

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	1 <sup>st</sup> June 2022
<b>Application Number</b>	PL/2022/01972
<b>Site Address</b>	18 College Street, Salisbury, SP1 3AL
<b>Proposal</b>	Change of use with external alterations and extensions to convert a Class E use to form 6 apartments
<b>Applicant</b>	Mr J Ludlow
<b>Town/Parish Council</b>	SALISBURY
<b>Electoral Division</b>	Salisbury St Edmunds – Cllr Paul Sample
<b>Grid Ref</b>	51.073473, -1.789466
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Georgina Wright

**Reason for the application being considered by Committee**

This application is brought to committee at the request of Councillor Sample, for the following reasons:

- Scale of Development;
- Environmental or highway impact;
- Car Parking;
- Other - This site is among gardens and is extremely tight footprint. As the local County Councillor for the St Edmunds Ward, I have received many adverse comments about this application. Residents say they are concerned about the over development of the property (room for one dwelling, but not 6) and the lack of amenity space. I note that Salisbury City Council has also objected to this application. I believe the matter should be decided locally, by the appropriate Southern Area Planning Committee.

**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 main issues which are considered to be material in the determination of this application are listed below:

- Principle & Site History
- Heritage, Character & Design
- Neighbouring Amenities
- Highway Safety
- Ecology
- Drainage
- CIL/S106

The application has generated an objection from Salisbury City Council; and 12 letters of objection from third parties.

### 3. Site Description

The 0.1 hectare site is situated within the defined settlement boundary of Salisbury, which is designated as a Principle Settlement by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP20 (Salisbury Community Area). It is surrounded on all sides by other residential properties and their associated amenity provision. Access to the site is gained via a narrow access driveway leading between two houses (16 & 20) from College Street in the south eastern corner. The site is situated in Flood Zone 1 but is within the catchment area for the River Avon Special Area for Conservation (SAC). It is also within the Salisbury Skyline Area (as defined by WCS policy CP22 (Salisbury Skyline) and saved Salisbury District Local Plan policies H7 and E3). In addition, the site is located just to the north of the Salisbury City Conservation Area, which includes in the vicinity, the Salisbury Arts Centre and Bourne Hill House (both Grade both II\* listed buildings); a Scheduled Ancient Monument (city ramparts); and the grounds of Bourne Hill (a Grade II Registered Park and Garden).

The site currently consists of a redundant, part 1 and part 2 storey office block that is situated on a thin slither of land in the centre of this residential area. It does not have a street frontage and is completely surrounded by residential gardens which back onto the site on all sides. The boundaries are defined by a mix of garden walls and fences. The existing building is of brick construction with a mono pitch, corrugated fibre cement roof. It is a linear building that is situated centrally within the thin plot; immediately adjacent to the northern boundary; and off set from the southwestern boundary by a narrow pathway. The rear part of the site (to the north western side of the building) is entirely overgrown. The front of the site (to the south eastern side of the building) is laid to hardstanding and did until recently provide 6 parking spaces for the building/office use. The building was formerly used as an office for the Citizens Advice Bureau (use class E). This user vacated the building in 2016 and moved elsewhere in the City. The building has remained vacant ever since but was actively marketed for other office uses.

As will be discussed in more detail below, in early 2021, the then owners of the site (Salisbury City Council) gained outline permission to demolish the existing office building and redevelop the site with a new single storey dwelling (considered under ref: 20/04337/OUT). It is understood that the site was then marketed with permission for residential purposes. Later in 2021, the current owner applied for prior approval for the change of use of the existing, redundant office building to create 6 flats (2x2 bed and 4x1 bed studio flats) within the footprint and massing of the existing office building. This was granted prior approval late last year (considered under ref: PL/2021/10064). The applicant is currently clearing out the building and setting up for construction but it is believed that no development has commenced on site. Both of these historic consents remain extant and the applicant can decide to implement either.

4. **Planning History**

PL/2021/10064	Notification for Prior Approval under Class MA for a Proposed Change of Use of Class E Space to Form 6 Apartments (Use Class C3)	Prior Approval Not Required – 02.02.2022
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**PLAN 1 – Approved Plans for PL/2021/10064**

20/04337/OUT	Demolition of the existing building. Construction of a new dwelling.	Permission – 29.01.2021
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S/1981/1284	Use of building for light industrial or warehousing purposes – Town & Country Planning (Use Classes) Order 1972, Classes III and X. Regulation 5 of the Town and Country Planning General Regulations 1976).	Refused – 28/04/1982
G904	Change of use form light industrial to office.	Permission – 20/12/1973
B349	Change of use form light industrial to general industrial to include use as joinery workshops and yard.	Refused – 31/07/1967
A552	Change of use from light industrial to wholesale warehouse, showroom and offices.	Refused – 31/05/1966

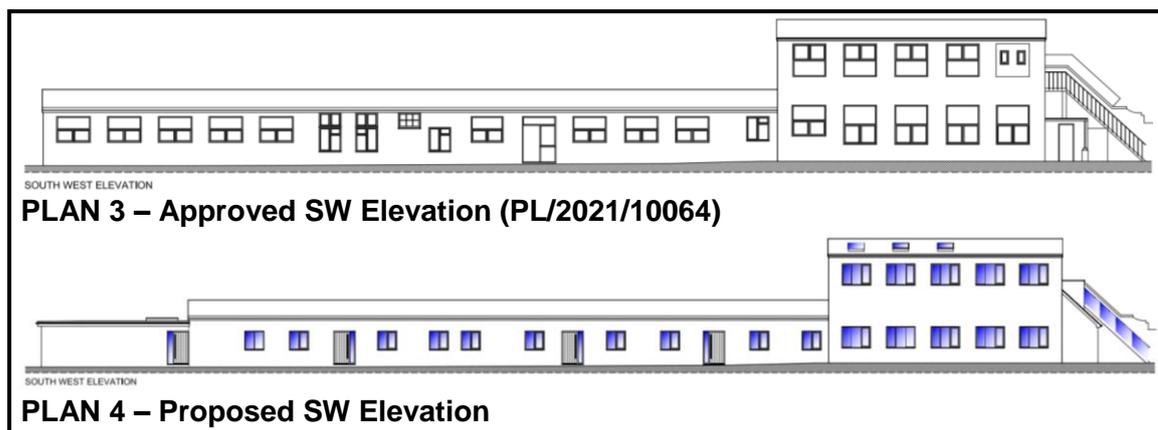
## 5. The Proposal

This is a full application, that is nearly identical to the recent prior notification approval scheme (considered under ref: PL/2021/10064). It again involves the change of use of the existing building and the creation of 6 flats (with a proposed tenure of 2x2 bed and 4x1 bed flats). The 2 bed units are again to be provided in the existing 2 storey element of the building; and the 4x1 bed units are to be provided in the single storey element, although the latter are now to be provided as 1 bedroom flats rather than 1 bed studio flats. As per the previous scheme, the current proposals also identify 2 onsite parking spaces which are to be allocated (1 each) for the 2 bed units; with the 1 bed units being put forward as a 'sustainable, car free' development.

