

Application Number:	S/2011/0322 RM		
Deadline:	09/06/11		
Site Address:	Land off Hindon Lane, Tisbury, Salisbury. SP3 6PU		
Proposal:	Approval of Reserved Matters pursuant to Outline Planning Permission S/2008/0779 – The erection of 90 dwellings and 3800 square metres of B1 business floor space		
Applicant/ Agent:	Mr David Lohfink		
Parish:	Tisbury		
Grid Reference:	394137 129884		
Type of Application:	RESERVED MATTERS		
Conservation Area:		LB Grade:	
Case Officer:	Mr Andrew Bidwell	Contact Number:	01722 434381

Reason for the application being considered by Committee:

The application has been called in by Cllr Dean due to the significant local interest in the development.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

The main issues in the consideration of this application are as follows:

- Principle of development and relationship to outline permission
- Design and Layout
- Affordable Housing
- Sustainability and Drainage
- Impact upon neighbour amenity
- Archaeology
- Impact upon highway safety and Access to Community Centre and Weaveland Road
- Habitats Regulations and Impact upon protected species

The application has generated support from Tisbury Parish council

Neighbourhood Responses

11 letters received objecting to the proposal
0 letters of support received
10 letters commenting on the application received

3. Site Description

The site consists of around 4.1ha of land off Hindon Lane in Tisbury. It is located on the north western side of the village between Tisbury School (the former Nadder Middle School), and Hindon Lane.

The land is north east facing and falls from about 135m above Ordinance Datum on the southern boundary (adjoining the school) to about 125m above Ordinance Datum at the northern part of the site (next to Hindon Lane). There are two public rights of way running close to or on the site – one from Hindon Lane to Weaveland Road, and the other a bridleway to the south of the site.

In planning terms the whole site (other than a relatively small strip on the edge of the site, to be used for landscaping) is designated in the current local plan (policies H14 and E14A) as an area allocated for housing and employment uses, to be released during the lifetime of the current Local Plan.

The site also lies within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

4. Relevant Planning History

Application Number	Proposal	Decision
S/2008/0779 Outline	Mixed use development of Land to comprise around 90 dwellings and 3800 square metres of B1 business floor space (including associated highway infrastructure) and landscaping.	Approved 22/6/10

5. Proposal

This application is seeking approval of the matters reserved pursuant to outline planning permission S/2008/0322 as above. This proposal gives full details of appearance, layout, scale and landscape. All other matters including vehicular and pedestrian access to the site and section 106 issues were dealt with via the outline planning application and thus are not reserved matters for consideration in this application.

Never-the-less at outline stage the applicants submitted a layout (including the position of individual dwellings) which, although only indicative at that stage, was intended to be a clear indication of the layout and form that the development would most likely result in. This indicative layout helped to confirm the ability of the site to be acceptably developed to the extent proposed.

As well as establishing the extent of consideration, the outline planning permission will have had regard to the advice in Government Circular 01/2006. This advises that when considering ‘access’ (as the outline application did) “...*accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network*” must be included.

This implies that the ‘layout’ (a matter which was not a formal part of this outline application) was a very important consideration. In granting the outline application acknowledged that the indicative layout did sufficiently demonstrate “...*the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development*”.

However it was made clear that the layout and extent of the internal roads were not to be fixed through the outline application, and that this should be left to a future reserved matters application. This application therefore can consider road layout details that differ from that previously shown in the outline application.

However, the access granted in the outline application was for a roundabout and the only matters outstanding regarding access is the technical detail of the roundabout.

6. Planning Policy

Adopted Salisbury District Local Plan 2003 (saved policies)

H14	Land at Weaveland Road, Tisbury (housing)
E14A	Land at Weaveland Road, Tisbury (employment)
G1, G2	General Development Criteria
G5	Water Supply and Drainage
G9	Planning Obligations
D1	Extensive Development Proposals
D6	Pedestrian Access and Permeability
D7	Site Analysis
D8	Public Art
H25	Affordable Housing
TR1	Sustainable Transportation
TR11	Parking Standards
TR12	Sustainable links in Development
TR13	Footpath Improvement
TR14	Cycle Parking
R2	Recreational Open Space
R4	Provision of contribution to indoor leisure facilities
R17	Public Rights of Way
C4, C5	Development in the AONB
C12	Protected species

Adopted Wiltshire Structure Plan 2006

DP1	Pursuit of Sustainable Development
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Supplementary Planning Guidance

Creating Places
Sustainable Development
Affordable Housing

Adopted Development Brief

Development Brief, Hindon Lane, Tisbury – December 2006

Government Guidance

PPS7, PPS1, PPS3 PPS9, PPS22, circulars 11/95, 01/2005

7. Consultations

Tisbury Parish council support the proposal and have made the following comments:

On both the original proposal and the amended plans, the Parish Council supports the proposals subject to conditions. However, as the Parish council has been involved so

extensively in the application process, the comments received from them are attached to this report in order that members can consider all aspects raised by them.

