

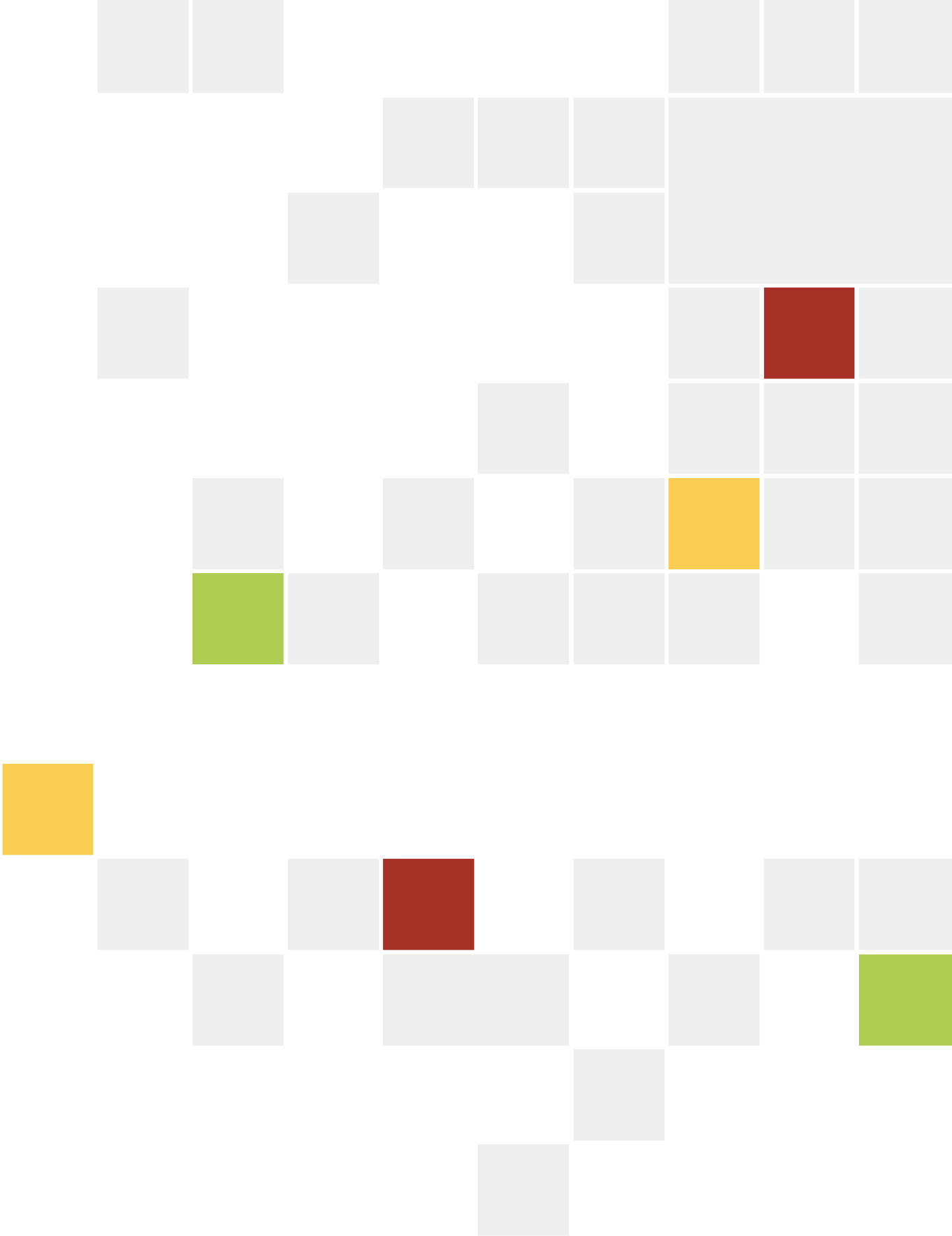


Wilton Gate Retail Unit

Planning Statement

Boyer

Prepared on behalf of Vistry Homes Limited & LSP Developments | December 25



Boyer

REPORT CONTROL

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APPENDICES

Appendix 1 – Copy of Decision Notice for Planning Permission Ref. PL/2023/09203

1. INTRODUCTION

- 1.1 This Planning Statement accompanies an application made under Section 73 of the Town and Country Planning Act 1990 to vary a planning condition to allow a small number of minor material amendments to the permitted development at Wilton Gate (Land south of Netherhampton Road) on behalf of Vistry Homes Limited and LSP Developments.
- 1.2 This Section 73 Application is made pursuant to application reference (PL/2023/09203), which was granted on 29th November 2024 by Wiltshire Council.
- 1.3 The permitted description of development reads:
- "Variation of Conditions 1 and 2 of PL/2021/08735 - Proposed separate retail unit with an adjacent block of five apartments at the local centre"*
- 1.4 This Section 73 application seeks approval for:
- "Variation of Condition No. 02 (approved plans) to seek a revised design to the retail unit, reconfiguration of the layout and associated landscaping works"*
- 1.5 In summary, this application seeks approval for minor material amendments to the approved development for the local centre at Wilton Gate. The amendments sought are a result of ongoing scheme evolution and practical shortcomings in the consented drawings.
- 1.6 For clarity, we can confirm that this application:
- Does not impact delivery of the wider development associated with phase I (RMA ref. PL/2023/09203) or outline permission ref. 19/05824/OUT;
 - Fully complies with point 2, criterion (i) of condition 23 of outline planning permission 19/05824/OUT whereby the overall quantum of floorspace within Class A1 use is specified as being up to 400sqm.
- 1.7 This statement should be read in conjunction with the following plans and reports:
- A copy of the Planning Application form and CIL form, duly completed and signed;
 - A Site Location Plan , which identifies the extent and location of the application site as outlined in red; and
 - Plans and Elevations:
- Retail Plot
- Site Location Plan (Dwg No 250099-0100 Rev P-00)
 - Proposed Site Plan (Dwg No 250099-0102 Rev P-02)
 - External Works Detail (Dwg No 250099-0103 Rev P-02)
 - Vehicle Tracking Plan (Dwg No 250099-0104 Rev P-00)

- Proposed Floor & Roof Plan (Dwg No 250099-0201 Rev P-00)
- Proposed Elevations (Dwg No 250099-0301 Rev P-01)
- Proposed Site Sections (Dwg No 250099-0302 Rev P-00)
- Proposed Visualisations (Dwg No 250099-0303 Rev P-00)

Extended Site/ Phase 1

- Site Layout (Dwg No 250099-0111-P-00)
- Affordable Housing Layout (Dwg No 250099-0116-P-00)
- Boundary Materials Layout (Dwg No 250099-0112-P-00)
- Dwelling Materials Layout (Dwg No 250099-0117-P-00)
- Refuse Strategy Layout (Dwg No 250099-0115-P-00)
- Electric Vehicle Charging Point Layout (Dwg No 250099-0114-P-00)
- Bus Stop Walking Distances Layout (Dwg No 250099-0113-P-00)

- Design Statement