However the reason that this application has been submitted, is that the previous prior notification route did not allow for any external alterations to occur as part of the proposed works. As part that permission, the 6 flats are to be entirely contained within the existing building; with the same building materials/finish; within the same footprint; and with the same fenestration. The current scheme is therefore submitted as a planning application to agree some external alterations and changes to the approved scheme in order to 'improve' the accommodation that will be created on this site, both for the subsequent occupiers and the existing residents; and to make a better use of the existing building.

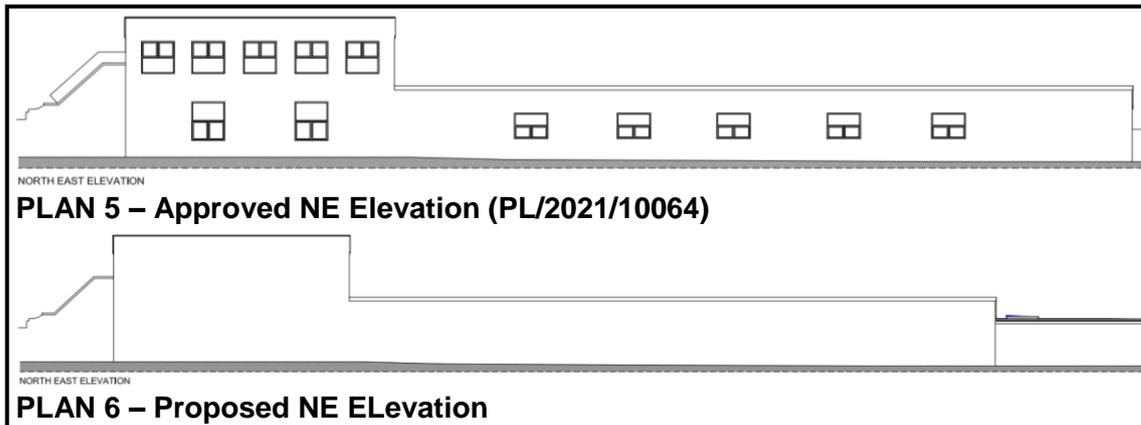
In detail the external changes that are now proposed are as follows:

- The erection of a single storey extension on the front of the building (south eastern elevation), measuring approximately 4.2 x 2.2 metres in footprint. This will create a porch/entrance and storage area to serve flat 5.
- The erection of a single storey, flat roof extension on the back (north western elevation), measuring approximately 9.1 x 4.9 metres in footprint. This will allow the internal layout of the allowed 4x1 bed flats to be reconfigured to create slightly larger, individual 1 bedroom (rather than studio) flats of between 55 and 58 square metres in size.
- Instead of a shared entranceway and internal corridor access to serve the 4x1 bed flats, each flat in the single storey part of the building is now to be served by its own, external, front door (with new doorways being proposed on the south western elevation of the building).



- Changes are proposed to all windows on the southwestern elevation so that there is a comprehensive appearance across the elevation. Predominantly this involves smaller openings and less windows
- Three new rooflights are proposed on the south western roof line to serve flat 6 (at first floor)

- It is also proposed to fill in all of the windows that are currently positioned immediately on the site boundary in the north eastern elevation to remove any mutual overlooking between the site and neighbouring properties in this direction
- It is then proposed to replace the roof with a EPDM membrane and to render the walls to create a cohesive appearance across the whole development
- The western half of the plot is to be divided up into a private garden to serve flat 1; and a communal garden to serve flats 2-6.
- A total of 6 cycle parking spaces are to be provided to serve the 6 flats.



Otherwise the access and parking arrangements remain unaltered.

The application is accompanied by a Design & Access Statement. During the course of the application, clarification of the drainage strategy; and the garden provision has been provided.

## 6. Local Planning Policy

*National Planning Policy Framework (NPPF)*  
*National Planning Practice Guidance (NPPG)*  
*National Design Guide (January 2021) (NDG)*

*Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy) (SDLP):*

R2 – Public Open space Provision  
H7 – Housing  
H8 – Housing  
E3 – Employment

*Wiltshire Core Strategy (January 2015) (WCS):*

CP1 (Settlement Strategy)  
CP2 (Delivery Strategy)  
CP3 (Infrastructure Requirements)  
CP20 (Salisbury Community Area)  
CP22 (Salisbury Skyline)  
CP35 (Existing Employment Sites)  
CP43 (Providing Affordable Housing)  
CP45 (Meeting Wiltshire's Housing Needs)  
CP50 (Biodiversity and Geodiversity)  
CP57 (Ensuring High Quality Design & Space Shaping)  
CP58 (Ensuring the Conservation of the Historic Environment)  
CP60 (Sustainable Transport)  
CP61 (Transport & Development)  
CP62 (Development Impacts on the Transport Network)  
CP64 (Demand Management)

CP67 (Flood Risk)  
CP68 (Water Resources)  
CP69 (Protection of the River Avon SAC)  
Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

*Supplementary Planning Documents:*

Creating Places Design Guide SPG (April 2006)  
Achieving Sustainable Development SPG (April 2005)  
Affordable Housing SPG (Adopted September 2004)  
Wiltshire Local Transport Plan – Car Parking Strategy

