

## REPORT FOR SOUTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	20 February 2025
<b>Application Number</b>	PL/2024/04928
<b>Site Address</b>	Mistle Bourne, The Avenue, Porton, Salisbury, SP4 0NT
<b>Proposal</b>	Demolition of Existing Bungalow and Erection of 3no. dwellings, access and associated works.
<b>Applicant</b>	Ms Deborah Gunn
<b>Town/Parish Council</b>	Idmiston Parish Council
<b>Electoral Division</b>	Winterslow & Upper Bourne Valley ED – Cllr Rich Rogers
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Hayley Clark

### REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE

The application is before the Planning Committee at the request of the Local Division Member for the following reasons – scale of development, relationship with adjoining dwellings and environmental/highway impact

#### 1. PURPOSE OF REPORT

The purpose of this report is to assess the merits of the proposed development against the policies of the development plan and other material considerations. Having considered these, the report recommends that planning permission be APPROVED subject to planning conditions.

#### 2. MAIN ISSUES

- Principle
- Scale, design, and impact character and appearance of the area
- Highways
- Amenity
- Ecology
- Trees

#### 3. SITE DESCRIPTION

The application site relates to a large residential corner plot covering an area of approx. 0.30 hectares on south side of the A338 and the east side of The Avenue within the residential area of Porton. Porton is classed as a large village as defined by Wiltshire Core Strategy (WCS) core, polices 1 (Settlement Strategy), 2 (Delivery Strategy) and 4 (Spatial Strategy for the Amesbury Community Area). The application site as existing comprises a detached brick built dwelling located roughly centrally within the plot, current access is via The Avenue to

the west. The site is largely open with trees and greenery along the boundaries. The site is not level and slopes gently down to the south away from the A338. The site is surrounded by other residential properties. The site is not located within a conservation area or National Landscape, the site is within flood zone 1 and is not within an area of high ground water flooding; the site is within the Hampshire River Avon Catchment.

#### 4. RELEVANT PLANNING HISTORY

S/1986/0331 O/L application - erection of new dwelling. Refused for the following reasons  
*In the opinion of the Local Planning Authority the proposed site, having regard to the scale of adjoining development, and its relationship with "Twin Elms", would appear cramped and out of keeping with the character of the area generally.*

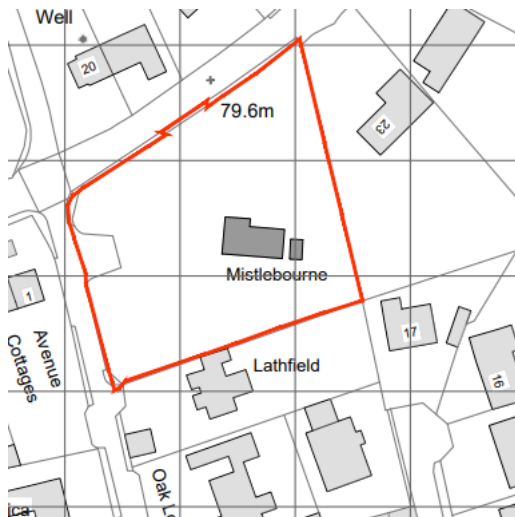
*Bourne Gardens is a narrow cul de-sac having a footway on one side only, which it is considered is incapable of catering for this proposal and the further similar development for which a precedent would be set*

S/1991/1803 O/L application - erection of one bungalow and construction of vehicular access Land at Charnwood, The Avenue and fronting Bourne Gardens, Porton, Idmiston. Approve with Conditions

#### 5. PROPOSAL

The application is seeking permission for the demolition of the existing dwelling and the erection of three detached dwellings and a new access from the A338.

Existing site plan



Proposed site plan



#### 6. CONSULTATIONS

**Parish Council** - Idmiston Parish Council objects to this application. This site is not identified in the Idmiston Neighbourhood Plan as a preferred site for development. Idmiston Parish has already built more than the required number of dwellings up to 2026 and in the draft Local Plan no further housing is allocated in Porton village, as St Nicholas school is at capacity.

Policy 17 of the NP says new housing must be well related to the existing village envelope and reflect the character and variety of the existing pattern of development. The proposed

development does not comply with this policy. Three large houses on this site is an overdevelopment in comparison to other sites in the locality.

The IPC notes that whilst the site is located within the defined settlement boundary, the development would lead to an oversupply of larger dwellings in the settlement, more than the number of homes planned in Idmiston Parish for 2015-2026. This is contrary to Policy 19 of the Neighbourhood Plan.

Expensive housing does not meet the housing needs of local people, who want affordable housing to enable family members to stay in the local area. Therefore, the proposal does not comply with Wiltshire Council's Core Policies 1 and 45. Wiltshire Council's Core Policy 51 states that it requires development to protect, conserve and where possible enhance landscape character.

