DELEGATED REPORT

Application Reference:	**PL/2023/09151 and PL/2023/09304** **Variations to Condition 2 Plans list**
Application Type:	S73 Variations to full planning permission
Site Address:	Grosvenor House, 26 Churchfields Road, Salisbury, SP2 7NH
Proposal:	**PL/2023/09151** Variation of condition 2 (approved plans) on PL/2022/07886 to allow for amended design of domestic garage **PL/2023/09304** Variation of condition 2 (approved plans) on PL/2022/07886 to change the materials of Unit 4 approved
Recommendation:	Planning Permission be **GRANTED**

SITE DESCRIPTION:

The site is situated within the defined settlement boundary of Salisbury, which is designated as a Principle Settlement by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP20 (Salisbury Community Area). The buildings front onto Churchfields Road, adjacent to the Churchfields estate. The railway station and lines lie to the north and the River Nadder lies to the south of the gardens. A row of terraced residential properties lies to the west and share the existing access lane called Nadder Terrace. There is an existing car park accessed from Churchfields Road, which served the former community building.



Location

The site is situated within the Conservation Area. The buildings are within Flood Zone 1 but the southern sections of the gardens are subject to groundwater flood risk and within Food Zone 3 of the catchment area for the River Avon Special Area for Conservation (SAC). Groundwater levels are at or near the surface. The southern portions of the gardens (and red line for the change of use development) are within the 20m buffer for the River Nadder. The site is within the 13.8km buffer for the New Forest protected sites.

The two adjacent sites (see accompanying PL/2022/03960) are occupied by two former Wiltshire Council office buildings. 26-27 was known as Grosvenor House (a Youth and Community Centre).

Grosvenor House was vacated in Feb 2017 and was last occupied as a D1(b) day centre. This is confirmed by how the rateable value for the property was calculated by the VOA**.** A large car park lies to the side of Grosvenor House which served the day centre. The buildings are vacant and boarded up.

Prior Approval was granted in 2022 for change of use of the vacant Class D1(b) Day Centre to provide four dwellings (Use Class C3). The *principle* for residential conversion and use is therefore established by the prior approval and provides a significant fallback position for the current application for the dwellings.

PROPOSAL

Application Reference PL/2022/07886 gave consent for 4 x dwellings, demolition of an existing link, erection of domestic garage, erection of a two storey rear extension, hard and soft landscaping and associated works.

The 2022 scheme comprised the change of use and conversion of the existing building, including the erection of a two-storey rear infill extension, the erection of an ancillary garage, and the demolition of the existing low-quality links between the buildings. Two improved formal access points with parking are proposed between the units. The dwellings would be a mix of 3 and 4-bedroom properties, all with private amenity space and onsite parking from the existing access points off Churchfields Road. The external alterations included the erection of a garage to serve Unit 4.

The applicant now seeks to vary the plans list forming Condition 2 of the consent, to allow the existing side elevation brick walls to be rendered once an existing infill structure is removed and the side wall for Unit 4, and to vary the design scheme for the garage for Unit 4. Separate applications have been submitted for each change, but the scheme changes are considered together in this report.

RELEVANT PLANNING HISTORY:

S/1991/0527 DEEMED APPLICATION - CHANGE OF USE FROM A CHILDREN'S RECEPTION AND OBSERVATION CENTRE TO A CHILDREN'S RESOURCE CENTRE Approved

PL/2022/04021 Notification for Prior Approval under Class MA - Change of Use of Vacant Class D1(b) Day Centre to 4 x Dwellings (Use Class C3) prior Approval Granted

Application Reference PL/2022/07886 Proposal: 4 x dwellings, demolition of an existing link, erection of domestic garage, erection of a two storey rear extension, hard and soft landscaping and associated works. Approved subject to conditions:

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan ref 8113 L01 2 dated May 2022
Proposed Annotated Elevations ref 8113 - D07-2 – Rev A dated Sept 2022 Proposed Site Plan ref 8113 - D01-2 – Rev B dated Sept 2022
Proposed Site Set Up Plan ref 8113 – D12-2 dated Feb 2023
Proposed Annotated Basement & Ground Floor Plans 1 of 2 ref 8113 D042 dated Sept 2022
Proposed Annotated First & Second Floor Plans 2 of 2 ref 8113 D052 dated Sept 2022 Proposed Basement & Ground Floor Plans 1 of 2 ref 8113 D02 2 dated Sept 2022
Proposed First & Second Floor Plans 2 of 2 ref 8113 D03 2 dated Sept 2022
Proposed Site Sections 1 of 2 ref 8113 D09 2 dated Sept 2022
Proposed Site Sections 2 of 2 ref 8113 D102 dated Sept 2022
Existing and Proposed Street Elevations ref 8113 D11 2 dated Sept 2022 Proposed Garage Elevations ref 8113 D08 2 dated Sept 2022
Ecological Assessment by Peach Ecology ref 0510 Issue 2 dated 3rd Feb 2023 Construction Management Plan by Atlas Planning Group dated Feb 2023 Arboricultural Implications Assessment and Method Statement by Eco Urban Arboricultural ref 221472 - AIA 2 dated 5 Dec 2022
Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022 Acoustic Report by Clarke Saunders ref AS12613.220906.R1 dated 15/09/22 Highway Technical Note by Nick Culhane received 11/10/22
REASON: For the avoidance of doubt and in the interests of proper planning.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)

(England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.
REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.





POLICIES:

National Planning Policy Framework (NPPF) National Planning Practice Guidance (PPG)

Salisbury Central Area Framework Jan 2020

Wiltshire Core Strategy (WCS):
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 20: Spatial Strategy for the Salisbury Community Area
Core Policy 49: Protection of rural services and community facilities
Core Policy 50: Biodiversity
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Conservation of the Historic Environment
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and Development
Core Policy 67: Flood Risk
Core Policy 69: Protection of the River Avon SAC

Wiltshire Local Transport Plan 2011 – 2026, Car Parking Strategy Appendix C

CONSULTATIONS

Garage

Highways – no objection
Ecology - no objection subject to conditions
Conservation – no objection to revised scheme design

Brick to Render

Ecology - no objection subject to conditions
Conservation – no objection to change

REPRESENTATIONS:

One third party querying parking plan whereabouts

MAIN PLANNING ISSUES:

1. Principle for development
2. Scale, design and impact of the render and garage amendments to the character of the Conservation Area and heritage assets and their settings.
3. Neighbouring and future amenity
4. Highway Safety
5. River Avon SAC, New Forest protected sites and biodiversity
6. Condition details for ULEV and contamination

PLANNING ASSESSMENT:

Planning permission is required for the development. The applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

1. **Principle for development**

Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Salisbury is a principal settlement and residential development is acceptable in principle within the settlement boundary. No objection is raised in principle to the proposed variations to an approved garage building and the change from brick to render for the side elevation walls under Core Policy 2. The principle for the development was accepted under PL/2022/07886. The existing conditions should be updated and reimposed as necessary.

2. **Scale, design and impact of the render and garage amendments to the character of the Conservation Area and heritage assets and their settings.**

Core Policy 57 sets out the design criteria for new development. Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Heritage assets include listed buildings and conservation areas.

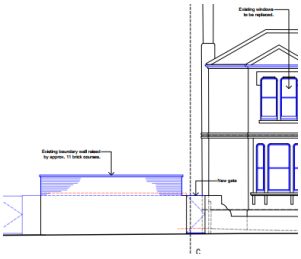
There is a duty placed on the local planning authority under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or it's setting to have special regard to the desirability of preserving the building and its setting or any features of special architectural or historic interest which it possesses. The NPPF sets out the criteria for considering the impacts of development on heritage assets and their settings.

The proposed variations affect an approved scheme and seek to make minor alterations to the approved garage and change the existing brick to render for Unit 4.