## **7. Summary of consultation responses**

### **7.1 Salisbury City Council – Objection**

- Overdevelopment
- Lack of amenity space

### **7.2 Highways – No Objection subject to conditions**

- With reference to the above planning application, I note that in terms of parking allocation, layout and access, the plans are as per the previous submission ref: 21/10064/PNCOU.
- Given that permission was granted on the basis of this parking allocation, layout and access, I do not have any further highway comments to make.
- I wish to adhere to my previous highway observations
- It is my view that 6 apartments appears to be an overdevelopment given the need for servicing, deliveries, bin collection etc.
- That said, it is acknowledged that the building has a former extant use as B1 offices.
- With a floor space of 341sqm the parking required for B1 (based on maximums within the Car Parking Strategy) is for 11 spaces.
- This was not achievable and so a shortfall already exists.
- It is understood that the site could continue as offices with no further permissions necessary, with the parking shortfall as described and with the continued use of the substandard access.
- The parking for residential would function very differently from the offices as each residential parking space must be accessible independently.
- It would therefore not be possible to provide 6 parking spaces and allow for turning within the site.
- Policy PS6 (in the Car Parking Strategy) applies in this instance as the criteria can be met for a reduced parking scheme, i.e. significant urban design or heritage issues, parking demand is likely to be low and where any parking overspill can be controlled.
- The on-street parking in the vicinity of the site is subject to residents parking Zone A, future residents would not be entitled to a parking permit.
- The site is within walking distance of the city centre facilities; employment, shopping, leisure, health care, education, and good public transport links.
- This is considered to be a sustainable location for residential development in transport terms and is in line with CP61 (Transport & Development)
- It is reasonable to accept the 4 small-scale bedsits with no allocated parking in this location.
- The 2x bed apartments should be provided with one parking space each.
- This is subject to adequate turning, which appears to be available internally where the access road meets the parking area.
- Cycle parking must be provided within the site curtilage.

- I have considered the Estcourt Road appeal. The main difference in that situation was that the proposal was a new-build, there was no former use and thus no existing vehicles associated with it. Therefore that proposal would introduce a new parking demand which did not already exist hence the negative highway recommendation in that case.
- Nevertheless, the Inspector did not support the view of the Highway Authority given the emphasis on development in sustainable locations.
- To summarise, in view of the existing use of the building as B1 offices and associated parking need; the sustainable location of the site; and the Estcourt Road appeal decision, I am of the view that a proposal with reduced parking for the larger 2 bed apartments and no parking for the 4 bedsits would be acceptable.

### **7.3 Conservation – No Objection**

- I see no cause for concern with regard to the character, significance and setting of any built heritage assets, including the Salisbury City CA and the registered park of Bourne Hill and its various listed structures.
- The requirements of sections 66 & 72 of the PLBCA Act 1990, the heritage section of the NPPF and CP58 are therefore satisfied.

### **7.4 Archaeology – No Objection**

- I have no archaeological concerns and no archaeological condition is therefore recommended.
- The scale of below ground impacts (and therefore potential impact on buried archaeological remains) of the 2022 scheme is considerably reduced from that of the 2020 scheme so that, in my view, it is no longer proportionate to require an archaeological investigation secured by condition

### **7.5 Public Protection – No Objection subject to conditions**

- The proposed site is surrounded by residential properties, and we would therefore recommend a condition is attached to minimise disturbance to those living in close proximity during the construction stages of the development
- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised we would recommend a condition is attached to any approval

### **7.6 Drainage – Comments**

- No drainage strategy has been submitted, therefore the LLFA cannot comment on any proposals at this stage.
- Any proposals should be designed in accordance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753).
- The surface water drainage strategy should include/demonstrate the following:
  - Existing greenfield runoff rates for the site.
  - Post development runoff rates in accordance with Wiltshire Council's betterment policy.
  - A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented.
  - A detailed topographical survey that clearly identifies the existing drainage features on the site as well as level contours to show overland flow routes.
  - If infiltration is proposed, soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible.
  - Calculations to demonstrate the attenuation requirements for the 1 in 100 year plus climate change event to support the proposed strategy.

- Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.
- Evidence that the impact upon existing drainage systems is mitigated by discharging the flow throughout the management train rather than relying upon a single point of discharge.
- SuDS source control measures to manage water quantity and maintain water quality have been implemented wherever possible and throughout the management train so the development is not reliant upon large attenuation features close to the points of discharge.
- SuDS have been selected to provide a wide range of benefits including amenity, biodiversity and maintaining water quality.
- Adequate measures during construction to control pollution to existing watercourses and groundwater.
- The strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.
- Existing flood flow routes through the site have been maintained or where they will be affected, adequate measures to intercept and safely control flows through the site have been provided to ensure flood risk is not increased elsewhere.
- If infiltration is proposed, it is implemented in manner that does not create an offsite impact, particularly if there are reports of groundwater flooding in the area.
- Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.
- All proposed drainage features are outside flood zones 2 and 3 and where they are adjacent to an ordinary watercourse, they are not located within the EA surface water flood maps. Where drainage features are located adjacent to flood zones 2 and 3, they must be above the 1 in 100 year plus climate change flood level. This information can be provided by the EA.
- Exceedance routes that minimise the risks to people and property.
- Details of how the proposed and existing drainage features on the site will be maintained and managed after completion with confirmation from the relevant authority that they will adopt any systems that are being offered for adoption.
- The applicant must submit evidence demonstrating how the surface water disposal hierarchy has been applied and how all other options have been exhausted.

## **7.7 Wessex Water – Comments**

- If your proposals require new connections to the public foul sewer and public water mains, the applicant will need to apply to Wessex Water
- Our sewer records for this area appear incomplete.
- Wessex Water require unrestricted access to public sewers for repair and maintenance activities.
- If there are new buildings or structures proposed within 3 metres of a public foul sewer you will need an agreement with Wessex Water.
- One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.
- You have indicated that surface water will be disposed of via the main sewer.
- There are currently no surface water drainage plans available to view.

- Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations.
- Government steer is for surface water drainage to no longer be combined with foul water due to the nationwide focus on reducing discharges from storm overflows from combined sewers as well as reducing the unnecessary high carbon footprint arising from pumping and treating surface water which could be returned to the environment without needing to pass through a sewage treatment works.
- This foul sewer network drains via the College Street Combined Sewer Overflow and you will be aware of the recent enactment of the Environment Bill which will plan to reduce sewage discharges from storm overflows by September 2022
- A connection to the public surface water sewer will only be considered where infiltration methods are proven unviable
- Soakaways are subject to building control approval. We are satisfied there will be no surface water connections into the foul sewer network, directly or indirectly

**7.8 Letters** - 12 letters of objection received. The following comments made:

- The change from a 1 dwelling to 6 flats represents a significant change
- Despite legitimate local concerns raised, the original and revised proposals were approved.
- This application, masquerading as a modest change, will be followed by a series of incremental changes that will seek further development of the site
- Granting permission to extend beyond the extant footprint is likely to create a precedent for future revisions that will impact the surrounding community.
- The city council will have considered all of the options for the site and decided that 1 dwelling was reasonable. This development for 6 is entirely at odds with that conclusion
- The number of proposed units should be reduced to fit the existing building footprint, rather than pursue a case to extend.
- The extensions and window changes go beyond a simple change of use. This is a replacement/new build
- The process used to date has cut out community involvement and engagement
- This building was used on a part time basis as the Citizens Advice Bureau some years ago and was open at limited times and days during the week
- Proposals do not satisfy the NPPF
- This is over development
- This is poor design
- The building is narrow, hemmed-in and lacking opportunity for potential residents to view anything other than a wall.
- properties that are made to the bare minimum requirements for habitable spaces do not equate to well designed beautiful places
- This won't be in keeping with the surrounding Victorian housing and nearby conservation area
- While I appreciate the need for affordable housing, this can surely be achieved to a higher quality than in the proposed plans
- The 6 flats will be small, with minimal natural light, and no parking for the majority of residents and visitors
- The 2 bedroom flats do not meet NDSS guidelines. The second bedroom in each of the flats is smaller than required for four person occupancy
- Removal of the windows on the northern elevation will limit natural light in all of the flats
- This disproportionate increase of multiple, individual demands will lead to an unfair burden on the neighbouring properties

- If all the windows are removed from the Park Street side of the building, then all the windows will be on the College Street side.
- The new building looks directly into my private garden, bathrooms, bedrooms, kitchens
- Residents will erect fences/plant hedges to increase privacy but this will cause loss of light for residents of the flats
- Can windows on southwest elevation be moved, or frosted.
- The SW windows will be 1 metre from our gardens
- Condition that no windows should be inserted on Park Street elevation
- Mitigation needed for loss of privacy for College Street properties
- The proposed buildings/windows would cause increased light pollution/light glare
- The existing building is slightly elevated above ground level compared to College Street
- The use of the building to create multiple units will create a much greater amount of people coming and going and the incidental noise associated with it
- Impact from noise and light pollution will be far greater than the level experienced before by the previous commercial units that were only operational during weekday office hours
- At present the property has a gated controlled entrance way which is under the control of a single entity and controlled to working hours only.
- If the entrance gate is removed there would be easy access to the rear of College Street properties with the low adjoining wall. This will severely reduce security for all properties
- Parking situation already troublesome on College Street
- This development is seeking permission for 6 new dwellings while removing four of the six car parking spaces currently available
- The occupants must not be allowed resident's parking permits
- The number of number of flats occupied day and night presents a much higher fire risk than an office building.
- The access is narrow
- There is no easy access to the plot for emergency vehicles in the event of a fire
- The application has made no arrangements for the collection of household refuse or recycling
- Where will bins be stored
- Kerb side collection for 6 households will create obstruction/problems for other residents/pedestrians
- Work has already started
- Noise, blaring radios, and lorries blocking the road is already happening.
- Roof contains asbestos
- Construction vehicles should not be permitted at any time in Park Street.
- How will works to the NE wall occur without access.
- Compensation needed for any damage caused to neighbouring property.
- We need to be notified of when works will commence and timetable for construction.
- Limit construction hours to 8am- 4pm weekdays only
- This site should be actively developed either as a managed natural social space or a wild space for the plants and animals that live there
- This space is currently home to butterflies, slow worms, hedgehogs and bats
- Natural spaces continue to disappear at an alarming rate but are important for helping us cope with the pressures of modern living and mental health.
- What is happening to the existing trees within the site boundary?
- It is noted that while undertaking such a drastic rebuild there is no provision for solar assistance or ground / air source heating.

- College Street properties are Victorian and Water Board have already advised that the existing drains are in a poor state
- from the plans it looks as though the sewage would join up with existing drains through the garden of 30 College Street and connect to the manhole drain at 32.
- The number of flats, and numerous toilets and kitchens, this will cause considerable pressure on already poor drains
- Could consideration be given to the developers putting in their own new sewer into College Street?
- The rear part of the site, to the western side of the building, is shown to be "open land". Open to whom and for what purpose?
- Who will be responsible for the maintenance of the surrounding wall, which are clearly in need of work?
- The drawing show no Boiler, Extractor fan flue or vent positions. These must not be vented through the rear wall of the building venting onto the Park Street properties or through the roof emitting smells, fumes etc
- What sound protective measures will be installed to the external wall and roof structure of the building?
- Assume the internal walls and ceilings will be built to RSDs and or sound tested?
- The plans submitted fail to indicate the buttresses of the existing wall which constrict the width from 1.29m down to 0.91m

## 8. 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.

### 8.1 Principle:

As is identified above, the site is situated within the defined settlement boundary of Salisbury, which is designated as a Principle Settlement by WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP20 (Salisbury Community Area). WCS policy CP1 (Settlement Strategy) confirms that '*Principal Settlements are strategically important centres*' and should be '*...the primary focus for development*' and that the growth of the principal settlements will therefore be supported. WCS policy CP2 (Delivery Strategy) continues that '*Within the limits of development...there is a presumption in favour of sustainable development at the Principal Settlements*'. WCS policy CP20 (Salisbury Community Area) further confirms that '*Over the plan period (2006 to 2026)...approximately 6,060 new homes will be provided within the Community Area, which should occur either within Salisbury or the town of Wilton*'. The principle of the site's redevelopment for housing is therefore accepted within this context.