Wiltshire Council's Core policy 57 states a development must have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensure that appropriate levels of amenity are achievable within the development itself including the consideration of privacy, overshadowing, vibration and pollution. Privacy for the neighbours is considered to be a problem. Wiltshire Council's Core Policy 60 requires the mitigation of the impact of developments on transport users, local communities and the environment.

Councillors have read the Transport Assessment and note that it was prepared by someone who lives in Winchester and is therefore not aware of local conditions in the area. Community Speed Watch carries out regular speed checks a few hundred yards away from the proposed exit on to Tidworth Road, and although the lawful speed limit is 30mph, CSW members regularly record speeds of over 40 and sometimes 50mph on this stretch of the road. Data to confirm this can be supplied. The police have carried out formal speed enforcement activity here as well. The volume of traffic is excessive too, especially in the morning and evenings with Porton Down traffic. We therefore think it would not be safe from a Highways point of view to have an exit on to Tidworth Road.

There is a proposal to extend the pavement to improve the sight lines at the top of The Avenue. Unfortunately, this would just make the present situation worse, as cars wishing to turn right already have no visibility for traffic coming from the left and need to pull into the road to check if traffic is coming. It is dangerous. The passing place at the entrance to Mistle Bourne also needs to be enlarged for safety reasons as there is no room in that section of The Avenue for cars to pass each other.

## **Highways -**

### **Access from the A338**

The site is within the built-up area of Porton. In the vicinity of the site the A338 is subject to a 30mph speed limit with street lighting and a continuous footway along the southern (site) side of the A338 providing a link to the village amenities. There are a number of other individual residential accesses served directly from the A338 within the built-up area of Porton. To comply with the guidance in Manual for Streets, visibility splays of 2.4m by 43m in both directions at a height of 600mm have been shown and should be conditioned accordingly. Any hedges planted on the front boundary must be set at least 1m behind the splays to ensure the visibility is maintained while allowing for growth.

Access will be achieved by a dropped kerb arrangement, the new lowered footway must be resurfaced as per WC footway spec.

### *Access from The Avenue*

*It is acknowledged that The Avenue is of restricted width with no pedestrian footways. It is also acknowledged that local concern has been raised about the use of The Avenue to serve the proposed development. However, there is an existing vehicular access into the site from The Avenue currently serving the dwelling known as Mistlebourne and the use will not increase as a result of this development. Nevertheless, some minor improvements are being proposed to include the widening of the access to allow the provision of an informal passing bay for vehicles travelling south along The Avenue. Also, an extension to the footway on the site side of the junction of The Avenue with the A338, around the junction bellmouth, to connect the existing footway with the site entrance. This would help to improve the sight line across the junction for and of vehicles exiting the access and provide an overall improvement for all users of the highway in this location. A S278 agreement will be required with Wiltshire Council Highway Authority for the provision of the footway extension.*

### *Internal Layout*

*It is noted that each plot has been allocated car parking in accordance with Wiltshire Parking Strategy (as contained within the LTP3) and vehicle turning spaces are shown of appropriate proportions to allow vehicles to enter and exit the highway in a forward motion.*

### **Ecology -**

#### *Protected Species/Habitats*

*An Ecological Assessment has been submitted in support of this application which included bat surveys of the existing building. No evidence of bats were noted during the emergence surveys but were found to be foraging and commuting through the site. Ground level tree assessment noted a number of potential roost features within the mature trees on site but as they are being retained, no further surveys were undertaken. In addition, the site was assessed as having potential to support reptiles, with sensitive clearance measures outlined in sections 5.8-5.10 of Ecological Assessment (Sept 24) which are welcomed.*

*A number of on site biodiversity enhancement measures were included within sections 5.11-5.13 of the Ecological Assessment. These are welcomed in support of Core Policy 50 and could be secured by condition. No evidence of additional protected species were identified on site.*

#### *Hampshire River Avon Special Area of Conservation (SAC) Catchment*

*This development 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. Appropriate Assessment must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.*

*The development proposal is to create residential accommodation on site. A phosphorus budget has been completed for the proposal. The phosphorous nutrient calculation submitted in support of the application calculated a total phosphorus budget of 0.23kg TP/year. The budget has been approved by Wiltshire Council.*

*No mitigation has been submitted in support of the application and so it is assumed that the council led mitigation scheme will be sought.*



*The Biodiversity Gain Plan must be accompanied by a completed Biodiversity Metric with the following issues addressed:*

- the submitted information does not currently demonstrate that the Biodiversity Gain Hierarchy has been followed. The Biodiversity Gain Hierarchy must be followed in hierarchical order for an application to achieve 10% net gain.*