Highways:

Original comment advised that further alterations were needed to the plans. Plans were amended accordingly and highways do not object to the proposal as amended.

Ecology:

A Habitats Regulations assessment has been carried out and subject to conditions; no objections are raised to the proposal from an ecology point of view.

Wessex Water:

No objections are raised and standing advice is offered regarding Foul Drainage, Surface Water Drainage, Sewage Treatment, Water Supply, and Flood & Water Management Act 2010 and National Standards for sustainable drainage.

Environment Agency:

The agency objected to the original proposal as they considered more information was required regarding the Flood Risk Assessment and overland flood flows. Additional information was provided in the form of an addendum, plans were amended accordingly and the agency has withdrawn their objection.

Natural England:

Originally objected due to a lack of information regarding impacts on sediment level on the River Avon SAC, and Bats using Chilmark Quarries SAC. However, following completion of the ecology assessment (see above) natural England no longer objects to the proposal.

Archaeology:

The archaeological evaluation has been carried out this year, with both geophysical survey and trenched evaluation taking place. The geophysical survey showed very little evidence of archaeological remains. The trenched evaluation was therefore initially undertaken at a reduced percentage to check the conclusions of the geophysical survey. This demonstrated that the geophysical results were accurate and no significant archaeological remains were present within the trenches.

Given the above, I would not make any recommendation for further work on this site or recommend that an archaeological condition is appropriate.

AONB:

Wish to register a formal objection to the proposals.

The AONB has commented extensively on this application. The comments centre on (amongst other things) the issues summarised as follows:

Mini Roundabout is entirely inappropriate urban proposal for a rural situation within the AONB, proposal does not give enough weight to AONB matters raised previously, concerned about appearance of the employment buildings, Solar PV capture should be included in all developments in the AONB, a combined heat and energy situation is possible and cost effective, concerned about lack of attention to landscape matters.

CPRE:

Has commented extensively and a summary of the comments is as follows;

Pleased that many of the issues causing concerns have been addressed in the amended plans. Agree that thermal efficiency in buildings is the first and most efficient measure in reducing Co2 emissions but should not be limit if measures taken, concerned about the roundabout proposal, "T" Junction is a preference, Lighting design should minimise light

spillage and preference is clear for no night time lighting, Welcome the range of materials specified though corrugated roof sheeting is not appropriate for use on this development.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

11 letters of objection have been received

10 letters commenting have been received

Summary of key relevant points raised:

- Footpaths / track across the site should be retained
- Windows will overlook properties on Hindon lane
- No mention of how rear access will be achieved
- Severe concerns that Tisbury infrastructure will not be able to cope
- Traffic and road inadequacy will be made worse
- Traffic increase will be detrimental to the village
- Housing density is too high
- Employment units are unlikely to improve employment in Tisbury
- Site access should be reviewed
- Proposal will make Hindon lane very busy and dangerous
- Possibility of through traffic to Weaveland Road as still not been properly explored
- Neighbouring properties will be very affected by noise and light disturbance
- Car parking areas are too close to neighbouring properties
- Lighting of the development should be minimal
- Important trees around neighbouring gardens may be adversely affected
- Affect on Alexandra Cottages will be unacceptable
- Loss of views to open fields
- History of Tisbury housing types is not considered
- Leylandii trees are important and must not be adversely affected by the proposals

9. Planning Considerations

9.1 Principle of development and relationship to outline permission:

When considering the outline planning application, it was considered that the starting point for considering this application is the Adopted Development Plan which remains primarily the saved policies in the Adopted Salisbury District Local Plan 2003. The relevant policies are the site-specific policies H14 (residential development) and E14A (employment land). These policies have been backed-up by the Adoption of a Development Brief for the site in 2006.

The Local Plan identified this site as forming part of the second phase of development of the Local Plan (1999 – 2011) period, and the decisions to release of development sites in the second phase was made, following an assessment of housing land supply.

On 7th June 2006 the then Salisbury District Council's Cabinet delayed the release of this site (while allowing the release of two other sites elsewhere in the District) because an alternative 'brown field site' (the site at Station Works) was also being promoted as part of the Local Plan process.

The Council's Cabinet resolved to delay the release of the Hindon Lane site, for 6 months, until a marketing exercise had been undertaken to establish whether the Station Works would be retained in employment use. It was established that the Station Works site would be retained in employment use and, as a result, it was agreed, on 28th February 2007, that the Hindon Lane site be released.

At the time of granting the outline permission for this site, and in assessing this reserved matters application, given that specific provision has been made in the current adopted Local Plan for the development of this site for a mix of residential and employment uses, and that this site had been released for development under phase two of the still current Local Plan, there is no doubt that development of this site remains to be acceptable in principle.