The approved single-storey garage, to serve Unit 4, was to be constructed in brickwork with a reconstituted stone capping and a proprietary flat roof membrane. The new addition was considered to be of limited height and subservient to the existing buildings. The addition of the single-storey garage was not considered to detrimentally impact the character of the area or street scene in 2022.

The current proposals seek consent to change the design of the garage as follows:

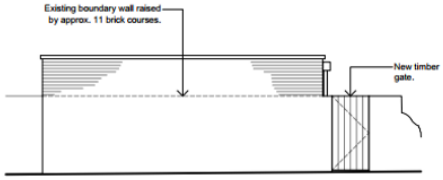
As Approved under PL/2022/07886



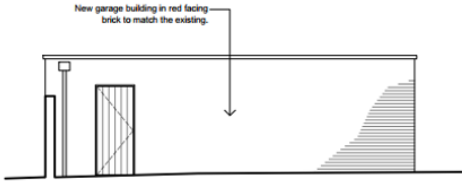
North



South



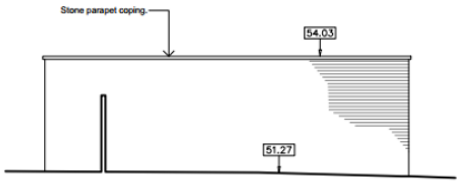
NORTH (FRONT) ELEVATION



WEST (SIDE) ELEVATION

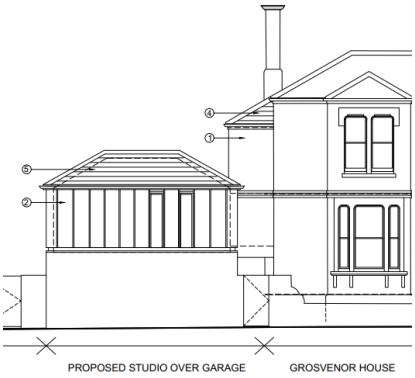


SOUTH (REAR) ELEVATION



EAST (SIDE) ELEVATION

Proposed as a Variation:



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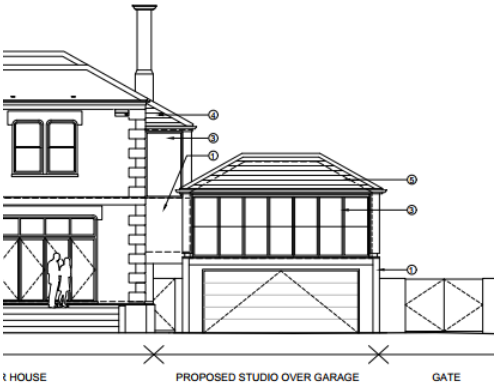
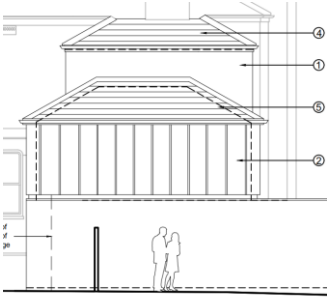


South



East

Materials Key

1. Red brick to match Grosvenor House
2. Standing seam roof with RAL colour to match Grosvenor House roof tiles
3. Dark grey aluminium framed glazing
4. Natural roof slates & red clay hip tiles to match Grosvenor House
5. Slate roof with lead hip and ridge flashings

The building would be linked to the main dwelling by a new two storey link extension shown on the above elevation plans. The roof of the link extension would be natural roof slates & red clay hip tiles and red brick walls, all to match Grosvenor House. The garage walls would have a standing seam “roof” with RAL colour to match Grosvenor House roof tiles. The roof would be slate with lead hip and ridge flashings. Windows would be dark grey aluminium. The side wall of the garage would be red brick to match Grosvenor House. Materials would be conditioned as before in 2022, to ensure that they are appropriate to the setting and match the house appropriately.

