant of planning permission from the local planning authority.

REASON: To safeguard the character and appearance of the area.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site without the prior grant of planning permission from the local planning authority.

REASON: In the interests of visual amenity.

- 8 No more than four commercial vehicles shall be kept on the site for use by the occupiers of the caravans hereby permitted, and shall not exceed 3.5 tonnes in weight.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

- 9 Except for the keeping of commercial vehicles as defined in condition 8, above, no commercial activity or use, including the storage of materials and waste, shall be

carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

- 10 Occupation and use of the Mobile homes and touring caravans hereby permitted shall be limited solely to and by family members of the occupants of the property known as The Paddocks and their respective partners, children and dependents.

REASON: In the interests of residential amenity.

- 11 No more than eight caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than four shall be a static caravan) shall be stationed on the site at any time. At no time shall the four touring caravans hereby permitted be used as permanent occupation.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual and residential amenity in accordance Core Policy 57 of the Wiltshire Core Strategy.

- 12 No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 13 There shall be no more than four permanent pitches on the application site.

REASON: In the interests of visual amenity and the amenity of occupants of the site.

- 14 Before any of the mobile homes are first occupied, the drainage facilities for the foul and surface water disposal proposed in the Drainage Strategy shall be provided and shall thereafter be retained.

REASON: To ensure the adequate provision of necessary infrastructure.

- 15 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

16 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

17 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 TH September 2019
Application Number	19/04941/FUL
Site Address	Thatado Farm, Braydon Road, Leigh, SN6 6RQ
Proposal	Two standard gypsy & traveller plots and vehicle access
Applicant	Mr F Doe
Town/Parish Council	LEIGH
Electoral Division	Councillor Chuck Berry
Grid Ref	404957 190888
Type of application	Full Planning
Case Officer	Catherine Blow

Reason for the application being considered by Committee

The application has been called to committee by the local member on the grounds that the plans for the proposed development are not clear and there may be evidence that nearby sites are under occupied and the Council have provided the required Gypsy and Traveller provision for this Housing Market Area. This request was supported by Leigh Parish Council and there have been objections from local residents as well as the Mr James Gray MP.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan and other material considerations and to consider the recommendation that planning permission should be **GRANTED** subject to conditions.

2. Report Summary

The application received 4 representations of neighbour objection; 0 representations of public support; and Leigh Parish Council, although provided no comment for this application objected to the previous application, under reference 18/08219/FUL.

Issues to be addressed:

- Principle of the development
- Assessment against Core Policy 47 of the Wiltshire Core Strategy
- Access and Parking
- Design and Landscaping
- Flooding and drainage
- Supporting services and infrastructure

3. Site Description

The application site is located on the Western side of Braydon Road. The highway of Braydon Road is a national speed limit road with no pedestrian footpaths or street lights. The surrounding area is characterised by open agricultural fields with farm yards to the southeast and southwest. The site has an existing access that is currently used by the camping and caravan site consisting of five pitches and a toilet block located to the north of the application site. The application site currently has an open sided agricultural barn located to the south of the access track with an area of scalping surfaced area in front. The remaining area of land is mown pasture with mature tree and hedge boundaries adjacent to Braydon Road and mature hedging to the Southern boundary. Land to the West is fenced off from the application site but also consists of closely mown pasture.

The site has no particular designation within the development plan. The site is located in open countryside outside any settlement boundary as designated within the Wiltshire Core Strategy. The access track adjacent to the Southern boundary is a bridleway (LEIG15) which is used for access to several residential properties.

4. Planning History

Application site:

N/09/01595/FUL – Access, stable and barn – Refused

N/10/01040/FUL - New Access, stables and barn and change of use of land to keeping of horses – Approved with conditions.

