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| Deadline | 13-Jan-2011 | | |
| Application Number: | S/2010/1764 | | |
| Site Address: | Former Wilton Middle School Site The Hollows Wilton Salisbury SP2 0JD | | |
| Proposal: | New youth services and public protection buildings, associated carparking and external works | | |
| Applicant/ Agent: | Hedges Associates | | |
| Parish: | Wilton | | |
| Grid Reference: | 408948 131530 | | |
| Type of Application: | Full | | |
| Conservation Area: | | LB Grade: | |
| Case Officer: | Lucy Flindell | Contact Number: | 01722 434541 |

Reason for the application being considered by Committee:

Council application where representations objecting to the application have been received

1. Purpose of Report

For members to consider the above application and the recommendation that planning permission be GRANTED subject to conditions

Neighbourhood Responses

2 letters received objecting to the proposal

1 letter of support received

Town Council response

Object to the application

2. Main Issues

The main issues to consider are :

1. Principle
2. Highways
3. Amenity
4. Ecology
5. Other Issues

3. Site Description

The site is in the south east corner of the former Wilton Middle School grounds. It is surrounded by school playing fields to the north and west, footpath to the south and is in an elevated position to The Hollows to the east with bank and hedge planting/trees to the east boundary.

There is an existing vehicular access in the south eastern corner of the site, owned by the Thistledown Education Trust (the new owners of the school) and is currently being upgraded as part of the renovation works to the school to provide a pavement and a hammer head for turning (these works are separate to this application).

4. Planning History

| Application number | Proposal | Decision |
|--------------------|--|--------------------------|
| 1972/0030 | Extension to Youth Centre at The Hollows, Wilton Borough | No objections 31.10.1972 |

5. The Proposal

The application is for the erection of two buildings on the site to provide a Youth Services building facility which will offer both indoor and outdoor controlled recreation for the youth of Wilton and storage/measuring facility for the Environmental Protection and Licensing Departments of Wiltshire Council for the Wilton Area.

The proposed buildings are of modular construction (constructed off site) externally clad with aggregate finish panels with UPVC windows and metal doors under flat roofs.

The Youth Services building will house a general meeting room, small meeting room, office, toilet facilities and storage.

The Environmental Protection building will provide storage facilities together with a fuel measuring room and associated office, toilet and wash areas.

The application also includes the creation of a parking/turning area within the site for both units providing space for eight cars, accessed off the Thistledown Education Trust entrance over which the Council retains a right of way.

6. Planning Policy

The following policies are considered relevant to this proposal

Adopted Salisbury District Local Plan (saved policies)

| | |
|-----|-----------------------------------|
| G1 | Sustainable Development |
| G2 | General Principles of development |
| C12 | Protected species |
| R5 | Infrastructure and facilities |

7. Consultations

Town council

Object:

Youth facilities provision is acceptable, but the Public Protection Services building is not and is not conducive to educational purposes as the Church Trustees originally intended. Increased traffic to this secondary facility is an additional issue in a residential area.

Highways

No objections subject to condition requiring parking to be provided prior to the first use of the buildings.

Environmental Health

No observations

Wiltshire Fire & Rescue Service

Comments in relation to fire safety measures which can be added as an informative.

Wessex Water

Comments in relation to connections onto Wessex Water infrastructure which can be added as an informative.

Strategic Landscape

Agree with the findings of the ecological survey that the development will not directly impact upon any protected species. Suggested conditions with regard to removing vegetation and protection of trees and hedgerows to ensure that there is no impact on the ecology of the site as a result of carrying out the proposed works.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification Expiry date 6th January 2011

3 letters of support/objection have been received. Summary of key points raised:

- There is a need for a youth centre in Wilton
- Youth centre would be more appropriate nearer the centre of the town
- Concerns opening 5 or more times a week will be unfair to local residents
- Unnecessary noise
- Development will lead to traffic chaos & hazard – road is narrow and one-way in many places causing many problems with traffic volumes (including cyclists) and pedestrians walking in the road.
- One young person has been killed in the road already.
- Development may lead to vandalism off-site. Would require a permanent police presence when the centre is operating.
- Suggest use of existing building where several former classrooms could be used as a community centre for all ages.
- Council has done all it can to ensure youth centre does not interfere with everyday lives of existing residents
- Query over use of entrance by new school.

9. Planning Considerations**9.1 Principle**

The site is allocated in the Salisbury District Local Plan as R5 land (Protection of Outdoor Facilities). Policy R5 of the local plan specifically relates to the protection of Existing Outdoor Facilities and aims to protect these spaces from development, unless the sport or recreational facilities can be retained and enhanced through the development proposal; or alternative

equivalent provision is available in the locality or there is an excess of recreation space in the area.