In order that the application properly relates to the outline, the matters for considerations at this stage are the reserved matters which are appearance, landscape, layout and scale, to which the following report refers.

9.2 Design and Layout:

This proposal has been subject to a substantial amount of pre-application consultation. This has taken the form of several meetings with the LPA over many months and well attended public meetings held by the Parish Council. These meetings have resulted in numerous amendments and reconsideration of key elements of the scheme in particular layout and design. The applicants refer to each part of the scheme as a character area and the rationale for each is set out below.

9.21 Development Brief and Master Plan:

The Development Brief presented an illustrative masterplan which was subsequently developed as part of the outline application and has finally evolved into the proposals which have informed this Design Code. It should be noted that the final design scheme defers from the rather "new urban design" approach of perimeter block development with parking courts behind advocated in the illustrative masterplan at outline stage. The applicants were uneasy with that approach feeling that it was a valid design approach but did not genuinely reflect the character of Tisbury. Moreover, the applicants wanted to create an organic place that was not dominated by over engineered roads and footways. The applicants appointed a new Project Architect, to assess and analyse what makes places like Tisbury special and that evolving work has been shared with the Parish Councils. This work identified an organic "Anglo Saxon" street pattern with main linkages supplemented with smaller lanes. This piece of work fundamentally underpins the design philosophy of the scheme as set out below.

9.23 Use:

The proposed use of the site will comply with the Local Plan allocation development brief and outline planning consent, reinforcing the surrounding existing uses and assisting the creation of vibrant community.

9.24 Layout;

The new layout will draw on the organic Anglo Saxon character of the existing streets and lanes of Tisbury creating a permeable development that will be legible using key buildings, attractive spaces and a road hierarchy of streets and lanes. It will have a street pattern and disposition of buildings that creates a varied and interesting piece of

townscape. Modesty and intimacy are considered to be key characteristics and form a positive part of the village in the context of its conservation area status and are key principles in the proposals.

Character Area 1: “The Village Green”

The focal point of the layout will be a new “village green” which will provide a similar urban function to The Square and The Cross in the main village. Dwellings will generally be natural limestone, with key buildings to the head and sides of the green and estate type cottages on the lead up to the green.

Character Area 2: “The Approach”

This area marks both the western approach to the village and the development and will provide a similar urban function and character as the “Station gateway and flood plain” character area within the conservation area. Employment uses will mark and define the edge of the village in the same way as the station and its associated buildings on the eastern approach to the village. Buildings will generally be brick or render with boarding.

Character Area 3: “The Lane”

The area behind “The Approach” and to the northern extremity of the site and adjacent to a disused quarry. Similar to “The Quarry” within the village it is a curving, narrow lane characteristic of encroachment onto an area of “waste”. The development is at its most dense dominated by terraces with some semi detached properties of brick or render.

Character Area 4: “The Quarry”

The area behind and to the north of the “Village Green” set within the hollow to the north western extremity of the site and adjacent to a disused quarry. Similar to “The Quarry” within the village it is a curving, narrow lane characteristic of encroachment onto an area of “waste”. The development is at its densest dominated by terraces with some semi detached properties of brick or render.

Character Area 5: “The Periphery A”

The area leading off the “Village Green” up the hill towards the sports centre where a series of focal building are located at prominent view points. Dwellings are in detached and semi detached clusters forming a relatively less dense border to the surrounding countryside with buildings of natural limestone, facing brick and some render.

Character Area 6: “The Periphery B”

The area leading up to the school and along the high point of the site with a few focal buildings located at prominent junctions. Dwellings are in detached and semi detached clusters forming a relatively less dense border to the surrounding countryside with buildings of natural limestone, facing brick and some render.

Disposition & Hierarchy of Public Spaces:

As described above and illustrated in Figure 42, the focus of the scheme will be a new “Village Green” which will provide public amenity space for the dwellings. There will also be various incidental green spaces or more urban landscaped area formed by the subtle arrangement of the dwellings.

9.25 Scale:

The proposed scale will work within the general parameters defined by the outline consent, i.e. generally 2 storeys with some limited 2.5 storey. Emphasis and focal points will be achieved by the use of proportion, rather than additional floors, to create a lively street scene.

9.26 Materials / architectural treatment:

The selection of materials for the development will draw on the strong character of Tisbury reinforcing the identity of the locality. The historic properties in Tisbury exhibit the use of a variety of materials, ranging from coursed local limestone either laid as rubble or dressed ashlar, to Victorian red stock brick and from slate to Thatch. The character of the historic part of the village varies from Victorian to the older medieval cottages and houses. The detailing of the materials and openings will be typical of the locality with use of elements such as brick and stone quoins to openings, stone sub cills, and timber sash and casement windows. Roofs are typically slate but there are examples of pantiles, plain clay tiles and thatch.