17/11988/FUL - Erection of stables and tack room – Approved with conditions (not implemented)

18/08219/FUL - Two standard gypsy and traveller plots and vehicle access – Withdrawn

Adjacent site to the North:

15/02019/FUL - Change of use of agricultural land to caravan site for 5 touring caravans, works to include provision of hardstanding, entrance track and provision of two toilets and cess pit. – Refused

17/00968/FUL - Retrospective permission for erection of a WC block and hardstanding. – Approved subject to conditions

(The application for approval of the above application clarified that as the site was in receipt of a certificate from the Caravan Club the use of land for up to five pitches is permitted development by virtue of Schedule 2, Part 5, Class A of the Town and Country Planning General Permitted Development Order 2015, negating the need for express consent from the Local Planning Authority.

5. The Proposal

The proposed development consists of two Gypsy/Traveller plots. Each plot would consist of a residential caravan, two parking spaces and a day room. The plots would

be located close to the south west boundary of the site, to the south of the stable building approved under reference 17/11988/FUL (not implemented).

The plots would accommodate two members of a family who currently reside at Four Oaks, a site located approximately 3 miles south of the application site. This site is required as there is no space at Four Oaks Park in Liddiard for these family members. . The information submitted within the application demonstrates that the occupiers would accord with the definition of Gypsies and Travellers as set out within Annex 1 of the Planning policy for traveller sites (2015) published by the Department for Communities and Local Government.

6. Local Planning Policy

Wiltshire Core Strategy (2015):

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 13: Spatial Strategy for the Malmesbury Community Area

Core Policy 47: Meeting the needs of Gypsies and Travellers

Core Policy 51: Landscape

Core Policy 57: Ensuring High Quality Design and Place Shaping

Core Policy 60: Sustainable Transport

Core Policy 61: Transport and Development

Core Policy 67: Flood Risk

The following sections of the National Planning Policy Framework 2018 are relevant to the consideration of this application:

Achieving sustainable development – paragraphs 8 and 11

Promoting sustainable transport – paragraphs 103, 108, 109, 110

Making effective use of land – paragraph 118

Achieving well designed places – paragraphs 124, 127
Conserving and enhancing the natural environment – paragraphs 170

Planning policy for traveller sites (August 2015) – Policy H: Determining planning applications for traveller sites (PPTS)

7. Summary of consultation responses

Leigh Parish Council:

No response has been provided for the current application but the response from the previous application raised the following concerns;

Adequate provision has been made within the Parish for Gypsy/Traveller sites and additional loss of agricultural fields is not acceptable. The number of pitches provided has exceeded the required provision. The development in the open countryside is not acceptable. There is a lack of facilities within the parish to serve the future occupants, there is a lack of pedestrian footpaths in Braydon Road and the drainage issue has not been addressed, contrary to the provisions of Core Policy 47.

Wiltshire Highways:

The response makes reference to the wide access and the registration of the site as a caravan park meaning that the site's use as temporary accommodation for caravans is already in existing use. Nonetheless, the response raises concerns regarding the remoteness of the site which would usually attract an adverse highway comments in relation to access to sustainable modes of transport. Nonetheless, subject to the acceptance of the principle of this development there are no objections regarding the access, parking and turning.

Wiltshire Council Drainage:

The response supports the proposals subject to conditions.

Wiltshire Council Spatial Planning:

The Core Strategy pitch requirements for the North and West Housing Market Area for 2016-21 have been met through permissions; and also the pitch requirement in the 2014-19 and 2019-24 GTAA periods. PPTS states that criteria based policies should guide proposals where there is no overall need but proposals nevertheless come forward. Whether the proposal is broadly compliant with Wiltshire Core Strategy Core Policy CP47 will be largely dependent on other department's submissions. In locational terms the site is remote from essential services.

8. Publicity

The application has been advertised by site notice posted close to the application site and neighbour letter. Four responses have been received in objection to the proposed development including a letter on behalf of a resident by James Gray MP. The concerns raised in those responses are summarised below:

- Impact upon the rural character of the area
- Impact upon nearby residents
- There is no requirement for provision of additional Gypsy/Traveller pitches in the area
- The additional pressure on local services would be detrimental to the area
- There is inadequate foul and surface water drainage details and the reliance on maintenance of a private system is unreliable
- Intensification of the existing access to the site
- Lack of pedestrian footways to enable pedestrian movements to the site
- Poor connections to infrastructure and services
- There is a lack of information regarding the elevations of the proposal
- The proposal would result in isolated homes in the countryside contrary to paragraph 79 of the NPPF
- The proposal fails to comply with criteria f) and g) of the PPTS

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material

considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLPL) 2011 (adopted June 2006)

9.1 Principle of development

The site is located in the parish of Leigh but is not within any defined settlement as defined in the Wiltshire Core Strategy and so is located within the open countryside. The site is not allocated for any form of development but use by the caravan club is established at the adjacent site, also owned by the applicant.