The Conservation officer objected to the initial submission design, but raised no objections to the revised scheme above:

I welcome the proposed revisions of position and design, I am satisfied that, while unquestionably contemporary, it would sit comfortably alongside the historic buildings and preserve the character of the streetscene and the CA.

The proposed change from brick to render also affects the side elevations of the buildings where the existing infill is to be removed and expose the brickwork, and Unit 4, both shown in red hash below:



There is no objection in principle to the brickwork being covered in render as it is likely to be damaged following removal of the infill building. The conservation officer stated:

The proposed areas of render leave the front and forward parts of the side elevations as the original brick, and would preserve the overall character and appearance of the buildings' contribution to the conservation area.

In conclusion, there is no objection to the proposals to vary the scheme. The garage amendments makes better use of the space and the design is contemporary but acceptable. The works to cover damaged brickwork with render are also acceptable and would not harm the character of the Conservation Area. Subject to withdrawal of PD rights, ensuring retention of the stone pier caps, and a condition for materials and brick bond, the character, setting of the Conservation Area and significance of heritage assets would not be harmed and the proposal is considered to comply with CP58, CP57, the NPPF and the 1990 Act. The character of the streetscene is likely to be significantly improved as a result of the development.

3. Neighbouring and future amenity

The proposed amendments would not harm any neighbouring amenities in terms of undue overlooking, dominance or loss of light. Subject to re-imposition of the previous conditions, appropriate levels of amenity are achievable within the development in accordance with CP57.

4. Highway Safety

CP57, 60 and 61 are applicable to the development.

The proposal seeks to retain the existing access off Churchfields Road to serve Plot 4 and the associated garage and additionally seeks to reuse two further dropped kerbs to provide access to serve Plots 1-3. The application was previously supported by a Transport Statement prepared by a Highway Consultant. The highways officer considered the amendments to the garage and commented:

I refer to the above planning application for the variation of condition 2 (approved plans) on PL/2022/07886 to allow for amended design of domestic garage. The proposal is for a first floor extension above the approved garage to be used as a home office with an ensuite bathroom. The dwelling is a 4 bed dwelling and as such no additional parking provision is required for the additional room that could be use as an additional bedroom. The new staircase will reduce the garage in size, however as there is a separate cycle store, this does not cause me any concerns as it is still large enough to accommodate a vehicle. I wish to raise no highway objection.

In conclusion, subject to conditions, the highway safety impacts of the proposal would be acceptable, subject to re-imposition of previous conditions, in accordance with CP57, CP60 and CP61.

5. River Avon SAC, New Forest protected sites and biodiversity

Core Policy 50 is relevant to the application and an Ecological Assessment has been submitted. The application was submitted before the statutory requirement for biodiversity net gain came into force.

The site is within 2 protected sites, the New Forest protected sites and the River Avon SAC catchment.

The ecologist considered the amendments to the scheme and the submitted nutrient budget and concluded:

<u>River Avon SAC</u>

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 submitted nutrient calculation [Nutrient_Calculator_River_Avon_SAC_V_03_01_5] calculated a total phosphorus budget of 0.46 kg TP/year post 2030. The budget has been approved by Wiltshire Council.

A Council-led scheme of phosphorus credits will be available for development which meets certain criteria at a fix cost per kilogram of phosphorus, provided supply of mitigation is available. A completed Hampshire Avon Credit Screening Approval Certificate is required to apply for this scheme. The ecology section of this certificate has been completed by the Council's ecology team for this application. This certificate can only be issued by the case officer if the application meets the two deliverability tests. Further details of the Council-led scheme, including eligibility criteria current cost to purchase credits, and details of how to apply, is available on our website Phosphorus and nitrogen mitigation - Wiltshire Council.

Ecology officer approval Approval of Nutrient Budget	Document reviewed – Nutrient_Calculator_River_Avon_SAC_V_03_01_5 Pre 2030 budget - 0.46 kg TP/year Budget approved - Yes Date – 29/01/2025

A strategic Appropriate Assessment (AA) has been prepared for qualifying planning applications for residential and non-residential development, within sewered and non-sewered areas of the River Avon SAC catchment. The AA reached a conclusion of no adverse effects on the integrity of the SAC or its qualifying features and has been endorsed by Natural England (NE) provided that the council's mitigation strategy continues to be implemented.