The Design and Access Statement explains that the former Wilton Middle School became redundant due to the Wiltshire review of education in the area. The school has since been sold to be retained as a private school. Wiltshire Council has retained ownership of this application site which was originally fenced off from the former school campus and is on a fairly steep gradient of the school site and was not used for sport or recreational purposes when Wilton Middle School was in operation. The site originally included a prefabricated building (now demolished) set along the east boundary of the site that the planning history and historic maps indicates was previously in use as a youth centre, and was of a similar size to that now proposed.

The Design and Access Statement explains that the proposed use for a Youth Services building will offer indoor and outdoor controlled recreation which differs from the school but offers an enhanced extension to the present activities. The accompanying documentation also includes a list of alternative sites considered for the proposed youth centre facility in Wilton

It is considered that in principle, the addition of a youth centre on the site will be in accordance with policy R5 of the local plan.

The Environmental Protection building will not provide a sport or recreational facility, although the scale of this element of the proposal is not considered to result in a policy objection to the scheme.

9.2 Highways

Policy G2 of the local plan requires development proposals to provide a satisfactory means of access and turning space within the site, an appropriate level of parking and to also avoid placing an undue burden on the existing local road network.

Works are being carried out separately to this application by the new owners of the former Middle School Site, who have purchased the school from Wiltshire Council. The Council has advised that these works don't require planning permission, although the works are being monitored by the Area Highways Engineers and the Rights of Way officer is happy with the revisions to the entrance to the footpath running along the south boundary. Wiltshire Council maintains a right of way over this access to the proposed development.

An amended plan has been received altering the parking layout to ensure there is adequate space on the site for vehicles to easily manoeuvre and leave the site in a forward gear.

Objections have been received with regard to increased traffic along The Hollows as a result of the development and possible conflict with pedestrians/cyclists where the road is very narrow/one-way in some places. Wiltshire Council Highways have raised no objections to the scheme.

9.3 Amenity

Policy G2 also requires development proposals to avoid unduly disturbing, interfering or conflicting with adjoining dwellings to the detriment of existing occupiers.

The site is in an elevated position with the dwellings and gardens to the east of the site. The proposed buildings are approximately 35 metres from houses in The Hollows and the Youth Centre building will have no windows on the east elevation.

Trees and hedging to the east boundary will be retained.

Third party objections have been received relating to anti-social behaviour as a result of the proposed development. The application documentation includes the following paragraph: 'The Youth Service gave an undertaking that the building will be supervised when open. Wiltshire Constabulary supports this site.'

Question 20 on the application form asks the hours of opening and the applicants have requested opening times of between 18:30 to 21:30 for the youth centre Monday to Friday with occasional weekend use, and between 07:00 and 18:00 for the public protection building.

Environmental health officers have no objections to the scheme, and subject to conditioning hours of use, it is not considered that the proposed scheme will significantly impact on adjacent residential amenity.

In addition to planning condition, Section 79 of The Environmental Protection Act 1900 (legislation that operates outside of the planning system) identifies noise as a statutory nuisance. If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier, or owner of the premises requiring that the Nuisance be abated. Failure to comply with an Abatement Notice is an offence and legal proceedings may result.

9.4 Ecology

The application is accompanied by a Habitat Survey and an Arboricultural Implications Assessment Tree Constraints and Protection Plan.

The habitat survey did not identify any habitats of particular ecological interest or conservation concern, although the survey did suggest the possibility of ground nesting birds using the denser areas of tall grass during the spring and summer months and that parts of the site appear suitable for low level use by reptiles. The Council's ecologist has advised that it is an offence to disturb any nesting birds/or to destroy current nests and that it is an offence to kill or injure any reptile species and recommends a vegetation removal strategy as a condition.

It is proposed to retain the existing hedges (containing small standard trees). The Council's ecologist has advised that in order to maintain the integrity of the hedges and trees as wildlife corridors and food resources, it will be necessary to provide a root protection zone along each hedge and around all trees in line with BS5837:2005 Trees in relation to construction. The application documentation includes a Tree Protection Plan which can be conditioned as part of an approval to ensure that these hedges/trees are retained for both ecological and screening reasons.

9.5 Other issues

Concerns have been raised over the use of the proposed building for Public Protection. The Design and Access statement advises that 'the main purpose of the environmental protection building is to provide storage facilities for general, pest control, secure and frozen goods together with a fuel measuring room and associated office, toilet and wash areas.'

The applicant has confirmed that the building will be used by the Public Protection Team for the secure storage of their testing equipment, pest control material and seized goods, that the proposed building is intrinsically safe and will not be used for the storage of petrol. The building will not be open to the public and a maximum of two vehicles per day will be on site.