As the application seeks permission for accommodation for Travellers, Core Policy 47 is relevant. It states that for the North and West Housing Market Area, in which the site is located, for the period December 2016 to December 2021, an additional 22 pitches are required. As highlighted by their consultation response summarised above, the Council's Spatial Planning team consider that the need has now been met. This is confirmed by the Council's published 2018 five year supply statement for Gypsy and Traveller Sites which relates to the pitch requirement set out in Core Policy 47. This statement confirmed that the five year requirement from January 2018 to December 2022 has effectively been met by historic completions, and that there is at least 5 years supply up to December 2022. It concludes that the Council can demonstrate a supply of 12.3 years in the North and West HMA as of 1st January 2018.

However as is made clear in the Inspector's report accompanying the Core Strategy examination, the Council agreed that immediately following the adoption of the Core Strategy, a new Gypsy and Travellers Needs Assessment (GTAA) would be undertaken to inform a review of Core Policy 47 as part of a Gypsy and Traveller DPD. The Inspector stated that '*until such time as the intended DPD is complete and to ensure flexibility, the pitch requirements are best considered as minimums*'. The required DPD has not been completed, the decision having been made by the Council to address this instead in the forthcoming Wiltshire Local Plan, and therefore the pitch requirements set out in Core Policy 47 must be treated as a minimum. This is further demonstrated by the high number of applications for new Gypsy and Traveller pitches currently being received by the council in this housing market area, particularly from existing families as is the case with the current application.

In accordance with Paragraph 11 of Planning Policy for Traveller Sites, where there is identified need, proposals should be assessed against locational criteria. In Wiltshire, Core Policy 47 contains the relevant criteria and it states that:

Proposals for new Gypsy and Traveller pitches or Travelling Showpeople plots/yards will only be granted where there is no conflict with other planning policies and where no barrier to development exists. New development should be situated in sustainable locations, with preference generally given to previously developed land or a vacant or derelict site in need of renewal. Where proposals satisfy the following general criteria they will be considered favourably:

- i. No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable*
- ii. It is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users*
- iii. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal.*
- iv. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play area*
- v. It is located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.*
- vi. It will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.*
- vii. Adequate levels of privacy should be provided for occupiers*
- Viii Development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements, and*
- ix The site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology.*

In assessing sites for Travelling Showpeople or where mixed-uses are proposed, the site and its surrounding context are suitable for mixed residential and business uses, including storage required and/or land required for exercising animals, and would not result in an unacceptable loss of amenity and adverse impact on the safety and amenity of the site's occupants and neighbouring properties.

Assessment against Core Policy 47 of the Wiltshire Core Strategy

With regards to **critterion I**, which relates to barriers to development including poor drainage, the previous application considered under reference 18/08219/FUL was withdrawn to allow for a flood risk assessment to be submitted. The current application has been supported by a Surface and Foul Water Drainage Strategy. It should be noted that the site is not located within an area of flood risk as defined by Environment Agency Mapping but the response from the Drainage Team in the previous application raised concern regarding this lack of information. The details now submitted do not raise a concern from the Council's Drainage Team, who seek to agree the technical details regarding surface water drainage of the proposal via condition. Subject to conditions ensuring the foul drainage system is in accordance with the details within the drainage strategy and any consent includes recommended conditions to control details of surface water, there is no barrier that would preclude development of this site for the proposed development. There is not considered to be any conflict with criterion 1 of Policy 47.