The mitigation fee and administration charge for the scheme can be paid by a section 111 agreement. It is also possible to pay the mitigation fee through a section 106 agreement or unilateral undertaking.

Construction Impacts

This development falls within 20m of the River Avon SAC and has the potential to cause likely significant effects (LSE's) alone or in combination with other developments as a result of construction. An Appropriate Assessment (AA) under Section 63 of the Habitats Regulations must therefore be carried out by the Local Planning Authority to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects, in line with Wiltshire Core Strategy Core Policy 69 (Protection of the River Avon SAC).

Core Policy 69 seeks to avoid and reduce environmental effects on the River Avon SAC during construction and operation to avoid and prevent pollution and mitigate disturbance effects.

In order to avoid and reduce potential environmental effects on the River Avon SAC, development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures.

A Construction Management Plan by Atlas Planning Group dated Feb 2023 has been submitted and secured via Condition 2 of the parent application PL/2022/07886.

The LPA concludes that subject to the mitigation measures detailed in the Construction Management Plan, the Appropriate Assessment concludes no adverse effects on the integrity of the River Avon SAC during the Construction Phase.

New Forest Internationally Protected Sites

The development lies within the 13.8km zone of influence for the New Forest protected sites which includes the New Forest Special Protection Area (SPA), New Forest SAC and New Forest Ramsar site. It is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects through increased recreational pressure, which may occur alone and in-combination with other plans and projects. An emerging Recreation Mitigation Strategy for the New Forest was discussed at a cabinet meeting on the 7th May 2024, which requires payments for SAMM contributions via planning obligations. An AA is required which must be completed and the conclusion agreed with Natural England prior to the application being determined.

Point 4 of the 2024 Cabinet report states:

4) Notes that the ring-fenced CIL fund will cover all completions covered under the interim strategy until the new strategy is in place and that any remaining CIL fund will be used to help deliver a transition phase for live planning applications.

PL/2022/07886 was approved on 22nd February 2023 and any development completed under this approval (ie completions under PL/2022/07886) would be covered by Point 4 above.

However, these Variation applications under S73 were received and validated on October and November 2023 respectively. An AA is required which must be completed prior to the applications being determined. The duty applies **up to the point when the last implementing decision is taken**, therefore, if circumstances change materially since any previous appropriate assessment, the local planning authority will need to ensure that it has undertaken a fresh appropriate assessment taking that change in circumstance into account. If circumstances have changed whereby the Council could not be satisfied beyond reasonable scientific doubt that the project will not have an adverse effect on a habitats site it cannot approve the later implementing decision.

Therefore, Point 2 of the 2024 Cabinet report now applies to the S73 Variation applications:

2) Agrees that in accordance with the requirements of the Habitats Regulations and case law the revised strategic approach applies to all qualifying development seeking outline, full, reserved matters and discharge of condition approval.

The mitigation strategy's Strategic Access Management and Monitoring (SAMM) contribution is £600 per dwelling along with the associated legals fees. This may be secured via a S111 Agreement provided the applicant is willing to pay the SAMM contribution and any legal fees. Once all other issues for this application have been resolved the information required to complete the New Forest AA can be re-visited and a Grampian condition applied to any consent, as appropriate.

It will therefore be necessary for developer contributions of £600 per dwelling / tourism unit (plus legal and admin fees) to be secured via s111 agreement, unilateral undertaking or s106 agreement for this application to ensure the necessary mitigation is secured. This will enable the Council to conclude that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects. The applicant should be directed to the Guidance Note for Completing Agreements Under S.111 of the Local Government Act 1972.

Therefore, in conclusion, no ecological objection is raised under CP50 subject to the development being implemented in strict accordance with the recommendations and conditions previously set out by the Council's ecologist, as updated.