However the last lawful use of the site was as an office (formerly use class: A2, now E). WCS policy CP35 (Existing Employment Sites) seeks to resist the loss of employment sites and confirms that '*Within the Principal Settlements...proposals for the redevelopment of land or buildings currently or last used for activities falling within use classes B1, B2, B8...must demonstrate that...The proposed development will generate the same number, or more permanent jobs than could be expected from the existing, or any potential employment use...it is replaced with employment land of similar size elsewhere at that settlement...The site is not appropriate for the continuation of its present or any employment use due to a significant detriment to the environment or amenity of the area...There is valid evidence that the site has no long term and strategic requirement to remain in employment use; the ability of the site to meet modern business needs must be considered...It must be shown that the site is*

*no longer viable for its present or any other employment use and that, in addition, it has remained unsold or un-let for a substantial period of time (at least 6 months), following genuine and sustained attempts to sell or let it on reasonable terms for employment use, taking into account prevailing market conditions’.*

During the consideration of the original application for a single dwelling on this site, details were submitted setting out the marketing that has taken place for the site to date. Before 2020, the site/building had been marketed over a period of 15 months from February 2018. It was marketed robustly during this time; on flexible lease terms; and in a number of publications. The only real interest that has been received during that time was from local/surrounding residents and small businesses who operate in the area who predominantly wanted to secure a means of emergency rear access to their properties across the site rather than use it for a viable new use. The previous user, Citizen’s Advice Bureau, had also relocated elsewhere in Salisbury meaning that the loss of this business had not resulted in a loss of employment for this community area per se. All in all it was therefore previously accepted that the site is not suitable for alternative E or other employment generating uses; and that there is no longer any demand for it as an employment site. The principle of the site’s redevelopment for residential purposes was therefore accepted and found to comply with WCS policy CP35 (Existing Employment Sites).

The principle of the site’s development for residential purposes has therefore been established previously. Extant permissions also exist on the site for this purpose which cannot be revoked and remain a fall back position, regardless of the outcome of this application. This principle acceptability is however subject to the detail, in terms of the current scheme’s implications for the character of the area; heritage assets; highway safety; neighbouring amenities; ecology; and drainage. These matters will therefore be addressed in more detail below.

## **8.2 Site History/Fall Back Position:**

As has been set out above, outline planning permission was granted in 2020 (under ref: 20/04337/OUT) for the redevelopment of this constrained site with a single dwelling. This established the principle of the loss of employment land as well as the site’s redevelopment for residential purposes.

Subsequent to this permission, the land was sold and the current owner applied for prior approval for the conversion of the existing building into 6, self contained residential flats (considered under ref: PL/2021/10064). It is important to note that this previous application was not a planning application. In 2013, the Government brought in legislation to allow developers to convert existing offices such as the one into flats without the need to obtain planning permission, effectively making this type of change of use permitted development. This process and provision was further expanded in August 2020 with the introduction of the Class MA. Developers and builders can now therefore undertake such changes of use lawfully and the Council has no powers to intervene or have any significant say over the resultant development. This legislation was brought in because nationally there is a surplus of office stock and a shortage of housing. The need to gain planning permission was considered to be one of the barriers preventing such redundant offices coming forward for much needed housing and therefore the requirement to gain planning permission was removed by the Government, making it easier for sites like this to be developed for residential uses.

The only caveat to the removal of the need for planning permission on office sites such as these, is that an application has to be first made to the Council for something called prior approval. The prior approval process means that the local planning authority has to consider a series of nine matters that may affect the site. These

include transport impacts; contamination; flooding; noise from existing commercial premises on the intended occupiers; heritage; the provision of adequate natural light in all habitable rooms; the compatibility of a residential use in an industrial/employment area; loss of services such as nursery or health care provision; and fire risk. If the proposals comply with those nine issues then Prior Approval must be granted. Crucially here, the impact on *existing neighbours* from things such as overlooking, overshadowing, general neighbourliness and design are all things that unlike a planning application are not considered as part of the prior approval process.

In this instance the subsequent prior notification application at this site, involving the conversion of the existing redundant office building into 6 flats, was found to meet the 9 criteria and thus prior approval was granted earlier this year. This approval remains extant and can still be implemented without any further permissions being sought. It therefore constitutes a legitimate fall back for the consideration of this current application, despite the current application now being a planning application and subject to the full/normal planning considerations.

As has been set out above, the prior approval process does not allow for any external alterations to the building to be considered as part of that process. Therefore the extant consent involves the conversion of the building in its current form; with its existing materials/finishes; and its existing fenestration. Regardless of the outcome of this current planning application, the site can therefore be developed with 6 flats; using the existing access; served by 2 on site parking spaces. The consideration of the current application therefore has to be undertaken in that context and in terms of whether the proposals now before us are significantly different or worse than the previously allowed scheme that could be built on this site anyway.

### **8.3 Heritage, Character & Design:**

The site is located just to the north of the Salisbury City Conservation Area, which includes in the vicinity the Salisbury Arts Centre and Bourne Hill House (both Grade both II\* listed buildings), a Scheduled Ancient Monument (city ramparts) and the grounds of Bourne Hill, a (Grade II) Registered Park and Garden. However none of the buildings/structures on the site or immediately backing onto the site are listed. Furthermore, as the site is outside of any of the heritage designations identified, and is tucked away out of sight from any of the surrounding roads, the Council's Conservation Officer has confirmed that the proposals will not result in any harm to any above ground heritage assets and has raised no objection accordingly.

Previously, the Council's Archaeologist however confirmed that the site is of archaeological interest as it lies close to the medieval defences of the planned medieval city of Salisbury. The nearest section of these defences is a scheduled ancient monument (city ramparts). The site therefore has the potential to contain heritage assets with an archaeological interest and a condition was therefore imposed on the single dwelling scheme to secure some archaeological work as part of the redevelopment of the site. However as the current proposals now essentially involve a conversion rather than a new complete redevelopment/new build, the Council's Archaeologist has confirmed that such a condition is no longer necessary.