Criterion ii seeks to ensure that the development has safe and convenient pedestrian and vehicular access. The Highways Team have confirmed that the vehicular access, which is currently used to access the existing agricultural building, the existing tourist caravan site as well as the proposed stable building is acceptable, as well as the proposed parking and turning provision within the site. It is accepted that there is limited

opportunity for safe pedestrian movements in Braydon Road due to the lack of a designated footpath along the road. This is a concern raised by nearby residents. It should be noted that there is a network for footpaths that would enable pedestrian access to Minety.

Pedestrian access was examined in the assessment of the sites located to the south of this site at Bridge Paddocks in appeal reference APP/Y/3940/A/11/2147838 as well as in applications N/12/00619/FUL and 16/01556/FUL. These developments for similarly modest Gypsy/Traveller accommodation were considered to be in a location not so remote as to justify a refusal on the basis of the lack of pedestrian access to essential services. It would be difficult therefore, to now determine that the proposed development would be deemed unacceptable for this reason.

Criterion iii seeks to ensure essential services, such as power and drainage can be suitably provided. The information provided demonstrates both foul and surface water drainage can be suitably provided. Although the systems would not be adopted by any statutory undertaker, it is not considered that this issue could be a reason to withhold approval. The adjacent tourist caravan park is a certified caravan site has access to adequate water supply, power and foul drainage provision. There is therefore no conflict with Criterion iii.

The site has adequate space for vehicle parking and circulation space. This is confirmed by the Council's Highways Team. Although the plans do not indicate any particular areas for play areas, it is clear that the site could accommodate adequate areas of outside space to enable the occupiers an acceptable level of amenity. Therefore there is no conflict with **criterion iv**. of Policy 47.

Criterion v seeks to ensure that the site is within in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services. Although not within an existing settlement it is located approximately 3.5 km from Minety where there is a primary school; 5 km from Purton - a large village as defined in the Wiltshire Core Strategy which has a secondary school; and 4km from Ashton Keynes where there is a shop, post office, public house playing field church and village hall. Although there is limited opportunity to access these facilities by sustainable means, the distances to such services are not considered to be unreasonable. In addition, the consideration of nearby sites has previously accepted this location for similar development as being acceptable, and findings by Inspectors dealing with planning appeals across the county where sustainability has been an issue have indicated that facilities do not have to be immediately available in the closest village to a site, but simply in a settlement reasonably close by.

It should also be noted that the Planning Policy for Gypsy and Travellers 2015 also does not prohibit traveller sites in rural or semi-rural locations as a matter of principle. It does state, in paragraph 25 that sites should be very strictly controlled in the open countryside. In this instance the proposal would be of a modest scale that would provide accommodation for family members of residents who currently reside in Four Oaks Park which is similarly located remote from the day to day services. That site has

planning permission for 11 pitches and has no space to accommodate these family members. This site is also located adjacent to the camping and caravan site, also owned by the applicant. There is clearly a specific need for this site based on the circumstances and individual needs of applicant and their family members who seek to develop this site for their children who will soon leave the family home, but the applicant's wish to be close by and continue their current lifestyle. Therefore, the particular circumstances, including the modest size of the proposal for family members of occupiers nearby, are considered to outweigh the limited conflict with this criterion of Policy 47 and in this respect it is not considered that there is sufficient and defensible reasons for refusal.

Criterion vi. seeks to ensure developments do not have an unacceptable impact upon the character and appearance of the landscape, and amenity of neighbouring properties and is sensitively designed to mitigate any impact upon the surrounding area. The proposed development is sited remote from neighbouring properties with the closest occupier located on the south side of Bridleway LEIG15 and on the eastern side of Braydon Road. The intervening distances are considered to mitigate any potential harm to the outlook or amenity of those occupiers.

In terms of landscape impacts, the site is located in close proximity to existing built form, including a complex of farm buildings located opposite the site on the eastern side of Braydon Road, hardstanding and toilet facilities associated within the adjacent caravan site to the north as well as a barn building within the application site itself. In addition, planning consent exists for a stable building. The site is also well screened from the South and East by existing boundary hedging that would remain unaffected by the proposal. The proposed development would result in additional built form on this current paddock, in the form of additional hardstanding, fencing, vehicle parking and mobile homes including the parking of touring caravans. However, there is adequate space within the site to provide a landscaping scheme that could further screen the built from the surrounding rural landscape. Therefore, the proposed development, due to the character of the area and existing built form as well as the modest size of the proposed development would not result in significant harm to the character and appearance of the area. The proposal would not conflict with criterion vi. of Policy 47.