*It is noted that a number of metric errors currently occur within the submitted metric and that the net gain for area habitats and hedgerows has not been achieved. However, we note that the applicant is seeking to purchase off site biodiversity units.*

*All land located outside the redline application boundary of the development site is considered off-site (refer to information here [Make off-site biodiversity gains as a developer - GOV.UK \(www.gov.uk\)](https://www.gov.uk)).*

*All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of items required to apply can be found here - Register a biodiversity gain site - GOV.UK ([www.gov.uk](https://www.gov.uk)). In order for the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register.*

*The DM officer should confirm if the applicant would prefer to complete a legal agreement prior to determination (via 106 planning obligation) or at a later date in accordance with Government guidance*

*Salisbury Plain Special Protection Area (SPA) 6.4km Buffer*

*This application lies within the 6.4km zone of influence of the Salisbury Plain SPA and in light of the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.*

*A strategic Appropriate Assessment (AA) has been prepared pertaining to development within the 6.4km zone of influence that could result in a likely significant effect on the SPA as a result of an increase in recreational / visitor pressure. The AA reached a conclusion of no adverse effects on the integrity of the SPA or its qualifying features provided that the council's mitigation strategy continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.*

*In July 2024 Natural England (NE) confirmed that the 2024 strategic AA for Salisbury Plain SPA continues to be supported by NE.*

## **7. REPRESENTATIONS**

The application was publicised by letters posted to near neighbours. In response to the application, 10 letters of representation have been received – 9 objecting and one making a comment, points made are summarised below. There is also a representation from Salisbury and Wilton Swifts, their comments have been included in full below.

Objections summary

- object on grounds of the topography of houses and works to trees. Horefield is at a lower level in the valley, the topography of 3 large houses is unacceptable.

- Removal of any more trees that are protecting the lower level meadow/fields and the wildlife contained within that dark corridor that splits Horefield and development. Trees should be left and chalet style bungalows built in keeping with the area and light levels at rear of property
- The right property is too close to our boundary and therefore is an invasion of our privacy.
- The front elevation of the house closest to our property will essentially become a parking area for 3 cars – due to the elevations this will mean that due to our property being lower than Mistlebourne we will be looking up at cars from our front lounge window which we do not think is acceptable.
- There are bats in the property
- Lots of houses already built in Porton which have met and exceeded the neighbourhood plan requirements
- Increase in traffic and disturbance
- Loss of trees
- Size of plot more appropriate for 2 houses
- More drives on to A338 adds more risk to a busy road
- More cars is safety risk for children
- Adding more cars and people to the village is unnecessary
- Lead to oversupply of large executive houses when moderate family homes are needed
- Number of houses for sale in village that have been for sale for a long time, therefore may not be need for more houses especially as there are houses/renovations under construction in other parts of the village
- Village infrastructure is limited and becoming unbalanced
- Proposed development is too large for the plot size, houses will be cramped and out of character for the area
- Detrimental visual impact
- Limited village amenities such as the park has been closed for months due to flooding, and making it less ideal for families
- Impact on wildlife
- Additional pollution
- Block views of facing houses
- Neighbour amenity issues through loss of privacy
- Houses would be over bearing
- Overdevelopment
- Concerns regarding drains, already issues with sewage system, more houses will cause more issues
- No visibility exiting The Avenue on to A338
- Transport statement says road is 30mph so there are no problems but community speedwatch regularly catch people doing 40mph and over 50 mph
- The amount of carriageway space assumed in the report is contradicted by the large number of enormous 26-44 tonnes articulated vehicles and trailers slewing round the bend in both directions, and frequently crossing over the central road markings. Our own wing mirror was crushed by a caravan going round the corner the other way. Traffic speeds are not 'considerably low;' and it is not only a question of traffic speeds, but of vehicle size in a limited space
- You take your life in your hands to walk from the top of The Avenue to the end of the village as the path is so narrow.
- Going down The Avenue the passing place outside Mistle Bourne needs to be enlarged. If you commit to turn down and someone is coming up, this is the only safe way to pass each other.

- 3 large houses contrary to CP51 and CP57 - on the other side of The Avenue you have two semi-detached houses and beyond Mistle Bourne there are individual houses set back from the road. This development will totally change the character of the area.
- The Avenue is a cross road 4 way junction. Application 19/09230/FUL already stated that 'substandard visibility and width of the junction poses concern'; but in fact, for cars exiting Church Farm, there is not merely 'substandard visibility,' but no visibility at all to the left/ east
- Tidworth Road is not a wide 2 lane carriageway, when walking on footway beyond the Avenue, you can be moved by the wind drag of HGVs and large caravans, only inches for vehicles to pass in opposite directions
- Footway is only 3 ft wide and dangerous
- A338 is in fact a constant stream of cars, vans, motor-bikes (to and from Thruxton Circuit), caravans, buses, and the now also routinely massive tractors,
- no new entrance on the A338 as would be misguided and dangerous
- prefer the existing access onto the Avenue is widened for all new users of the new dwellings
- current dwelling is perhaps best described as a 'Chalet style bungalow' and a 'like for like' new build would likely reduce the ridge height, be less overbearing and offer a more in character design than is being proposed.
- Virgin media have not been consulted and need to be before construction to avoid damage to broadband fibre services feeding adjacent street cabinet and onwards connections
- Section of hedge along the A338 boundary and trees on site have been removed before planning permission applied for, this represents loss of habitat which is more significant than that in the submitted BNG assessment
- Local doctors surgery already stretched beyond breaking point
- Should be no burning on site