It has been suggested that the building would be better located at the existing highways depot in Wilton. The applicant has confirmed that due to the review/disposal of highways depots it was not considered appropriate to site the proposed facility in existing premises and no other buildings in the Council's ownership were identified as being suitable for this facility. The applicant has also confirmed that there have been economies of scale by providing this small building alongside the much larger proposed youth centre as the buildings are of similar construction, with siteworks, services and craneage costs being shared.

In response to the Town Council concerns over the use of the land, the applicant has confirmed that there were no restrictions placed on the Council by the Diocese on the sale/purchase of the land (save for right of pre-emption in favour of the Thistledown Educational Trust in the event the Council gives notification of intended disposal), and there are no restrictions placed on the Council by the Thistledown Educational Trust on the use of the land.

10. Conclusion

It is considered that in principle, the addition of a youth centre on the site will be in accordance with policy R5 of the local plan, and whilst the Environmental Protection building will not provide a sport or recreational facility, the scale of this element of the proposal is not considered to result in a policy objection to the scheme.

It is considered that subject to conditions, the proposals would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the living conditions of nearby properties, highway safety or ecology.

Recommendation

It is recommended that planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that subject to conditions, the proposals would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the living conditions of nearby properties, highway safety or ecology.

The proposal is considered to be in accordance with the aims and objectives of the following saved policies in the Salisbury District Local Plan:

- G1 Sustainable Development
- G2 General Principles of development
- C12 Protected species
- R5 Infrastructure and facilities

And 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 part of the development hereby permitted shall be first brought into use until the 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.

Policy: G2 (General)

(3) The development shall be completed in accordance with the vegetation removal strategy, unless otherwise agreed in writing by the Local Planning Authority:

Removal of any shrubs (including bramble) or other woody vegetation or long grass must not take place between March and July inclusive, unless the area has first been assessed by a competent ecologist and they are satisfied that no nesting birds are present, or nest in the process of being building.

Immediately prior to the commencement of construction works, all vegetation on the footprint of the proposed buildings and working area shall be strimmed in two stages, spread over 3 or 4 days. The first will be to 10cm and the second to ground level, with a gap of 2 days between the cuts to allow reptiles and small mammals to move away.

If any reptiles are found during preparatory site clearance, they should be removed by a competent ecologist to the edge of the site beyond the construction area.

If any unexpected species are found on site, the works should cease and the County Ecologist should be contacted for advice on how to proceed.

Reason: There is a risk that reptiles and ground nesting birds may be using the rougher areas of grass and scrub. The vegetation removal strategy should ensure that there is no impact on the ecology of the site as a result of carrying out the proposed works.

Policy: G1 (Sustainable development), G2 (General), C12 (Protected species)

(4) The development shall be completed in accordance with the Tree Protection Plan reference 101103-WMS-TPP-AM and Tree Protection section 4 of the 'Arboricultural Implications Assessment Tree Constraints and Protection Plan'.

The approved Tree Protection Fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: In order to maintain the integrity of the hedges and trees as wildlife corridors and food resources and a screen to the site boundary in the interests of visual amenity.

Policy: G1 (Sustainable development), G2 (General)

(5) The use of the Environmental Protection Building shall not take place except between the hours of 07:00 and 19:00 Monday to Friday. The use of the Youth Services Building and External Activity Area shall not take place except between the hours of 18:30 to 21:30 Monday to Friday, between the hours of 18:30 to 21:30 on Saturdays (up to five times a year) and not at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the occupants of the nearby residential properties.

Policy: G1 & G2 (General Development Criteria)

(6) This development shall be in accordance with the following drawings:

- 1:1250 Location Plan
- 1:2500 Location Plan
- 1017-02 Rev A Site Block Plan
- 1017-05 Rev A Floor Plan
- 1017-06 Rev A Elevations
- 1017-07 Rev A Floor Plan
- 1017-08 Rev A Elevations
- 101103-WMS-TPP-AM Tree Protection Plan

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

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| Appendices: | None |
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| Background Documents Used in the Preparation of this Report: | 1:1250 Location Plan 1:2500 Location Plan 1017-02 Rev A Site Block Plan 1017-05 Rev A Floor Plan 1017-06 Rev A Elevations 1017-07 Rev A Floor Plan 1017-08 Rev A Elevations 101103-WMS-TPP-AM Tree Protection Plan Arboricultural Implications Assessment Tree Constraints and Protection Plan Extended Phase 1 Habitat Survey Design & Access Statement List of sites considered Pre-application letter from Wilton Town Council |
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 Do not scale from this drawing, work to figured dimensions.
 Any discrepancies should be reported immediately.
 This drawing is to be used in conjunction with all other
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Project:
**WILTON DEVELOPMENTS
 THE HOLLOWES
 WILTON
 WILTSHIRE
 SP2 QUD**

Drawing Title:
LOCATION PLAN

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| Drawn by: HBR | Date: 12.08.10 |
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