9.27 Walling:

It will be unrealistic and unrepresentative of Tisbury to construct the whole of the development from natural limestone but generally walling will be natural limestone with matching through-coloured render to rear elevations, or facing brick, of a number of subtly different varieties, and some through coloured render. Boarding may be used to outbuildings i.e. garages and to the employment buildings

9.28 Roofs:

Will be pitched at least 30 but commonly 50 degrees and predominantly gabled. Materials will be natural slate or clay plain tile with some thatch. Outbuildings, such as garages, and also the employment uses may be more gently Pitched.

However, in response to concerns expressed by the Parish Council amongst others, the plans have been amended to show the materials for the employment buildings at the site entrance to be timber cladding and brick but retaining profiled sheeting in the roof and for the residential garage buildings to have tile and / or, slate roofs rather than metal sheeting as previously proposed.

9.29 Landscape Strategy / tree planting:

The landscape strategy for the site is derived from the retention and protection of the existing trees and hedges, analysis of the visibility study (above) and the ecologists recommendations for optimizing biodiversity. The importance of sensitive and appropriate treatment of development within the AONB has been borne in mind through all the site design.

All existing hedges and hedgerow trees will be retained, with the exception of approximately 10m which will be breached by the principal access road. The rooting areas of this vegetation and those of adjacent trees outside the site will be protected from disturbance and hard surfaces.

The main elements of structural planting will be a densely planted belt of trees and shrubs along the south western boundary that currently crosses an open field, and reinforcement tree planting along the existing hedged boundaries. All of this planting will be comprised of native species found in the locality.

As noted in the visibility analysis above, the principal distant views of the development from footpaths in the AONB will be from the hillside north of Fonthill Brook. From this direction, the strong framework of mature deciduous trees and large conifers helps to

assimilate the existing buildings on the hill side. The crowns of the trees to be planted along the south western boundary, the new trees along the existing western hedge and any feature trees set amongst the buildings, will, in time, appear above or alongside the proposed dwellings in these views, thus extending the existing landscape pattern of a village nestled amongst trees and woodland. As the south western structural planting belt becomes established, it will also mask any rooftops and upper buildings that are visible from the bridleway that passes Weaveland Farm, when approaching from the west.

The public footpath routes within the site will be maintained close to existing hedges, reinforced with native tree planting which will help to maintain a recreational ambience, whilst also offering informal security surveillance from the proposed houses. Views to the development from nearby houses will be filtered by boundary tree planting.

The biodiversity or nature conservation strategy will be implemented through landscape design, by providing open space buffer zones to allow for the continuation of badger activities and the dense planting of the south western tree and shrub belt to create a suitable habitat movement corridor for dormice as quickly as possible. Where the access road breaches the western hedge, the breach will be as narrow as possible and large trees will be planted on both sides so that, in time, the branches can meet to allow dormice to move across.

The proposed planting within the site will comprise back of footpath planting, smaller trees suitable for planting in proximity to buildings and within parking courts, some of which will be garden varieties, or fruit trees in private gardens.

9.2.1 Lighting:

Subject to the detailed requirement of Wiltshire County Council as Highway Authority, every effort will be made to bring forward a lighting scheme that is appropriate to the environment and minimizes light pollution wherever possible. All lighting will be from traditional wall brackets or standards.

However, members should be aware that concerns have been raised regarding street lighting and the need for lighting at all. This matter has been discussed thoroughly and all parties including the developers, Parish council, Wiltshire Council the AONB group, the CPRE, and highways, do not oppose the idea of having no street lighting in principle. However, members are reminded that whilst those involved in this particular application may oppose street lighting, it is worth bearing in mind that people who will live in the development may not agree. This could lead to disruption to residents if for example, if lighting were to be installed at a later post construction date. Street lighting is often the result of health and safety requirements as opposed to a demonstrable need and as such the case officer is seeking further clarification on this matter and members will be updated accordingly.

9.3 Affordable Housing:

The overall number of dwellings is within the range anticipated by the outline planning consent and the proportion and mix of the affordable is as recommended by the Local Authority. This has resulted in the provision of 40% affordable housing (32 dwellings) with a split of 60% social rent and 40% shared ownership. These dwellings are 1, 2 and 3 bedroom two storey houses dispersed in the North South and West of the development. As with the site generally these houses are well designed high quality dwellings that will be well integrated into the neighbourhood and indistinguishable from other dwellings on the site.