6. **Other matters**

Other considerations including trees, flood risk, public protection and biodiversity are not considered to

be materially affected or changed by the proposed variations to the scheme, subject to previous conditions being reimposed.

7. Condition details for ULEV and contamination

Details have been submitted under application PL/2023/10389 *Discharge of Condition No 11 (contamination) and 12 (ULEV) on PL/2022/07886 - Conversion of Grosvenor House from vacant Day Centre to 4 x dwellings, demolition of an existing link, erection of domestic garage, erection of a two storey rear extension, hard and soft landscaping and associated works*

An Appropriate Assessment needs to be concluded favourably for all implementing decisions within the River Avon catchment, including discharge of conditions applications. The submitted details for ULEV provision and contamination are acceptable to consultees and therefore, the details will be included on the applications as conditions. Please refer to PL/2023/10389 for consultee responses. This ensures that the applicant is still lawfully bound to provide mitigation for the River Avon catchment as part of the Council's credit scheme and the nutrient budget has been agreed (see ecology above). PL/2023/10389 will be withdrawn following the issue of PL/2023/09304.

RECOMMENDATION:

APPROVE PL/2023/09151 (Garage variations) **Subject to the following conditions:**

The development hereby permitted shall be begun before the 22 February 2026 (the expiry date of PL/2022/ 07886).

REASON: To comply with the provisions of Section 73 and 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started.

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.

The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure 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.

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

Location Plan ref 8113 L01 2 dated May 2022
Proposed Annotated Elevations ref 8113 - D07-2 – Rev A dated Sept 2022
Proposed Site Plan ref 8113 - D01-2 – Rev B dated Sept 2022
Proposed Site Set Up Plan ref 8113 – D12-2 dated Feb 2023

Proposed Annotated Basement & Ground Floor Plans 1 of 2 ref 8113 D042 dated Sept 2022
Proposed Annotated First & Second Floor Plans 2 of 2 ref 8113 D052 dated Sept 2022
Proposed Basement & Ground Floor Plans 1 of 2 ref 8113 D02 2 dated Sept 2022
Proposed First & Second Floor Plans 2 of 2 ref 8113 D03 2 dated Sept 2022

Proposed Site Sections 1 of 2 ref 8113 D09 2 dated Sept 2022
Proposed Site Sections 2 of 2 ref 8113 D102 dated Sept 2022

As Approved and Proposed Street Elevations ref 8257-D04-C dated Feb 2024
Proposed Garage Roof and Block Plan ref 8257-D02-B dated Feb 2024
Proposed Elevations 8257-D03-D dated Feb 2024
Proposed Floor Plans 8257-D01-C dated Feb 2024

Ecological Assessment by Peach Ecology ref 0510 Issue 2 dated 3rd Feb 2023
Construction Management Plan by Atlas Planning Group dated Feb 2023
Arboricultural Implications Assessment and Method Statement by Eco Urban Arboricultural ref 221472 - AIA 2 dated 5 Dec 2022
Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022
Acoustic Report by Clarke Saunders ref AS12613.220906.R1 dated 15/09/22
Highway Technical Note by Nick Culhane received 11/10/22

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

The external brickwork for the development hereby permitted (including the garage) shall be constructed to match that of the existing buildings in terms of its colour, texture, face bond, size, jointing and pointing.

Any new slate and red clay hip tiles, lead hips and ridge flashings for the roofs of the development (including the garage) and any replacement windows shall match in colour and style those used in the existing building. The Standing seam roof for the garage (point 2 on the materials key) shall be finished in a colour to match Grosvenor House roof tiles.

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

The existing stone pier caps of the north roadside wall (existing & proposed street elevation D/11/2 and north front elevation plan ref D07/2/A) shall be retained in situ and reused as part of the development wherever possible and any new stone (or reconstituted stone) pier caps required for the development shall be formed and installed to match the existing pier caps.

