FAO Mrs B Jones
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Development Services
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Date: 12th July 2023
Your reference: 20/01200/FUL
Our reference: BS-3231

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Dear Mrs Jones,

PLANNING APPLICATION 20/01200/FUL: PETERSFINGER FARM, SALISBURY

I have been appointed by the applicant, Cognatum Estates Limited, with a view to summarising the progress made on the above application and giving consideration to key planning issues pursuant to your timely determination.

Planning application 20/01200/FUL [the "application"] to *'Erect 19 no. new houses to create a new retirement estate and community, incorporating existing scheme of 4no. dwellings, convert existing dutch barn to form guest accommodation and estate manager's flat, erect club house, bin store and associated parking and turning areas, install sewage pumping station and upgrade access track to tarmac surface'* was submitted to Wiltshire Council on 11th February 2020. Chapman Lily Planning was originally engaged in an advisory capacity at the beginning of 2022 but are pleased to take this opportunity to supplement the amended proposals.

Principle of the proposed use and need

I don't believe that there is any dispute that Policy CP46 of the Wiltshire Core Strategy titled 'Meeting the needs of Wiltshire's vulnerable and older people' presents the critical test. It states:

The provision, in suitable locations, of new housing to meet the specific needs of vulnerable and older people will be required. Wherever practicable, accommodation should seek to deliver and promote independent living.

Older people

Housing schemes should assist older people to live securely and independently within their communities. Residential development must ensure that layout, form and orientation consider adaptability to change as an integral part of design at the outset, in a way that integrates all households into the community.

Developers will be required to demonstrate how their proposals respond to the needs of an ageing population.

Specialist accommodation

… …

In exceptional circumstances, the provision of specialist accommodation outside but adjacent to the Principal Settlements and Market Towns will be considered, provided that:

viii. a genuine, and evidenced, need is justified

ix. environmental and landscape considerations will not be compromised

x. facilities and services are accessible from the site

xi. its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement.

[Underlining my emphasis]

As set out in the Planning Statement accompanying the application and acknowledged in the Planning Policy comment of 5th June 2020:

The application proposes 19 Extra Care Housing or Assisted Living Units (ALUs) for occupation by elderly persons living independently but in receipt of a care package and is similar to that defined on the Homes Wiltshire website. This housing is a specialist form of housing which seeks to enable older people to continue living independently within the community through a combination of specifically designed accommodation, often with a range of communal facilities on-site, and normally with access to personal care and support services. The proposal is to construct nineteen new cottages which, together with the existing four converted properties, will create a retirement estate of twenty-three (ALUs).

Paragraphs 2.4-2.13 of the Planning Statement expands upon the type of care being offered, dovetailing with a statement from the prospective operator, Cognatum Estates – a not for profit company. Cognatum Estates statement also includes a section (7) on the 'Local Need'. In the interest of brevity, I won't repeat it here. Cognatum Estates statement goes on to set out the national context, and the importance of providing a choice and range of extra care and / or assisted living units.

Providing specialist accommodation for older persons helps 'right-sizing'. This helps to free up family homes (as well as smaller units of accommodation) whilst sustaining communities, allowing people to remain within their local area where they have established roots, with a degree of care, to the benefit of residents mental and physical wellbeing.

As set out in Simon Rutters correspondence of 1st February 2023, the applicant has already provided information on need (cross referring to the above).

The supporting text of Policy CP46 states: Wiltshire has an ageing population, more so than the national average, and this needs to be taken into account when planning for new housing. Beyond the immediate Policy it is unclear as to how this has been taken into account. Wiltshire Council's

website contains no information on the performance of Policy CP46 – with no recent Annual Monitoring Reports exhibited.

As you will be aware, the Wiltshire Local Plan is under review. The Looking to the future: Planning for Salisbury (published January 2021) document included the following statistic: *'In the years 2016-2036 the older population is expected to increase by 23% in the 60-74 age group and 81% in the 75+ age group'*. With respect to the scope of the plan (Reg 18 report dated Feb 2019) feedback was received in relation to Strategic Objective 3 – Housing, PR9 to the effect that:

- *Delivering beneficial Sheltered Housing and Extra Care Accommodation should be prioritised in Wiltshire to meet its identified housing needs.*
- *It is inappropriate to mix specialist housing for the elderly with other (family/younger persons) housing in a single flatted block.*
- *Include 'Local Service Centres' where there is a need for accommodation for elderly people and local support to allow for such development outside the settlement boundary.*[1]

Notwithstanding the policy CP46, I would point out that Wiltshire Council cannot demonstrate a 5-year housing land supply. Planning Practice Guidance (Paragraph: 016a Reference ID: 63-016a-20190626) is clear that specialist housing for older people counts, so the proposals would assist in addressing the deficit. In this instance, the presumption in favour of sustainable development would be engaged in accordance with paragraph 11(d). The site is in an eminently sustainable location and would be made more so through the proposed instatement of a pedestrian link across the A36 (see below). Indeed, I note that the land to the north (SHELAA reference: S97 and S193), which scores well on accessibility, flood risk, heritage and landscape. Whilst the applicant has not sought to rely upon the housing land supply deficit, and has had due regard to the spatial policies of the Development Plan, it is nonetheless material. Despite re-asserting this position on several occasions, Officer's seem unable or unwilling to attribute weight to either the need for such specialist accommodation or the housing land supply deficit as a material consideration.