- Updated Detailed Landscape Design
- Technical Information, including:

Refuse Strategy

- Netherhampton – Refuse (Backhaul Preparation)
- Netherhampton – Refuse Policy

Acoustic Information

- Plant Noise Guidance Report
- Proposed Refrigeration Plant Layout

1.8 The remainder of the Planning Statement is structured as follows:

- Site and Surrounding Area;
- Development Proposals;
- Planning History and Background to the Proposals;
- Planning Policy;
- Planning Assessment; and
- Conclusion.

2. SITE AND SURROUNDING AREA

- 2.1 This planning application relates to part of the site known as Wilton Gate/ Netherhampton Road. Geographically it is located on the south-western periphery of Salisbury and accounts for circa 63ha which is allocated within the adopted Wiltshire Site Allocations Plan under Policy H3.1 for residential-led mixed use development.
- 2.2 The Site lies to the south of the A3094 (Netherhampton Road) and forms part the wider Wilton Gate residential development, which benefits from Outline Planning Permission (19/05824/OUT) for the erection of 640 new dwellings; a local centre; a new school; a country park and employment uses.
- 2.3 This permission was followed by the submission of a reserved matters application (PL/2021/08735) for Phase 1 which included the appearance, landscape, layout, and scale, for the erection of 234 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation area, public open space, access provision for the school, re-positioned attenuation basin and drainage with associated infrastructure and engineering works.
- 2.4 For completeness the reserved matters submission also included technical details of the proposed local centre, which comprised a two-storey building with four retail units on the ground floor and five dwellings above, granted on 21st October 2022.
- 2.5 For completeness this application specifically relates to the land identified for the local centre. As shown below geographically it is situated towards the centre of Phase 1 on the northern side of the main spine road, which in turn lies opposite the land which is identified for the school and surrounded by a mixture of residential dwellings and landscaping in all other directions.



Figure 1. Aerial view of retail plot location at Wilton Gate

- 2.6 Whilst the local centre and associated residential units were originally expected to be brought forward in a single building. This was subsequently amended in November 2024 (PL/2023/09203) to facilitate the proposed creation of a standalone retail unit accommodated in the form of a single storey building and 5 residential units to be accommodated in a separate apartment block which comprises 2 and 3 storeys respectively.
- 2.7 For the avoidance of doubt this s73 application simply seeks minor amendments to the latest plans associated with the 'local centre' building. The proposed scheme has been designed to reflect the operational requirements of a future operator and thus facilitate delivery of the unit itself. Whilst remaining in keeping with the character of the surrounding area which shall be discussed in further detail as part of this statement.