Reason: To retain the character of the existing development within the Conservation Area

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

The development hereby permitted shall not be occupied until the first 5m of each access, measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

Any gates shall be set back 5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

No part of the development hereby permitted shall be occupied until the accesses, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans (Ref:

8113/D01/2/B). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

The noise attenuation measures as detailed in Sections 6 and 7 of Clarke Saunders Acoustic Report dated 15th September 2022 (ref AS12613.220906 R1) shall be implemented in full before the dwellings are occupied and the measures shall be maintained at all times thereafter.

Reason: To ensure that appropriate levels of amenity are achievable.

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: To ensure that appropriate levels of amenity are achievable.

The development hereby approved shall be implemented in accordance with the recommendations in the **Asbestos Refurbishment/Demolition Survey and the Waste Transfer Note received 29/11/23.** In the event that any further contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

There shall be no occupation of the dwellings until the scheme of Ultra Low Energy Vehicle infrastructure shown on **the EV Charger Site Location Plan ref D01/2/RevC hereby approved** has been implemented. The scheme shall thereafter be permanently retained.

REASON**:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The development proposals, which by virtue of their scale, nature and location are likely to exacerbate existing areas of poor air quality. These measures are required to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

The residential development hereby permitted shall be implemented in accordance with the recommendations contained within the Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022. No sleeping accommodation or bedrooms shall be provided at basement / lower ground floor level in accordance with the floorplans hereby approved.

Reason: To mitigate any risk of flooding. The site is within Flood Zone 1 but is at risk of groundwater flooding.

The development will be carried out in strict accordance with the following:
i) Ecological Assessment Issue 2 (Peachecology, 3rd February 2023), with measures detailed in Appendix E titled ‘Mitigation and Enhancements’ or as modified under a Natural England EPS Mitigation Licence for bats.
ii) Construction Management Plan (Atlas Planning Group, February, 2023), with all measures detailed on the marked-up plan titled ‘Site Set-up Plan’ Drwg. No. 8113/D12/2 (Radley House Partnership, Feb ’23).
Any mitigation measures shown on the plans hereby approved for swifts, sparrows and bats shall be installed on the development before the dwellings are occupied and maintained for the lifetime of the development.

REASON: To ensure adequate protection and mitigation for protected species and habitat through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation and to comply with the requirements of the Conservation of Habitats and Species Regulations 2017

The development shall be implemented in accordance with the **Arboricultural and Method Statement by Eco Urban Arboricultural ref 231559 - AMS, dated 16th May 2023 approved by the Local Planning Authority on 10 July 2023.**

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

INFORMATIVES

New Forest Mitigation Strategy: Evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme means confirmation of payment of the 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.

Hampshire Avon Phosphorus Mitigation: 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.

Highways: The application involves an extension to the existing dropped kerbs. 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 and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

The required dropped kerb extensions necessitate an amendment to the relevant Traffic Regulation Order to reduce the length of the on-street parking bays and extend the double yellow lines, across the site frontage. The amendment to the TRO will be undertaken by Wiltshire Council Highway Authority. The applicant will be required to bear the costs of the traffic order advertisement, consultation and implementation. The applicant should contact the Local Highway Authority for further information.

CIL: You are 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

RECOMMENDATION:

APPROVE PL/2023/09304 (Brick to render variations) **Subject to the following conditions:**

The development hereby permitted shall be begun before the 22 February 2026 (the expiry date of PL/2022/ 07886).

REASON: To comply with the provisions of Section 73 and 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started.

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.

The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure 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.