In more general terms, the site is unusual in that it is tucked away and is entirely surrounded by the back gardens of properties fronting onto Park Street & College Street. It is a long and linear site and is currently developed with a part 1, part 2 storey linear building which is very discreet in the respective street scenes. Access to the site is via a narrow driveway between residential properties from College Street and it is very much an anomaly in this street scene. It is not considered that its conversion for

alternative uses/residential purposes would be particularly discernible from the public domain. Where it may be apparent, i.e. at the site access, such a domestication of the site access would be entirely in keeping with its location in a predominantly residential area. It is not therefore considered that such a proposal would result in any significant implications for the character of the area and would constitute a good use of land/a brown field site that will otherwise be left to fall into further disrepair.

However much local concern has been raised that the conversion of the existing building does not represent good design or good quality. It is also suggested that its conversion into 6 separate residential units constitutes over development and goes well beyond what was considered to be reasonable as part of the consideration of the single dwelling scheme. However the fact remains that the building already exists. Its massing, design and appearance has existed on this site for many years. Furthermore, the fallback scheme, mentioned above, and indeed the Government policy already accepts the principle of the reuse and retention of this building for residential purposes; and also accepts the use of the site for 6 residential units. Comparative to this extant scheme, it is not therefore considered that the proposals now before us will represent a significantly different or unacceptable form of development/over development.

It is acknowledged that the current proposals involve a number of external alterations to the building, including a front and rear extension; a change in the finished materials; and changes to the fenestration. However, these changes, whilst not necessary to make the site developable for 6 houses (as defined by the fallback scheme), are considered to represent a considerable improvement to the extant scheme.

The proposed extensions are not insubstantial in size. The rear single storey flat roof addition will provide an additional 44.6 square metres of floor space on this site. However its flat roof design and modest height (at 2.9 metres) will mean that it will be lower than the existing single storey part of the existing building. In addition, this addition will enable the internal layout of the previously allowed 1 bed studio flats to be reconfigured. All 1 bed units are now provided as 1 bedroom flats rather than studio flats; they are larger in size, increasing from the minimum space standard requirements of 37-38 square metres to a more generous 55-58 square metres; and will now all benefit from their own front door rather than a shared access and shared internal corridor. It has been suggested that the 2 bed units do not meet the national space standards. However this was assessed as part of consideration of the fall back scheme and the requirement for 2 bed, 4 person flats is 70 square metres. The 2 bed flats now proposed are to be 73 and 74 square metres in size and so do meet this size standard. The rear addition, and thus increased/reconfigured internal layout, is considered to result in a far better form of development than the extant permission and yet, as will be discussed in more detail below, this element result in limited implications for the surrounding residential amenities (as it is to back onto an existing dance studio building; or be contained by existing boundary walls); or the wider public domain.

In addition, the existing building is fairly tired and is a mismatch of different materials and windows sizes, types and positions. There is nothing of architectural value about the existing building. The proposed rationalisation of the windows (not only removing all of the window on the north eastern elevation but also removing some and creating more of a rhythm of fenestration on the southwestern elevation); and the rendering of the whole building so it will have one finish is considered to represent a significant improvement to the overall appearance of the existing building.

However the plans identify that the roof will be replaced with an EDPM membrane. This is not considered to be an appropriate material for anything other than a flat roof development. A condition has therefore been added to the recommendation insisting on a slate or tile finish for at least the mono pitch roofs on this building.

### **8.3 Neighbouring Amenities:**

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that new development should be designed to ensure that the impact on the amenities of existing occupants/neighbours is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF further confirms that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

As is identified above, the site is unusual in that it is entirely surrounded by other residential properties and their back/private gardens. Given its backland position, any windows or development on this site has a very high potential to cause impact in terms of loss of light and overlooking for the surrounding residents. As would be expected from such a tight arrangement with neighbouring properties, lots of local objection has therefore been received. Local concern has been raised about the principle of 6 flats; and the proposed windows/doors serving these flats creating opportunities for overlooking, loss of privacy and light pollution.

However, it must be remembered that this is an existing building and the existing arrangement between the site and neighbouring properties already exists. The existing building is already served by a plethora of large windows on its main north eastern and south western elevations; at both ground and first floor. The windows on the north eastern elevation are positioned immediately on the shared boundary looking directly into neighbouring gardens; whilst the windows on the southwestern elevation are offset only by a narrow pathway of little more than 1 metre. Whilst the current building is vacant, and has been for some time, it could be reinstated as a working office without any permissions being required and thus noise, disturbance, light pollution and overlooking could/would already occur from any such office use.

In addition the fall back scheme is for the use of this building as 6 flats within the existing building with its existing fenestration. Neighbouring amenity was not a consideration that could be taken into account as part of the previous scheme and thus the existing windows would be used for such a purpose if that scheme were implemented. The current scheme however seeks to rationalise the existing fenestration. All of the windows on the north eastern elevation are to be removed from the building so that the neighbours backing onto the site from Park Street will face onto a blank wall rather than any windows immediately on the shared boundary. Whilst this will not represent the most attractive outlook for these residents, it is considered to completely mitigate any potential for overlooking and removed the existing unneighbourly arrangement of large windows immediately positioned on the shared boundary. Future window changes can also be conditioned to ensure this situation can be controlled in perpetuity.

On the southwestern elevation, whilst windows are still proposed on this elevation, the current scheme proposes a reduction in number from 25 to 20 windows (plus 4 entrance doors; and 3 roof lights). In addition, all of the windows on this elevation are shown to be significantly reduced in size. Whilst this does not entirely address the existing unneighbourly arrangement for the residents backing onto the site from

College Street; it is considered that this change will represent a significant improvement to the current/potential arrangement and will thus reduce the level of impact that was/could be caused by an office use of the building; and which would be caused by the implementation of the extant fall back scheme.

It has been suggested that the neighbouring residents backing onto the site from College Street would be within their rights to erect a taller shared boundary fence which would limit the amount of light that could be enjoyed by future occupants of the new flats, especially at ground floor. However the existing building is not immediately on the shared boundary and is set back by a narrow pathway. The most that could be erected without planning permission is 2 metres in height and it is thus considered that whilst this could reduce the amount of light received by the ground floor rooms, the rooms would still benefit from sufficient natural light at most parts of the day.

The single storey and modest height nature of the proposed extensions; as well as their set in from all site boundaries, also mean that these new elements are unlikely to result in any significant implications in terms of loss of light or dominance for neighbouring amenities either. Despite its size, the rear element is also predominantly to back onto a dance studio rather than a residential property.