Criterion vii requires that adequate levels of privacy should be provided for occupiers. It is important to ensure that the minimum space requirements for pitches, including safety gaps/easements between structures are maintained and provide adequate safety levels. The proposal has adequate space provided within each plot to allow for space between each mobile home and to ensure the privacy of the occupiers of each plot is maintained as well as providing an acceptable level of amenity. There is no conflict with criterion vii)

Criterion viii requires that the development should be appropriate to the scale and character of its surroundings. This modest proposal of two pitches would meet that requirement.

Criterion ix requires that the site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology. There are no such constraints affecting this site and so there is no conflict with this criterion.

In summary of the principle, the proposed development is sought to enable existing family members who reside nearby to continue their nomadic habit of life, whilst being close to close family members. In accordance with the advice from the Inspector during the Examination of the Wiltshire Core Strategy, the number of pitches required and as defined in CP47 as to be provided in this HMA should be treated as a minimum. Although the most recent publication of the Gypsy and Traveller Five Year Housing Supply (2019) demonstrates the need for sites has been met, there is clearly an actual need in this instance for the proposed development that cannot be met within their current site at Four Oaks Park. The criteria within Policy CP47 of the Wiltshire Core Strategy have been met. The proposed development is modest in scale and required by the specific needs of an existing local family to enable continuation of the nomadic habit of life for their children. These personal circumstances have been considered in accordance with paragraph 24 of the PPTS 2015. The objections from nearby residents and the MP have been fully considered, those matters are not considered to constitute reasons for refusal that would withstand appeal in this instance.

9.2 Access and Parking

The proposed development would utilise the existing access to the site which provides access to the adjacent caravan site. There are two parking spaces within each plot and there is adequate space within the site for the parking and turning of each vehicle. There is no objection to the scheme from the Council's Highways Team in relation to detrimental impacts upon highway safety. The matters raised in relation to the lack of sustainable transportation from the site are dealt with in the section above. The proposed development not considered to be contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy.

9.3 Design and Landscaping

The impacts of the proposal upon the character and appearance of the surrounding area has been assessed elsewhere in this report. Nonetheless, the detailed elements of the scheme are assessed in more detail here. The design of the mobile homes is typical of the development proposed. The proposed day room would be constructed with rendered walls; uPVC windows and slate roof with 1.2 metre high close boarded fencing to the site boundaries. There are no objections to design approach proposed. In addition, the proposed site layout confines the development into a relatively modest site area, which minimises the impact upon the character and appearance of the area.

The application does not include the details of the existing and proposed landscaping scheme which is required to ensure the proposal integrates adequately into this rural area. Nonetheless, these details could be controlled by suitably worded conditions attached to any consent granted. This is considered to be an acceptable landscaping

scheme for this proposal that would minimise the impact upon the visual amenity as well as provide an acceptable level of privacy for future occupants and nearby residents.

The proposed development, subject to conditions, would accord with the requirements of Core Policies 51 and 57 of the Wiltshire Core Strategy.

9.4 Flooding and Drainage

The application is supported by a foul and surface water drainage strategy. This details an outline of the strategy to provide attenuation tanks to drain to the adjacent highway ditch for surface water and cesspits for the foul drainage system. The Drainage Team seek details technical matters regarding the surface water drainage strategy. Nonetheless, the proposed development, subject to conditions is considered to be acceptable and would accord with the requirements of Core Policy 67.