9.4 Sustainability and Drainage:

This proposal has attracted a number of comments regarding sustainability and renewable energy issues. The comments namely from the AONB office and the CPRE suggest that the proposal is lacking in terms of sustainability credentials and that the proposal should be capable of generating much of the energy it will need in renewable ways. It has been suggested that as the proposal is on a hill side, solar energy could be particularly beneficial and that more should be done to achieve a better scheme in this regard. However, whilst the proposal is not subject to for example a local heating system, (one suggestion) it does have significant sustainability credentials. In response to the comments, the applicants have set out (amongst other things) the following to clarify their approach to this matter:

“There is now an Industry consensus that the addition of measures to generate energy from on-site renewable is not economic or effective. Moreover, the use of onsite generation is now commonly recognised as being less beneficial than improving the thermal performance of the fabric of a building and introducing energy efficiency measures”

This has resulted in for example, improvements to buildings fabric insulation (above building regulations requirements) and the use of better windows and doors and improved air tightness. This approach to sustainable construction is known as the “Fabric First “ approach which is an approach supported by the NHBC.

Baring in mind the above factors, it is not considered reasonable to claim that the proposals are not sustainable nor does this issue provide a defensible reason to reject this application from a Town Planning point of view. Moreover this proposal achieves a significantly high level of sustainability generally and expressly within the design and fabric of the buildings themselves.

A scheme for the drainage of the whole site has been submitted as part of this application and will take the form of a sustainable drainage system. This system has been designed to reflect the conclusions and recommendations of the “flood risk assessment” considered under the outline permission. The design of the system has been worked up in liaison with the Environment Agency who has confirmed their acceptance of the detailed scheme (see 7. above).

9.5 Impact upon neighbour amenity:

As explained previously, this proposal has evolved through many alteration which have (amongst other things) been carried out expressly to address neighbour amenity issues. These alterations have affected the scheme generally but, particularly in relation to three key areas. These areas are adjacent to the garden area of The Gables where concerns were raised relating to the impacts of the development on existing conifer trees, the area adjacent to Rose Bank and in particular, the area adjacent to Alexander Cottages. It is considered that these matters have been successfully resolved through further explanation of facts and amendments to the layout which (in relation to Alexander Cottages) are continuing. The case officer will update members of any further progress in this regard.

Whilst amendments aimed at improving neighbour amenity still further are ongoing at the time of writing this report, it is nevertheless considered that this proposal will not result in any demonstrably harmful impact on neighbour amenity. This applies to both those neighbours who surround the site and to the resultant new neighbourhood within the development.

9.6 Archaeology:

The archaeological evaluation has been carried out this year, with both geophysical survey and trenched evaluation taking place. The geophysical survey showed very little evidence of archaeological remains. The trenched evaluation was therefore initially undertaken at a reduced percentage to check the conclusions of the geophysical survey. This demonstrated that the geophysical results were accurate and no significant archaeological remains were present within the trenches.

Given the above, it is not considered necessary to carry out any further work on this site or impose any archaeological conditions to this decision.

9.7 Impact upon highway safety and Access to Community Centre and Weavland Road

9.71 Road Access:

Main Access from Hindon Lane:

The main vehicular access to the site will be from Hindon Lane with an emergency access from Weaveland Road and a further (gated) access to the school/sports centre. Members attention is drawn to the controversy relating to these proposed access points. Firstly, the main access off Hindon Lane is currently proposed to be via a roundabout. This type of access was approved at outline stage and all that remains to be agreed under this application, is the technical detail of it.

However, the “roundabout” concept has proved to be an extremely emotive subject and there are numerous objections to it. Objectors include local people, the AONB group and the CPRE. The Parish council is also not in favour of a roundabout but, accepts that it was agreed at outline stage. The Parish council has continued engaged throughout this application process with local, people, the developer and case officer to try and deliver an alternative means of access. The alternative was in the form of a “T-junction and an application for a T junction was submitted. The application was supported by local people the AONB, CPRE and the Parish council (subject to conditions). However, the application was later withdrawn as it was not possible to agree details that satisfied all parties and Wiltshire Council highways recommended refusal of the application on safety grounds.

Negotiations are continuing on the T Junction matter as (at the time of producing this report) it remains unclear as to whether an alternative T Junction with details that mitigate the concerns of highways, can be achieved. The case officer will advise members of progress and of the stance that should be taken in relation to this important access.

9.72 Access to Weaveland Road:

Secondly the access from Weaveland Road at the top of the site has also been controversial. This access is proposed to be in the form of an emergency access with a bollard arraignment that will prevent full free vehicular access to and from the site. This arrangement was approved at outline stage following concerns that (amongst other things) the access may result in a “Rat” run through the site, and as part of the land necessary for a full road access width, was outside the site boundary. This land is part of the community centre and school site and as such is not available to the developer at the present time. The main issue here is that as the access is emergency only, the residence of the new development will (other than on foot) have to access the rest of Tisbury via the already very busy and narrow Hindon Lane only. Conversely the existing residence of Weave land Road will have to continue to use the already problematic and difficult to negotiate range of mini roundabouts and sharp bends along estate road to access the village.