Supports summary – none

Comment -

- It is to be hoped that the opportunity will be taken to correct the dangerous and inconvenient 'pinch point' access and egress to the A338 from The Avenue. The provision of a passing place as proposed is not a solution to this narrow junction.

**Salisbury & Wilton Swifts** – In summary, all new developments should provide habitats for swifts. The representation received provides observations only and does not support of object to the application.

The full representation can be see on the Council's website.

## 8. PLANNING POLICY

The National Planning Policy Framework (NPPF) (2024) confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990); that the NPPF is a material consideration in planning decisions and planning policies and decisions must also reflect relevant international obligations and statutory requirements.



The proposals are to be considered in the context of the NPPF which sets out Central Government's planning policies and the development plan which comprises the adopted WCS (which also includes some saved policies of the Salisbury District Local Plan (SDLP), the Local Transport Plan, the WHSAP, the Idmiston Neighbourhood Plan and the Waste Core Strategy.

Planning legislation establishes that other material considerations should also be taken into account in the determination of planning applications.

The following policies are considered the most relevant to proposals:

National Planning Policy Framework (NPPF) December 2024  
Planning Practice Guidance (PPG)  
National Design Guide (NDG)

Wiltshire Core Strategy:

Core Policy 1 - Settlement Strategy  
Core Policy 2 - Delivery Strategy  
Core Policy 3 - Infrastructure Requirements  
Core Policy 4 – Development in the Amesbury Community Area  
Core Policy 43 – Affordable Housing  
Core Policy 45 – Meeting Wiltshire's Housing Needs  
Core Policy 50 - Biodiversity & Geodiversity  
Core Policy 51 - Landscape  
Core Policy 52 - Green Infrastructure  
Core Policy 57 - Ensuring high quality design and place shaping  
Core Policy 58 - Ensuring the conservation of the historic environment  
Core Policy 60 - Sustainable Transport  
Core Policy 61 - Transport and New Development  
Core Policy 62 - Development Impacts on the Transport Network  
Core Policy 63 - Transport Strategies  
Core Policy 64 - Demand Management  
Core Policy 68 – Water Resources  
Core Policy 69 - Protection of River Avon SAC

Salisbury District Local Plan Saved Policies (Appendix D WCS): C6 – special landscape area

Supplementary Planning Documents/Guidance:

Wiltshire Local Transport Plan 2011-2026:  
Car Parking Strategy (Policy PS6 - Residential parking standards)  
Cycling Strategy

Wiltshire Design Guide SPG

The Idmiston, Porton and Gomeldon Village Design Statement

Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area 2018

Waste storage and collection: Guidance for developers

Community Infrastructure Levy - Wiltshire Council - Wiltshire Community Infrastructure Levy  
Revised Wiltshire Planning Obligations SPD October 2016  
Housing Land Supply Statement Base date: April 2022 Published: May 2023

Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations')  
Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019  
Wildlife and Countryside Act 1981 as amended

## **9. PLANNING CONSIDERATIONS**

### **9.1 Principle**

At the heart of the NPPF is a presumption in favour of sustainable development and the NPPF defines three dimensions to sustainable development at paragraph 8, namely economic, social and environmental strands. The environmental aspect of the definition of sustainable development also includes protecting and enhancing our natural, built and historic environment.

The Adopted Wiltshire Core Strategy (WCS) seeks to build resilient communities and support rural communities, but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

The site is located within Idmiston Parish and the WCS delivery strategy locates the site within the Amesbury Community Area and Core Policy 4 (Amesbury Community Area) confirms that 'Development in the Amesbury Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.'

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement. Idmiston is defined as a Large Village and the site is within the settlement boundary.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages and confirms that within Large Villages, development will predominantly take the form of small housing and employment sites. Small housing developments are further defined as less than 10 units.

The Idmiston Parish Council Neighbourhood Plan (NP) was 'made' in April 2017 and has the same plan end date as the Core Strategy of 2026. The site is covered by the Plan area but is not one of the preferred sites identified within the Neighbourhood Plan and based on previous consents and developments already undertaken within the plan area (including 14/02043/FUL - 20 dwellings and 17/00842/OUT – 16 dwellings), the identified need for 32 houses in the made NP has already been achieved (policy 19).