Much local concern has also been raised about the construction works in terms of timescales and noise/disturbance given the site's position in such close proximity to neighbouring properties. Planning law however accepts that there will be a level of disturbance resulting from all and any new development but that this is of a temporary nature and so construction disruption cannot be used as a reason for refusal of a scheme. However the Local Planning Authority can control some aspects of the construction phase by imposing construction limiting conditions on the decision. When the development will commence (other than by the imposition of a 3 year commencement condition); or how long the development will take to finish cannot be controlled by the Local Planning Authority. However conditions can be imposed limiting the hours of construction to more sociable hours. The Council's Public Protection Team and Highway Authority have also suggested conditions requiring a fully worked up construction management plan to be submitted which will be agreed and adhered to during the construction phase. Conditions have been imposed on the recommendation accordingly and these should therefore address the majority of the concerns raised by local residents about this aspect of the proposals.

Other concerns raised about safety; asbestos; damage that may be caused during construction; and maintenance of shared boundary walls, are not planning matters. They are however covered by other legislation, such as the Health & Safety Executive; Environmental Health Legislation; and civil law/obligations between private landowners.

#### **8.4 Highway Safety:**

Much local concern has also been raised about the access/parking provision identified for this site. As is identified above, the site is situated within the middle of an existing residential area and is completely defined by neighbouring rear garden boundaries and thus benefits from limited street frontage. The access to the site is served via a long, narrow driveway that is accessed between 16 and 20 College Street to the south. The existing access is narrow and has poor visibility. The Highway Authority has historically therefore resisted any intensification of the use of this access.

The current scheme proposes the change of use of the existing office building into 6 self contained flats. Four of the flats will be provided in the form of 1 bedroom units and the remaining two flats will be provided in the form of 2 bedroom flats. In line with

the Council's adopted parking standards, this therefore provides a *maximum* requirement for 8 onsite parking spaces.

Highway safety and access was however a matter that could and was considered as part of the previous prior approval assessment. The previous fall back scheme originally proposed 6 onsite parking spaces to serve the 6 units, which were to be provided on the existing area of hardstanding on the eastern part of the site. It was suggested that this area previously provided 6 parking spaces for the previous office use and thus the proposed use of this parking area and continued use of the access to serve 6 properties would therefore be little different to how it would have been used when the building was in operation as offices. However whilst this parking arrangement may have worked for the former office use, under one ownership with full control over the parking; the parking layout originally shown would not work in reality for 6 apartments where each space needs to be accessed independently of the others. There was insufficient depth to park 6 vehicles; limited space was afforded to turn and manoeuvre on site; and it was considered highly likely that such an arrangement would result in vehicles having to be reversed out of the site onto College Street, creating issues for pedestrians and other users of the highway. The Highway Authority therefore originally raised an objection to the previous prior approval scheme

However amended plans were received during the previous application which only proposed 2 onsite parking spaces. It was confirmed that each of the 2 bedroom flats would benefit from 1 space each; while the four studio apartments would essentially be car free development. This was put forward due to the sustainable nature of the location of the site in close proximity to Salisbury City Centre, as confirmed by the Planning Inspectorate for a recent appeal decision in nearby Estcourt Road (PINS Ref: APP/Y3940/W/20/3251257; Local Planning Authority Ref: 20/01314/FUL). The Highway Authority therefore accepted the reduced parking provision having regard to the previous use/under provision of parking at the site historically; and the nearby appeal decision

The current scheme involves the same number/tenure of units; and the same level of onsite parking provision as the fall back scheme. A total of 6 cycle parking spaces are also to be provided. The Highway Authority maintains their previous position in this respect and has confirmed the on-street parking in the vicinity of the site is already subject to residents parking restrictions (Zone A). There is already high demand for this parking provision from the surrounding residents, many of whom do not benefit from any off street parking provision. Any future residents from this scheme would not be entitled to a parking permit and would not thus have access to any offsite parking provision. The site is however within walking distance of the city centre facilities; employment; shopping; leisure; health care; education; and good public transport links. This site is therefore considered to be in a sustainable location in transport terms. Given the size and nature of the 4x1 bed flats, the future occupiers are unlikely to be families. Therefore, given the sustainable location, the proposed car free arrangement for these four flats, with no allocated parking provision, is accepted. The provision of 1 space for each of the 2 bed apartments is also accepted. No objection has therefore been raised in this regard and the objections on this basis cannot be sustained.

## **8.5 Ecology:**

An ecological survey and additional bat surveys accompanied the previous single dwelling scheme which identified that a small number of bats are roosting in the current building. On site mitigation was therefore secured as part of that scheme by condition.

The current application is not accompanied by an updated ecological report or mitigation plan. However the previous site survey was written less than 2 years ago and is therefore still considered to be up to date. The mitigation will need to be updated because the building is no longer being demolished but it is considered that this can be secured by condition. The proposals continue to be acceptable in this regard.

As is identified above, this proposal also falls within the catchment of the River Avon SAC and has potential to cause adverse effects, alone or in combination with other developments, through discharge of phosphorus in wastewater. The development therefore needs to be appraised in line with the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regulations) and WCS policy CP69 (Protection of the River Avon SAC).

On that basis, the Council has agreed, through a Memorandum of Understanding with Natural England and others, that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted in this catchment area during this period.

Following the cabinet's resolution on 5<sup>th</sup> January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7<sup>th</sup> January 2021.

As this application falls within the scope of the mitigation strategy and generic appropriate assessment, the Council can conclude that this development will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC. The proposals are therefore considered to be acceptable in this regard and satisfy the requirements of WCS policy CP69 (Protection of the River Avon SAC) and the Habitat Regulations.

#### **8.6 Drainage/Flooding:**

The application confirms that both foul and surface water drainage is to be dealt with by mains drainage. Both Wessex Water and the Council's Drainage Officers have raised some concerns about this intention and have set out a number of issues that will need to be resolved/addressed before this approach will be accepted.

However, as the development site is situated in Flood Zone 1; is under 1 hectare in size; and the proposals involve non major development (six flats), the development's detailed drainage strategy is a matter that is dealt with under building regulations. If changes are necessary to any final scheme, following the building regulation stage and as a result of the required drainage strategy, these may require a fresh planning application being submitted for consideration accordingly. An informative for the applicant is attached to the recommendation to that effect.