However the access that is proposed will be constructed to adoptable highway standards. It is likely therefore that should Wiltshire Council wish to achieve full access and thus make the land available only a minimal amount of constriction work may be necessary to provide a full road access. Furthermore, members are advised to note that the amended plans under consideration are annotated as follows: "Hatched area to be adopted to facilitate potential future road access to Weaveland Road".

9.73 Community Centre Access:

The final access matter concerns the Gated community centre access point. This has also been a controversial issue in this application. The controversy relates to the fact that this proposal provides an opportunity to gain much improved vehicular access to the community centre and the school and that this opportunity should not be missed.

Following negotiations with the developers the amended plans under consideration are annotated as follows: "Gate to be positioned on centre line of hedge". This section of road will also be adopted up to the boundary of the site and the gate is shown to open inwards on to council owned land. This means that the availability of the access and the control over it is in the hands of Wiltshire council and highways. As such, should Wiltshire council wish to provide this access to the community and school site (with or without a gate), this application does not prevent them doing so.

In conjunction with the new access road, the 30mph zone will be revised along Hindon Lane to bring the access within a speed restricted area to create a safer environment. Moving the 30mph zone will form just one of the traffic calming measures which are to be implemented. The proposals will encourage alternative means of transport being sited on bus links to the village centre and with easy access by road, cycle and foot to nearby areas of employment and the village centre.

9.74 Vehicular Movement:

The movement for vehicles will be in line with government advice on limiting car use whilst promoting trips by foot or cycle. The built form will limit vehicle speeds through limited visibility and frequent directional changes. The masterplan indicates: Access to the site will integrate with surrounding development.

The layout will be designed for pedestrian and cycle priority to encourage walking and cycling. There will be a street rather than a road network to suit the needs of all potential users of the public realm. A permeable layout will reduce the number and length of trips made promoting sustainability. Vehicle speeds will be controlled horizontally via the arrangement of built form and public spaces.

9.75 Car & Cycle Parking:

Car and secure cycle parking will be provided in line with policy G2 and appendix V and VI of the adopted Local Plan. Generally two car parking spaces per unit are proposed with the exception of 1 bed dwellings. Where garage parking is not provided cycle parking will be provided within secure sheds within the rear gardens. Garaging and parking, including cycle parking, will be located close to the dwellings they serve and not in a position to dominate the streetscape. Where possible car parking will be provided within the curtilage of the properties and located behind the main street frontage. Street parking will also be provide where appropriate to promote street activity.

9.76 Pedestrian & Cycle Movement:

The masterplan proposals will support a sustainable transport agenda within the development. Permeability will be built into the proposals via a matrix of streets and lanes routes directed between and through development blocks. Key features include: Direct access will be provided to key attractions and features including bus stops, public open space, employment units and public footpaths within the development.

Movement routes will be located along streets designed to be attractive environments with high levels of natural surveillance. new bus stop is proposed for the southern side of Hindon Lane near the entrance to the development.

9.77 Public Access:

The existing footpath link from Hindon Lane will be retained and further access for pedestrians will be available along the network of streets within the development. The existing bridleway along the southern side of the site would also be retained. Although the character of the site will change, access for pedestrians will be available along all of the current desire lines across the site. No current access opportunities will be impeded.

A final matter regarding access relates to the rears of Nos 1 to 8 Hindon Lane. This matter is primarily concerned with whether the development can and should provide rear access to these dwellings this has long been an aspiration of the residents and the Parish council. However, elements of the drainage and flood defence requirements of the Environment Agency have had a significant impact on this matter.

The Agency has required that Bunding be used to funnel overland water flows in the event of a flood. This has resulted in the amended plans illustrating that a bunds and filled ditches will be positioned along the boundary of the site adjoining these rear gardens and elsewhere on the site. The amended drawings show the proposed bunds and it should be noted that a 300 mm high bund is needed in the corner of the parking court serving units 34, 35 and 36. This means that it will not be possible to facilitate rear access to numbers 5 to 8 Hindon Lane.

As such it is a barrier to the provision of rear access to half of these properties and an overriding and compelling reason as to why the access cannot be achieved at least in the form of level vehicular access to all 8 properties.

However, it is clear from the amended plans that although this access is not possible in the way previously thought for numbers 5 to 8, in regard to Numbers 1 to 4, the drainage flood defence had been designed so that a bund is not in fact needed but, that the construction of an underground soakaway will be adequate in this part of the site. This means that at some future point (subject to agreement with all relevant parties concerned at the time); access could be provided to the rear of numbers 1 – 4. Members should note that in any event there would be nothing to prevent a vehicle stopping on the public highway to unload even if formal access wasn't provided into the gardens.