However, the site is also within the settlement framework boundary identified in the WCS where development is acceptable in principle against Core Policies 1 and 2 of the WCS,

such that NP policy 19 does not mean that the small scale proposals such as this that are within the defined boundaries of the Large Village are no longer acceptable; although this principle acceptability is however subject to the detail including in terms of how the development fits into the character of the area, discussed in more detail below.

## 9.2 Housing Land Supply

On the 12th December 2024, the Government issued an update to the National Planning Policy Framework (NPPF). This now requires Wiltshire to demonstrate a five-year housing land supply, including a 5% buffer and must apply the revised Local Housing Need for decision making immediately. When this is assessed against the housing land supply which can be delivered within five years, the recalculation completed shows a significant reduction in the number of years supply. As a consequence, the requisite five-year housing land supply cannot currently be demonstrated, the current supply is 2.03 years.

## 9.3 Scale, design, and impact character and appearance of the area

Paragraph 131 of the NPPF, which provides that, amongst other things, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Core Policy 57 also requires a high standard of design in all new development which is expected to create a strong sense of place through drawing on the local context and ensure that valuable features and characteristics are protected and enhanced. The site is also located within a Special Landscape Area (a saved policy of the Salisbury District Local Plan). The Council's Wiltshire Design Guide links to CP57.

Policy 17 of the Neighbourhood Plan (NP) sets out the Development Criteria for new housing within the neighbourhood plan area) and states that Any developments in villages will need to meet all of the following criteria:

- Be well related to the existing village envelope
- Be of modest scale and not generally exceed ten dwellings, in order to protect the rural nature of the village
- Reflect the character and variety of the existing pattern of development in the village
- Follow the lines of the contours on sloping sites to ensure a better fit with the existing landform.

In addition to NP policy 17 (setting out that development should follow the lines of the contours on sloping sites to ensure a better fit with the existing landform); NP policy 4 requires landscaping schemes to be an integral design component in the layout of development sites. NP policy 7 requires new housing scheme to reflect and enhance the character of the village/s emphasising distinctive village character through layout, building scale, form and appearance including use and quality of facing materials and the Idmiston, Porton and Gomeldon Village Design Statement (VDS) states that maintaining the rural feel of the village/s is of paramount importance.

The site is currently a spacious open plot with the existing dwelling set back in the site. Existing development in this area is characterised by modern (20th century) two and single storey detached dwellings with a variety of house designs/materials in the area, but this area of the village has a distinctive spacious characteristic of relatively large dwellings set back from the road with landscaping softening the built development

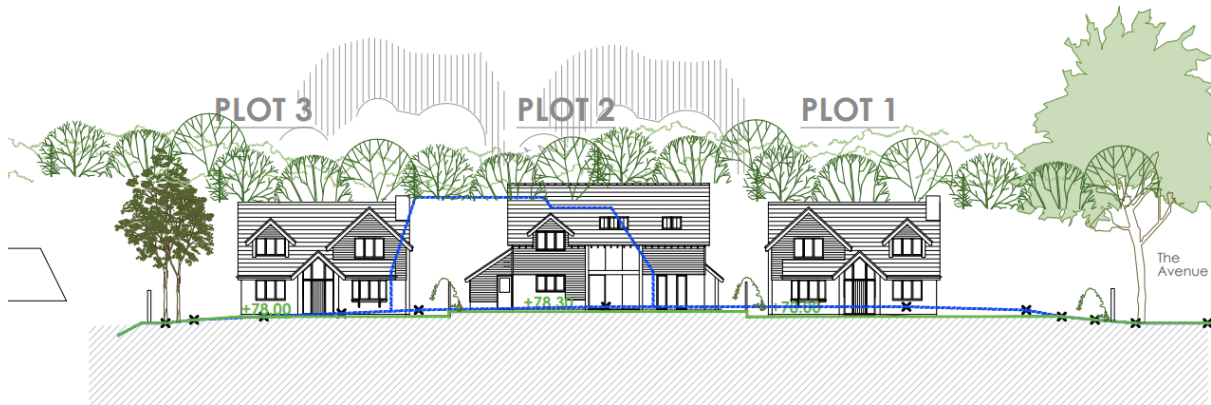


The proposed scheme will see the erection of three detached dwellings with the site divided into three roughly rectangular plots running north/south. Plot 1 is the western most plot, plot 2 in the middle and plot 3 to the east; access to plots 2 and 3 is via the new access as proposed from the A338 and access to plot 1 is via the existing access from the Avenue.