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

Location Plan ref 8113 L01 2 dated May 2022
Proposed Annotated Elevations ref 8113 - D07-2 – Rev A dated Sept 2022 Proposed Site Plan ref 8113 - D01-2 – Rev B dated Sept 2022
Proposed Annotated Elevations ref 8113/D07/2/C (showing render to walls on Elevation B1 and C)
Proposed Site Set Up Plan ref 8113 – D12-2 dated Feb 2023
Proposed Annotated Basement & Ground Floor Plans 1 of 2 ref 8113 D042 dated Sept 2022
Proposed Annotated First & Second Floor Plans 2 of 2 ref 8113 D052 dated Sept 2022 Proposed Basement & Ground Floor Plans 1 of 2 ref 8113 D02 2 dated Sept 2022
Proposed First & Second Floor Plans 2 of 2 ref 8113 D03 2 dated Sept 2022
Proposed Site Sections 1 of 2 ref 8113 D09 2 dated Sept 2022
Proposed Site Sections 2 of 2 ref 8113 D102 dated Sept 2022
Existing and Proposed Street Elevations ref 8113 D11 2 dated Sept 2022 Proposed Garage Elevations ref 8113 D08 2 dated Sept 2022
Ecological Assessment by Peach Ecology ref 0510 Issue 2 dated 3rd Feb 2023 Construction Management Plan by Atlas Planning Group dated Feb 2023 Arboricultural Implications Assessment and Method Statement by Eco Urban Arboricultural ref 221472 - AIA 2 dated 5 Dec 2022
Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022 Acoustic Report by Clarke Saunders ref AS12613.220906.R1 dated 15/09/22 Highway Technical Note by Nick Culhane received 11/10/22

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

The external brickwork for the development hereby permitted shall be constructed to match that of the existing buildings in terms of its colour, texture, face bond, size, jointing and pointing.

Any new slate for the roofs of the development and any replacement windows shall match in colour and

style those used in the existing building.

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

The existing stone pier caps of the north roadside wall (existing & proposed street elevation D/11/2 and north front elevation plan ref D07/2/A) shall be retained in situ and reused as part of the development wherever possible and any new stone (or reconstituted stone) pier caps required for the development shall be formed and installed to match the existing pier caps.

Reason: To retain the character of the existing development within the Conservation Area

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

The development hereby permitted shall not be occupied until the first 5m of each access, measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

Any gates shall be set back 5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

No part of the development hereby permitted shall be occupied until the accesses, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans (Ref: 8113/D01/2/B). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

The noise attenuation measures as detailed in Sections 6 and 7 of Clarke Saunders Acoustic Report dated 15th September 2022 (ref AS12613.220906 R1) shall be implemented in full before the dwellings are occupied and the measures shall be maintained at all times thereafter.

Reason: To ensure that appropriate levels of amenity are achievable.

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: To ensure that appropriate levels of amenity are achievable.

The development hereby approved shall be implemented in accordance with the recommendations in the **Asbestos Refurbishment/Demolition Survey and the Waste Transfer Note received 29/11/23.** In the event that any further contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

There shall be no occupation of the dwellings until the scheme of Ultra Low Energy Vehicle infrastructure

shown on **the EV Charger Site Location Plan ref D01/2/RevC hereby approved** has been implemented. The scheme shall thereafter be permanently retained.

REASON**:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The development proposals, which by virtue of their scale, nature and location are likely to exacerbate existing areas of poor air quality. These measures are required to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

The residential development hereby permitted shall be implemented in accordance with the recommendations contained within the Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022. No sleeping accommodation or bedrooms shall be provided at basement / lower ground floor level in accordance with the floorplans hereby approved.

Reason: To mitigate any risk of flooding. The site is within Flood Zone 1 but is at risk of groundwater flooding.

The development will be carried out in strict accordance with the following:
i) Ecological Assessment Issue 2 (Peachecology, 3rd February 2023), with measures detailed in Appendix E titled 'Mitigation and Enhancements' or as modified under a Natural England EPS Mitigation Licence for bats.
ii) Construction Management Plan (Atlas Planning Group, February, 2023), with all measures detailed on the marked-up plan titled 'Site Set-up Plan' Drwg. No. 8113/D12/2 (Radley House Partnership, Feb '23).
Any mitigation measures shown on the plans hereby approved for swifts, sparrows and bats shall be installed on the development before the dwellings are occupied and maintained for the lifetime of the development.

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