There has been concern raised in relation to the suitability and maintenance of a private drainage system. However, the drainage strategy includes a maintenance regime, which is considered acceptable. The Planning Practice Guidance states that applications for developments relying on anything other than connection to a public sewage treatment plant will need to be supported by sufficient information to understand the potential implications for the water environment. The information provided has considered both connection to a public system and septic tank for foul water drainage. However, these are not feasible or practical in this instance. Therefore, the cesspit is considered to be appropriate and a practicable solution and subject to the implementation in accordance with drainage strategy, there are no objections to the proposed drainage strategy, subject to conditions regarding the surface water drainage strategy.

9.5 Supporting services and infrastructure

Concern has been raised in relation to the additional pressure on local services. The issue regarding highway impacts has already been assessed elsewhere in this report. The proposed development that seeks accommodation to enable children from an existing family, residing nearby, to move to the application site to enable greater independence but maintain those close family ties. Therefore, due to the particular circumstances of this application it is not considered to put a significant level of additional pressure upon existing services to justify refusal of the proposed in this instance.

10. Conclusion (The Planning Balance)

The proposal seeks permission for a two gypsy and traveller pitches. The applicant meets the definition of a traveller as set out in the PPTS. The Council's initially proposed Gypsy and Traveller DPD has not been completed, the decision having been made by the Council to address this instead in the forthcoming Wiltshire Local Plan.. Therefore, in accordance with the advice from the Inspector during the Examination of the Wiltshire Core Strategy, the number of pitches required as set out within Core Policy 47 should be treated as a minimum. Although the most recent publication of the Gypsy and Traveller Five Year Housing Supply demonstrates the need for sites has been met,

there is clearly an actual need in this instance for the proposed development that cannot be met within the applicant's current site at Four Oaks Park.

The criteria within Policy 47 of the Wiltshire Core Strategy have been met. The proposed development is modest in scale and required by the specific needs of an existing local family to enable continuation of the nomadic habit of life for their children, These personal circumstances have been considered in accordance with paragraph 24 of the PPTS 2015. The objections from nearby residents and the MP have been fully considered, but those matters are not considered to constitute reasons for refusal that could be sustained in this instance.

The detailed matters regarding materials, landscaping and drainage can be controlled by suitably worded conditions attached to any consent granted. Therefore in accordance with paragraph 11 of the framework consent is recommended.

RECOMMENDATION

It is recommended that planning consent be **GRANTED** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 17/135 (i) and 17/135(ii) received on 21st May 2019.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall commence on site until the exact details of the materials to be used for the external walls and roofs 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- * location and current canopy spread of all existing trees and hedgerows on the land;
- * full details of any to be retained, together with measures for their protection in the course of development;
- * a detailed planting specification showing all plant species, supply and planting

- sizes and planting densities;
- * finished floor levels;
- * means of enclosure;
- * other vehicle and pedestrian access and circulation areas;
- * all hard and soft surfacing materials;
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 The development hereby permitted shall not be occupied until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details contained within The Surface and Foul Water Drainage Strategy by Cole Easdon Consultants Limited. Once implemented the foul drainage strategy shall be retained and maintained in accordance with the approved details.

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

- 7 Notwithstanding the details in the Foul and Surface Water Drainage Strategy, no development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information regarding the riparian ownership of the drainage ditch to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure or additional hardstanding, other than those shown on the approved plans or agreed as part of the landscaping scheme as required by conditions within this decision notice, shall be erected or placed anywhere on the site.

REASON: In the interests of visual amenity.

- 9 The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites (DCLG, 2015).

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

- 10 There shall be no more than four (4) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 stationed on the site edged in red, of which no more than two (2) shall be a static caravan or mobile home. For the avoidance of doubt there shall be no stationing of any mobile home on the land located outside the site outlined in red on the location plan.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual, residential amenity and flood risk in accordance with policies CP47 of the Wiltshire Core Strategy.

- 11 No more than two commercial vehicles shall be kept on the site for use by the occupiers of the caravans hereby permitted, and shall not exceed 3.5 tonnes in weight.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

- 12 Except for the keeping of commercial vehicles as defined in condition 11, above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

- 13 No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

14 **INFORMATIVE TO APPLICANT:**
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

15 **INFORMATIVE TO APPLICANT:**
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

16 **INFORMATIVE TO APPLICANT:**
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.



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