The three dwellings are to be located in a line behind the existing building line as shown below, all three dwellings will face towards the A338 with this front/principle elevations seen from this view point, with their private amenity space to the rear.



The streetscene elevation included below shows how the three dwellings will be seen from the public realm/A338.



The design of the three dwellings is similar, particularly with plots 1 and 3 being handed. The following is taken from the submitted design and access statement referring to plots 1 and 3

*These two dwellings are of similar design. To the front they appear typically domestic in nature and have a bay window, dormers at first floor and an entrance gable. The eaves is set at first floor level and they appear lower on the site. The rear elevation will have a larger gable and more openings to create strong relationship with inside and outside space. The building plan is 'L' shaped. Plot one is orientated to allow late afternoon and early evening sun and light into the patio space. Plot three is mirrored to reduce the building mass on the neighbouring property. To the rear the elevation becomes more two storey. The walls will be clad with a mixture of local brickwork up to first floor, and horizontal natural timber at first floor level. Clay tiles will soften the roof along with South West facing photo voltaic panels.*

Whereas plot 2 is slightly different in terms of overall appearance but still reflects some of the design elements from plots 1 and 3 and is to be constructed using the same materials as the other two plots. The following is taken from the submitted design and access statement -

*Plot two is designed to read as a two storey 'barn style' dwelling set between the two more domestic homes. The eaves is set at one and a half storeys, with a small dormer - the facade is largely flat with a large glazed entrance. The rear elevation will have a larger gable and more openings to create strong relationship with inside and outside space. The roof will continue down to first floor eaves height. There is a lean to structure to the North East for the utility space, and an oak frame open log store on the South West elevation. The walls will be clad with a mixture of local brickwork up to first floor, and horizontal natural timber at first floor level. Clay tiles will soften the roof along with South East facing photo voltaic panels.*

The visual impact of the proposed development will be more significant in comparison with the existing dwelling and current site layout, this is inevitable due to increasing the density from one to three dwellings. However, it is considered that the site is of a size which can accommodate the three dwellings as per the proposed layout without having a significant adverse impact on the character of the area. When viewed from the A338, the proposed dwellings will be seen in context with nearby dwellings which also front the A338 and sit within the same building line. The proposals have been designed to reflect the sloping topography of the site to minimise the overall impacts of the development on the character of the area. It is considered that the resultant design is broadly in keeping with the character of the area particularly given the current mix of built residential forms seen in the locality.

Some landscaping has been proposed around the boundaries, it is however not considered that this is enough detail and therefore a condition will be added to any approval for a detailed landscape plan to be provided.





## 9.4 Highways

Core Policy 60 seeks to help reduce the need to travel, particularly by car, and support and encourage the sustainable, safe and efficient movement of people and good within and through Wiltshire through a series of initiatives and together with Core Policy 62 seeks to mitigate any adverse impact on the transport network on transport users, local communities and the environment.

Core Policy 61 requires proposals to demonstrate that the proposal is capable of being served by safe access to the highway network and states in the supporting text that transport impacts of new developments need to be assessed and connection to the highway should be safe for all road users. In promoting demand management measures, Core Policy 64 includes a requirement for traffic management measures to promote sustainable transport alternatives, reduce reliance on the car and lower the risks of accidents and improve the environment.

The parking standards are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

All three dwellings are 4 bed properties and all have shown that 3 parking spaces with room for turning can be accommodated on site and meet the above guidance.

The Council's Highways Officer has assessed this proposal (please see full comments in the consultee response section of this report) and raises no objection to the development proposal subject to the imposing of a number of conditions.

Officers note the third party representations made in respect to highways issues, however, given that there are no objections from the Highway Authority it is not considered appropriate to object to the scheme on highway grounds as this would be difficult to defend at appeal.

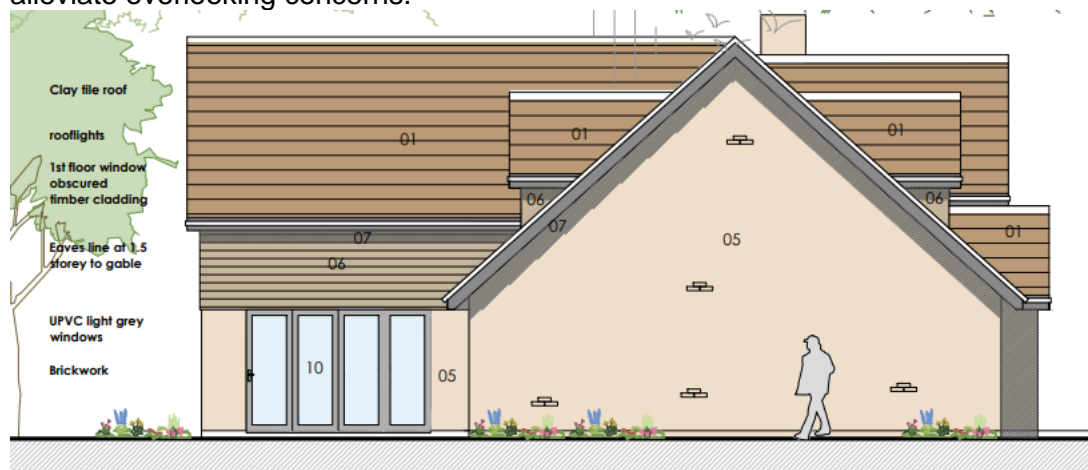
### 9.5 Amenity (neighbour and future occupiers)