Ecology

Whilst not covered by the description of development, the proposal would also entail the transfer of land to the south or the red line to the Wiltshire Wildlife Trust ["WWT"] together with a contribution towards ongoing management costs.

I note the consultation response from Wiltshire Ecology dated 29th November 2021. The response sought further information, namely sight of an agreement with the Wildlife Trust and assurance that sufficient funds are in place, sight of a detailed management plan and noted that 'HRA for Phosphorous – Hampshire Avon Catchment' is required. With respect to the latter, you have previously advised (emails of 25th May 2021 and 2nd December 2021) that an exemption to phosphates mitigation applies to 'specialist retirement accommodation' as 'planned development'.

[1] Table 6: Summary of comments made in response to the Wiltshire Local Plan Review Consultation Paper

Ecological issues are therefore confined to the impact upon the County Wildlife Site ["CWS"] and biodiversity enhancement.

I note that you requested a management plan, but that the applicant (email from Simon Rutter dated 8th December 2021) pushed back against it, instead seeking to defer its preparation by WWT to a later date. Notwithstanding this, I am pleased to attach a Landscape and Ecological Management Plan ["LEMP"] as part of this submission.

Pedestrian connectivity

Whilst the site is well related to nearby facilities, the A36 was considered a barrier to pedestrian movement. A protracted dialogue with the Local Highway Authority and National Highways ensued. I understand that the position and design of a suitable pedestrian crossing has now been agreed, removing the transport objection. The provision of the crossing would need to be secured by means of a S106 agreement.

Amenity of future occupiers

I note the Environmental Control and Protection team's comments dated 8th July 2021 and 6th January 2022. The applicant has mitigated as far as possible through good design and MHRV will be supplied, so residents will not need to open their windows to ventilate their homes in normal circumstances. It is evident that the EHO harbours some concern over the future living conditions and potential overheating (with an assessment requested), but *'on balance of the public protection considerations we do not wish to object to this application providing the conditions below are attached to any planning permission granted'.* An overheating study was submitted and the EHO opined: '*The overheating study supplied indicates there should not be a problem with overheating in units 13-21 if windows are closed and MRHV systems are used.'* The suggested conditions are summarised in append [A] of this letter. I note that overheating will shortly be enshrined in Part O of the new Building Regulations. The Environmental Control and Protection team's response acknowledges, that it will be for the decision maker to apply Core Policy 57.

Urban Design

Urban design issues only recently surfaced, with Richard Hughes of Wiltshire Council, raising concerns about the siting and rear elevation of units 13-21. As a result, revised plans have been tabled showing an increased set back (by 1.5m-3m) from the A36, to achieve a minimum overall separation of 12m. The bulk has also been broken up, by introducing steps in the building line. These provide greater articulation and a sense of depth.

The central units have been flipped those on the southeast boundary, to afford a graduated transition in height towards Bow Acre House, thereby avoiding any perception of overlooking and / or overbearing impact.

I trust that the information set out above and enclosed updates will enable you to determine the application favourably.

Yours sincerely



Brett Spiller BA (Hons) BTP MRTPI MCIWM
Director

APPENDIX [A]

Suggested conditions

1) The glazing on the north east façade of units 13-23 will be sealed closed and maintained in that way for perpetuity. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable; and, Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

2) No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained. Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

3) The sound insulation specifications in Acoustic Design Statement ref: AS11872.202019.ADS Sections 4.3.7 – 4.3.13 inclusive shall be implemented in full and thereafter be permanently retained. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

4) A 1.8m high close boarded timber fence will be installed on the north west, north east and south east boundaries as shown in Figure AS11872/NM2 of Clarke Saunders Acoustics letter dated 10.02.2021. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

5) The development hereby approved shall not commence until a scheme for Mechanical Heat Recovery Ventilation (MHRV) has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment air flow rates and of internal and external noise impacts from the MHRV system. The lower desirable levels for whole dwelling ventilation set out in table 3-4 of the Acoustics Ventilation and Overheating Residential Design Guide Version 1.1 will be achieved internally. The external noise assessment shall be carried out in accordance with BS:4142:2014+A1:2019. MHRV shall be supplied for all dwellings. The approved scheme shall be implemented in full and thereafter be permanently retained. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

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

i. The movement of construction vehicles;

ii. The cutting or other processing of building materials on site;

iii. Wheel washing and vehicle wash down facilities;

iv. The transportation and storage of waste and building materials;

v. The recycling of waste materials (if any)

vi. The loading and unloading of equipment and materials

vii. The location and use of generators and temporary site accommodation

viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts There shall be no burning undertaken on site at any time. The construction phase of the development will be carried out fully in accordance with the construction management plan at all times. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

7) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Reason: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

8) Mitigation measures for reptiles and trees/bats during the construction phase can be secured by condition via a Construction Environmental Management Plan.

9) A lighting condition.