9.8 Habitats Regulations and Impact upon protected species:

This proposal has been subject to an Ecological Assessment required under the Habitats Regulations 2010. The purpose of the assessment is to consider whether there will be any "significant likely affects" from the development on protected species. In this case protected

species include Bats from Chilmark Quarries SAC (comprising Fonthill Grottos SSSI and Chilmark Quarries SSSI) Badgers immediately adjacent to the site and Dormice on the site. Having carried out the assessments in consultation with the Wiltshire council ecologist and Natural England, the assessments have concluded that the proposal either alone or, in combination with other plans and projects, will not have a significant effect on protected species.

Compliance with Section 106:

This reserved matters application is the subject of two section 106 agreements both dated 21st June 2010. These agreements were negotiated under the outline permission and cover (in one of the agreements) the ownership, land transfer, public open space; childrens play area provision and landscaping of the site and in the other, the affordable housing and business unit definitions and covenants.

In both cases triggers were imposed in the agreements referring to when commuted sums are due for payment and details to be submitted as part of any reserved matters application. Where appropriate requirements were also carried over via the planning conditions imposed under the outline permission. In this case all such details have been submitted as part of this application and there are no outstanding concerns in relation to compliance with the section 106 agreements.

10. Conclusion

This reserved matters application is considered to have addressed the matters reserved under the outline application S/2008/0779 in an appropriate manner. The proposal is well designed overall in accordance with the aims and objectives of the adopted Development Brief for the site "Hindon Lane, Tisbury" December 2006. And in detail the proposal reflects the established characteristics of Tisbury will utilize acceptable high quality materials throughout and will not result in any demonstrable or, unreasonable harm to the residential amenity of neighbouring properties.

The proposal will result in an acceptable form of development in relation to traffic generation both in and around the site either as illustrated within the amended plans, or, as will result (unconfirmed in regard to the main access details) should the development be subject to further changes to the points of access as set out in this report.

The proposal will also result in the creation of new and enhanced existing habitat for protected species that are known to inhabit, visit and live adjacent to the site.

On balance therefore this proposal is considered to be acceptable as it properly address the reserved matters of approved outline application and requirements aims and objectives of current relevant local and national planning policy.

11. Recommendation

Planning Permission be GRANTED for the following reason:

This reserved matters application is considered to have addressed the matters reserved by the outline application S/2008/0779 in an appropriate manner. The proposal is well designed overall in accordance with the aims and objectives of the adopted Development Brief for the site "Hindon Lane, Tisbury" December 2006. And in detail the proposal reflects the established characteristics of Tisbury, will utilize acceptable high quality materials throughout and will not result in any demonstrable or, unreasonable harm to the residential

amenity of neighbouring properties, the highways network both on and off site, protected species and drainage and in all other regards. As such the proposal is considered to be in general accordance with local planning policies H14, E14A, G1, G2, G5, G9, D1, D6, D7, H25, TR1, TR11, TR12, TR13, TR14, R2, R4, R17, C4, C5, C12 and with the aims and objectives of government planning guidance particularly PPS7, PPS1, PPS3, PPS9, PPS22, circulars 11/95, 01/2005.

Subject to the following Conditions:

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

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

- 2) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water run off limitation incorporating sustainable drainage principles (SUDS) in accordance with the Flood Risk Assessment Laurence Rae Associates Ltd Report No 2651 FRA 3 dated April 2008 has been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Policies: G5 adopted Salisbury District Local Plan

- 3) Prior to the commencement of development approved by this planning permission or such other date or stage in development as may be agreed in writing with the Local Planning Authority a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the local planning authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority:
 - a) A desk study identifying: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources pathways and receptors; potentially unacceptable risks arising from contamination at the site.
 - b). A site investigation scheme based on 1 to provide information for an assessment of the risk to all receptors that may be affected including those off site
 - c) The results of the site investigation and risk assessment 2 and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken;
 - d). A verification report on completion of the works set out in 3 confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority.

Policies: G2 adopted Salisbury District Local Plan

4) No development approved by this permission shall be commenced until a Construction Environmental Management Plan incorporating pollution prevention measures has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment

G2 adopted Salisbury District Local Plan

5) Prior to the commencement of construction works a scheme for the washing of construction lorries' wheels upon leaving the site shall be submitted to and approved, in writing, by the Local Planning Authority. Construction works shall be undertaken in accordance with the approved details.

Reason: in the interests of the amenities of nearby properties

Policies: G2 adopted Salisbury District Local Plan

6) Prior to the commencement of development, details of the water and energy efficiency measures to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: in the interests of sustainable development.