The NPPF (para 135) states that planning decisions should ensure that developments 'f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users<sup>52</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

Core Policy 57 also requires that development should ensure the impact on the amenities of existing occupants is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself, requiring new development to have 'regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration and pollution'.

The application site is located in a residential area and there are adjacent dwellings on all side. The properties the most affected by the development are the immediately adjacent dwellings to the east and south.

23 Tidworth Road is located immediately to the east and shares a boundary with the application site. The boundary at present between these two dwellings is open with a low post and wire fence in situ. There are currently unrestricted views into the rear private amenity space of No23. No 23 is also topographically lower than the application site. With the new dwellings respecting the existing building line, the front elevations and associated windows are not considered to cause conflict with neighbouring amenity. Plot 3 which is the nearest new dwelling to No 23 has no high level openings on the side elevation facing No23, it has folding doors only at ground floor level as can be seen in the elevation below. Appropriate boundary treatment along this shared boundary is considered sufficient to alleviate overlooking concerns.



The outlook from No23 will be changed however, as the new dwellings replace an existing dwelling this is not total change; plot 3 has been design as an L-shape, this helps to move part of the built form further away from the boundary, this combined with the low, chalet bungalow style design is considered to minimise any overbearing or significant over shadowing issues towards No23.

To the south of the application site Lathfield shares a boundary; the new dwellings will be constructed perpendicular to Lathfield with their rear gardens separating the built form of the new dwellings from Lathfield. The distance from the rear of the new dwellings to the boundary with Lathfield ranges between approx. 16m for plot 1, approx. 21m for plot 2 and approx. 18 m for plot 3. The distances are considered to be sufficient to minimise conflict, it will however be prudent to ensure the trees/greenery are retained along the south boundary of the site.

Overall, whilst there will be some impacts on neighbour amenity through the erection of the three dwellings in lieu of the existing dwelling, it is not considered that these impacts are significant enough to warrant refusal in this instance.

The proposed dwellings have been designed to allow appropriate amenity space for each dwelling, the only real concern regarding the amenity of future occupiers lies with the possible impact from noise form the A338. The Council's public protection team consider this can be dealt with by condition

#### 9.6 Ecology

Core Policies 50 and 52 of the WCS and the NPPF require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Core Policy 51 also refers to development proposals needing to demonstrate how they protect features of nature conservation and there is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are protected under The Conservation of Habitats and Species Regulations. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

The Council's ecologist has been consulted on this application; their full comments are included above which are no objections subject to conditions.

To summarise their comments,

- An ecology assessment has been carried out and no protected species identified on site including bats.
- The site is located within the Hampshire River Avon Catchment and therefore has potential to cause adverse effects through discharge of phosphorus in wastewater. The Council-led scheme of phosphorus credits will be available for development which meets certain criteria at a fixed cost per kilogram of phosphorus, provided supply of mitigation is available. This can be dealt with via a pre-commencement condition on nay approval. It is understood at this time that any development that is refused cannot benefit from the Councils credit scheme.



- Development is required to provide 10% Biodiversity Net Gain, it is understood that the applicant will seek off site BNG which can be dealt with by pre-commencement condition.
- This application lies within the 6.4km zone of influence of the Salisbury Plain SPA an appropriate assessment has been carried out which confirms there will be no adverse effects on the integrity of the SPA

### 9.7 Trees

The application supports a number of trees, the trees are not subject to a preservation order and are not protected by virtue of being located within a conservation area. The proposals indicate the retention of some trees with measures to protect the trees during construction works. Subject to a condition relating to the tree protection measures there are no concerns raised regarding impact on trees.

## **10. CONCLUSION – the ‘planning balance’**

The site lies within the settlement boundary for the large village of Porton and therefore the principle of redevelopment for residential dwellings is in compliance with the policies of the Wiltshire Core Strategy Core Policies, Idmiston Parish Council Neighbourhood Plan 2015-2026 and NPPF 2024. The proposed layout and design of the proposed three dwellings is considered to be appropriate and acceptable for this site, making the most of the available space without appearing as overdevelopment whilst respecting the existing building line and character and appearance of the area. The proposed development will continue to use the existing vehicular access for plot 1 whilst creating a new vehicular access for plots 2 and 3 from the A338, the Highway Authority has raised no objections subject to conditions. The proposals are likely to have some neighbour amenity impacts but with conditions relating to boundary treatment and landscaping it is considered the impacts can be minimised. It is therefore considered to be in accordance with the above listed Core Policies of the adopted Wiltshire Core Strategy and the aims of the NPPF.