#### **8.7 CIL/S106:**

WCS policies CP3 (Infrastructure Requirements) and CP43 (Providing Affordable Housing); and SDLP policy R2 all require contributions towards affordable housing and public open space provision from any net gain in the number of dwellings in the area. However following subsequent ministerial advice and the updated NPPF, these policies now only apply to sites of 10 dwellings or more and therefore there is no

longer a requirement for such contributions from this application proposing only 6 new dwellings.

However, as of May 2015, Wiltshire Council adopted the Community Infrastructure Levy (CIL). Therefore this proposal may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A note highlighting this requirement to the applicant is therefore attached to the recommendation accordingly.

#### **8.8 Other Matters:**

Local representation has suggested that this land should be used as a wildlife nature area. However the Local Planning Authority cannot insist on this as it is not a publicly owned site; and in any event the site already has permission for residential development.

Concern has also been raised about site security given that the site access gates will be removed if the 6 flat scheme is implemented. However this is not strictly a planning matter either as the Local Planning Authority cannot insist that this site is never developed on this basis; and the removal of the gates at the site access does not need planning permission and so could occur at any point irrespective of the outcome of this application. The proposals will however bring the site back into use which will make it far more secure in the long term than the existing derelict site that has been left to deteriorate. With 6 households coming and going, the site will be more active and less attractive for anti social behaviour. In addition, the communal pathways proposed through the site are well overlooked by the ground floor flats and thus any opportunity for anti social behaviour will be appropriately mitigated.

Further concern has been raised that this proposal sets a precedent for further incremental changes to the scheme or site. However there is no such thing as a precedent as all applications are considered on their own merits. In addition, there is nothing in planning that stops a developer from applying for amendments to an existing scheme as many times as they wish; or applying for planning permission for new development. Flats do not however benefit from permitted development rights and thus any further changes will require planning permission and therefore any such changes will be considered on their merits and against planning policy accordingly.

#### **9. Conclusion**

The site is situated within a sustainable location; within the defined settlement boundary of the City; in an existing residential area; and it has a number of constraints that make it less suitable for alternative employment uses. The principle of its use for residential purposes has already been established; and the existing building's conversion to 6 flats has already been established to be permitted development. The proposed alterations to the fall back scheme and in particular the external alterations to the existing building are considered to represent a vast improvement not only to the appearance and design of the existing building; but also to the amenities of both the existing neighbouring residents as well as the future occupants of the site. In addition, it is not considered that the revisions raise any new concerns for highway safety; ecology; or drainage, over and above what has been accepted as part of the fall back scheme. The proposals are recommended for permission accordingly.

## **RECOMMENDATION:**

Permission subject to 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:

Application Form & Certificate

Ref: 1344/01 Rev M – Proposed Floor Plans. Received – 06.05.2022

Ref: 1344/02 Rev C – Location and Block Plan. Received – 08.03.2022

Ref: 1344/05 Rev D – Proposed Elevations. Received – 08.03.2022

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

3. No development shall continue above slab level on site until the exact details and samples of the materials to be used for the external walls (including render colour) and roofs have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the approved plans, the mono pitch roofs on the building shall be finished with a slate or tile material. 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. The dwelling hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation

5. 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 the following:
  - 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 and boundary treatment;
  - car parking layouts;
  - other vehicle and pedestrian access and circulation areas;
  - all hard and soft surfacing materials;

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.

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(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.

7. No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principals laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use 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.

8. No part of the development hereby approved shall be first occupied until enough space for the parking of 2 vehicles; together with a vehicular access thereto; onsite turning provision; and 6 cycle parking spaces have been provided and laid out in accordance with the approved details. The parking spaces shall not be used other than for the parking of vehicles in perpetuity. The approved turning area shall always thereafter be retained and kept clear of obstruction.

REASON: To ensure that adequate provision is made for parking and turning within the site in the interests of highway safety; and to encourage travel by means other than the private car,

9. No development shall commence on site (including any works of demolition), until a Construction Management Statement (CMS), together with a site plan, which shall include the following:
  1. the parking of vehicles of site operatives and visitors;
  2. loading and unloading of plant and materials;
  3. storage of plant and materials used in constructing the development;
  4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  5. wheel washing facilities;
  6. measures to control the emission of dust and dirt during construction;

7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey

has been submitted to, and approved in writing by, the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period.

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.

10. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

11. 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 windows, doors or other form of openings (other than those shown on the approved plans), shall be inserted in the north eastern or south western elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

12. Before flat 6 hereby approved is first occupied, full details of the external staircase thereto, including details of screen walls and/or fences at least 1.7 metres above ground/stair tread level along the north eastern boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented in full prior to occupation of flat 6 and shall be retained and maintained in perpetuity.

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 neighbouring amenities.

13. No development shall commence on site until an ecological mitigation plan has been submitted to and agreed in writing by the Local Planning Authority, in line with and to address the issues raised/recommendations made in the Ecological Appraisal Report (Hampshire Ecological Services, October 2020) (submitted to accompany planning permission 20/04337/OUT). Prior to the first occupation of the development hereby approved, the approved mitigation measures shall be implemented in full on site in accordance with the approved details and shall be retained and maintained in place in perpetuity.

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 ecology and protected species

14. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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 land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

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

REASON: In the interests of neighbouring residential amenities

16. No development hereby approved shall commence on site until an asbestos management plan has been submitted to and approved in writing by the local planning Authority. The plan shall detail how any asbestos on site will be handled and disposed of in accordance with current regulations and guidance. The development shall be implemented 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, and 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.

#### **INFORMATIVES**

- 1) 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](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).
- 2) Please note that the proposed drainage strategy will be considered at the building regulation stage and has not been assessed as part of this planning application. The applicant's attention is drawn to the comments made by the Council's Drainage Officer and Wessex Water in response to this planning application, both of which contain details that will need to be resolved in order to achieve an acceptable drainage strategy for the site. Please note that should changes be required to the final approved scheme in order to achieve a satisfactory drainage strategy for the site, this may require the submission of a revised/amended scheme to be considered by the Local Planning Authority accordingly.