Policies: G2 adopted Salisbury District Local Plan

7) The development hereby approved shall be undertaken in accordance with the recommendations of the submitted protected species surveys unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of protected species

Policies: G2 adopted Salisbury District Local Plan

8) Construction works shall only take place during the following periods: Mondays to Fridays 7.00am to 6.00pm, Saturdays 7.00am to 1pm and not at all on Sundays.

Reason: in the interests of the amenities of nearby properties

Policies: G2 adopted Salisbury District Local Plan

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order re-enacting or revoking that order) there shall be no extensions to the dwellings hereby approved, not any outbuildings erected within the curtilage, unless otherwise approved by the Local Planning Authority by means of a planning application.

Reason: in the interests of the character and appearance of the area

Policies: G2 adopted Salisbury District Local Plan

10) No development shall commence until a detailed design of the access junction in the form of a mini-roundabout or, any other type of access that may be agreed, including footways, and bus stops and shelters on Hindon Lane, and the extension of the 30mph speed limit, all as illustrated on drawing number 2424/HA/1 of the Outline permission S/2008/0779 has been submitted to and approved, in writing, by the Local Planning Authority. The access junction, footways and extension to the 30mph limit shall be constructed and provided in accordance with the approved details before the commencement of development (other than highway development approved through this condition). The approved bus shelters shall be provided before the first occupation of the development.

Reason: in the interests of highway safety and sustainable development

Policies: G2 adopted Salisbury District Local Plan

11) In relation to all trees and hedges identified as being retained in the Existing Tree and Hedgerow Plan, prior to the commencement of any development there shall be submitted to and approved in writing by the local planning authority details:

- a) of the specification and position of fencing incorporating the proposed alignment of the fencing and any other measures to be taken that will be provided for the protection of all such trees and hedges from damage during the carrying out of any work in respect of the development;
- b) of the time periods for the provision and retention of the fencing and other measures identified for the purposes of sub-paragraph (a); and
- c) for the laying of such hedges or parts thereof in advance of any part of the development being commenced.

Reason: in the interests of the character and appearance of the area

Policies: G2 adopted Salisbury District Local Plan

12) All trees and hedges which are identified as being retained in the Existing Tree and Hedgerow Plan shall at all times during the implementation of the development be protected, and in the case of hedges laid, in accordance with the Tree and Hedge Protection Details, provided that the Tree and Hedge Protection Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

Policies: G2,C4,C5 adopted Salisbury District Local Plan

13) All landscaping provided in relation to the development shall be in accordance with the Landscaping Principles, provided that the Landscaping Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

Policies: G2,C4,C5 adopted Salisbury District Local plan

14) The development shall only be implemented in accordance with the Landscape Management Plan; and landscaping once provided shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Landscape Management Plan, provided that the Landscape Management Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

Policies: G2,C4,C5 adopted Salisbury District Local Plan

15) The development shall only be implemented in accordance with the Design Code, provided that the Design Code may be amended in accordance with a detailed design justification for any changes that may be expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

Policies: G2 adopted Salisbury District Local Plan

16) Prior to any part of the development being commenced, details of all lighting proposals shall be submitted to and approved in writing by the local planning authority which shall in particular include:

- a) street lighting including lighting for all carriageways, roads, cycleways, footways, footpaths and turning spaces;
- b) lighting of communal parking areas and all other publicly accessible areas;
- c) the proposed intensity of the lighting;
- d) the design of light columns; and
- e) a lighting contour plan

Development shall only be implemented in accordance with the details that have been approved by the local planning authority unless otherwise agreed, in writing, by the local planning authority.

Reason: in the interests of the character and appearance of the area

Policies: G2 adopted Salisbury District Local Plan

17) No building within the site shall exceed 2.5 stories in height.

Reason: in the interests of the character and appearance of the area.

Policies: G2 adopted Salisbury District Local Plan

18)) Prior to any part of the development shall be commenced, plans and sections of a scale not less than 1:200 showing the level of the finished floor slab of every building in relation to Ordnance Datum shall be submitted to and approved in writing by the local planning authority. Development shall only be implemented in accordance with the Floor Level Details that have been approved by the local planning authority.

Reason: in the interests of the character and appearance of the area.

Policies: G2 adopted Salisbury District Local Plan

- 19) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

Policies: adopted Salisbury District Local Plan

- 20) No development approved by this permission shall be commenced until details of existing and proposed ground levels including overland flow routes and exceedance overflow protection in accordance with the Flood Risk Assessment Laurence Rae Associates Ltd report No 2651FRA 3 dated April 2008 and finished floor levels has been submitted to and approved in writing by the LPA . The scheme shall be completed in accordance with the approved programme of details.

Reason: To minimise flood risk to the development, neighbouring property and Hindon Lane.

Policy: G4,G5 adopted Salisbury District Local Plan

INFORMATIVE

The applicants attention is drawn to the comments made in the letter dated 14th June 2011 from Wessex Water.