The concerns of the parish council and objectors are noted, however the development is acceptable in principle having regard to development plan and national policy guidance and there are no material considerations which would constitute sustainable reasons for refusal or weigh strongly against the policy support for residential development within the settlement boundary of a large village.

## **RECOMMENDATION**

That the application be GRANTED planning permission subject to the following conditions –

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

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

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

Application form  
 Design and access statement  
 Planning statement  
 0436-02-001 - Location plan

0436-02-007- Proposed site plan  
0436-02-008- Proposed landscape plan  
0436-02-009 - Proposed site sections  
0436-02-010 - Proposed site sections  
0436-02-011 - Proposed floor plans Plot 1  
0436-02-012 - Proposed elevations Plot 1  
0436-02-013 - Proposed elevations Plot 1  
0436-02-014 - Proposed floor plans Plot 2  
0436-02-015 - Proposed elevations Plot 2  
0436-02-016 - Proposed elevations Plot 2  
0436-02-017 - Proposed floor plans Plot 3  
0436-02-018 - Proposed elevations Plot 3  
0436-02-019 - Proposed elevations Plot 3

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

3) No development shall take place above slab level (except demolition) on site until the exact 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: 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwellinghouse hereby permitted or within the curtilage.

REASON: In the interests of the character and amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, alterations, extensions or enlargements.

5) There shall be no burning undertaken on site at any time. Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area

6) Before the development hereby permitted is first occupied the windows serving all ensembles and bathrooms for plots 1, 2 and 3 shall be glazed with obscure glass only to an obscurity level of no less than level 5 and the windows shall be maintained with obscure glazing for the life time of the development.

REASON: In the interests of residential amenity and privacy.

7) The development will be carried out in strict accordance with the following documents:

- Tree Protection Plan 2282-01. May 2024. SJ Stephens Associates

- Ecological Assessment. September 2024. Pro Vision
- Natural England Nutrient Neutrality Budget Calculator for the River Avon SAC

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

8) All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats

9) The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

10) The overnight developments hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage)

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

11) Prior to the commencement of any works, including vegetation removal and demolition, details of the enhancement measures on site for biodiversity, as outlined within sections 5.11-5.13 of the Ecology Report, shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation /enhancement for biodiversity

12) No development shall commence on site until visibility splays have been provided onto the A338 from the shared entrance serving Plots 2 & 3, between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the east and 43 metres to the west from the centre of the access in accordance with the approved plans. Any hedge on the site frontage shall be setback or planted at least 1 metre behind the visibility splay to allow for growth. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

13) The gradient of the access way from the A338 (serving Plots 2 & 3) shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

14) Prior to commencement of development details of the extension to the footway on the site frontage around the bellmouth of the junction with The Avenue and the A338, and the informal passing bay on The Avenue, shall be submitted to and approved by the Local Planning Authority; the work shall be carried out in accordance with the approved details before occupation of development.

REASON: In the interests of highway safety

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

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

16) 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 :-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure to include elevations;
- 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.

17) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner;

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

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

18) No works shall take place on site until the agreed boundary treatment (fence and planting) has been erected along the eastern boundary with 23 Tidworth Road and shall be retained for the lifetime of the development

REASON: In the interests of amenity

19) Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 Guidance on sound insulation and noise

reduction for buildings (or any subsequent version) and WHO Guidelines for Community Noise (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

#### Informatives

The application involves the requirement of dropped kerbs to create the vehicular access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

The proposed passing bay on The Avenue should be dedicated as public highway to allow it to be available for public use in perpetuity.

#### INFORMATIVE: Bats

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

#### INFORMATIVE Lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

#### INFORMATIVE Nesting Birds

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This

season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

#### INFORMATIVE Hampshire River Avon

Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

#### INFORMATIVE Off-site Biodiversity Gain Site

All off-site biodiversity gains sites must be registered on the national biodiversity gains site register. Guidance on how to register a biodiversity gains site including a list of items required to apply can be found here - Register a biodiversity gain site - GOV.UK ([www.gov.uk](http://www.gov.uk)). In order for the Biodiversity Gain Plan condition to be discharged all off-site gains must be shown on the Biodiversity Gain Plan as allocated to this development on the national biodiversity gains site register

#### INFORMATIVE CIL

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).

#### INFORMATIVE Party wall act

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996