3. DEVELOPMENT PROPOSALS

- 3.1 This s73 application seeks approval for minor variation to the design, layout and associated arrangements associated with the local centre at Wilton Gate.
- 3.2 As mentioned previously whilst the local centre and associated residential units were originally expected to be brought forward in a single building. This was subsequently amended in November 2024 (PL/2023/09203) to facilitate the proposed creation of a standalone retail unit accommodated in the form of a single storey building and 5 residential units to be accommodated in a separate apartment block which comprises 2 and 3 storeys respectively.
- 3.3 For completeness the amendments sought as part of this application simply relate to the design of the local centre building/ convenience store and do not involve any alterations to the separate apartment block.
- 3.4 The overarching purpose of which is simply to account for ongoing scheme evolution and better align with the operational requirements of a future operator following recent discussions. In turn the latter shall help facilitate delivery of the local centre in order to serve the wider Wilton Gate development as envisaged by the original consent for the site.
- 3.5 For convenience the proposed scope of amendments includes the following:
- Standard pitched roof to replace the previous mansard roof
 - The exterior walls are now finished with Buff bricks to tie in with the wider housing development
 - The building has been positioned further east, away from the residential apartment block to the west
 - Revised parking arrangements to provide 14 normal spaces and 2 EV charging bays
 - Levels have been adapted to tie in with Foxmore Drove
 - A plant area is now shown as this was missing from the previously approved scheme
- 3.6 To capture these changes a suite of drawing material has been prepared and is demonstrated with the extracts below:

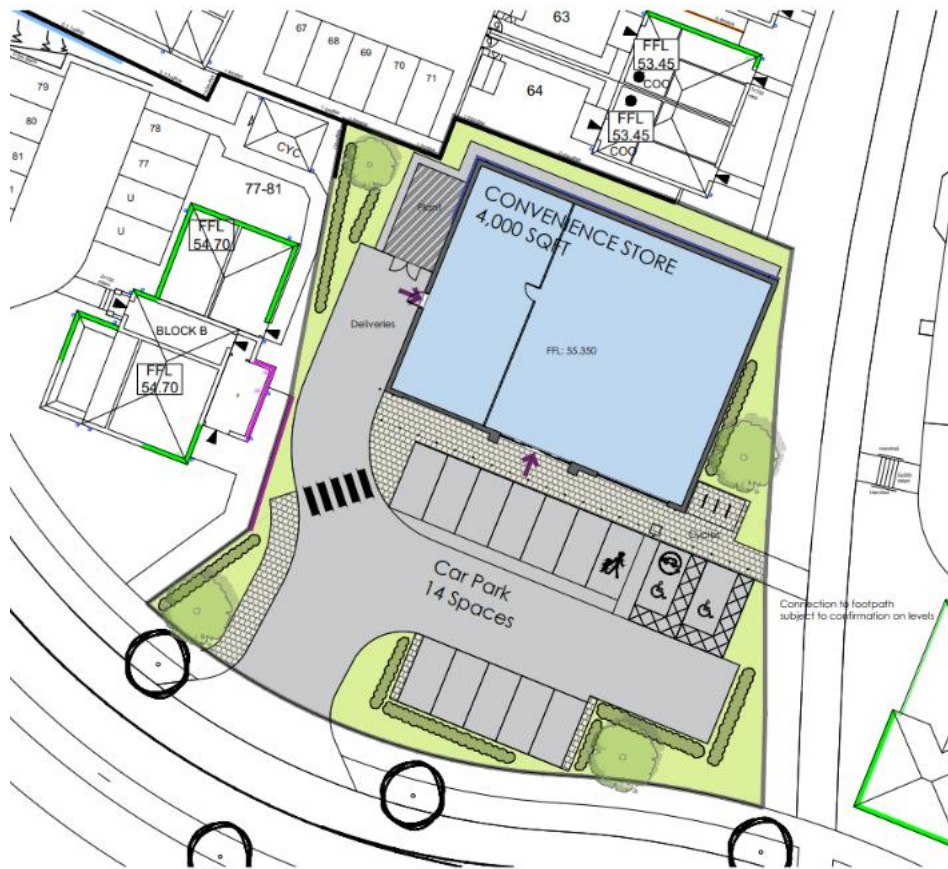


Figure 2. Proposed Site Plan



Figure 3. Proposed North Elevation



Figure 4. Proposed South Elevation

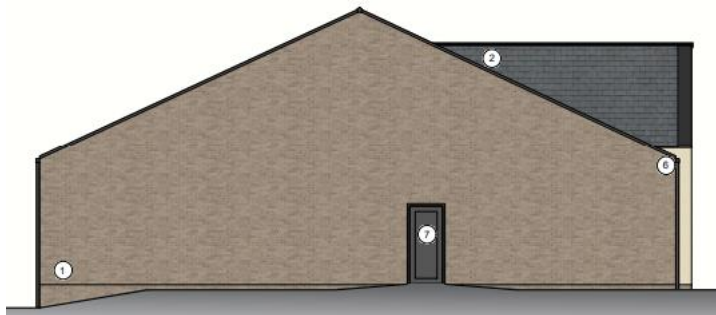


Figure 5. Proposed West Elevation

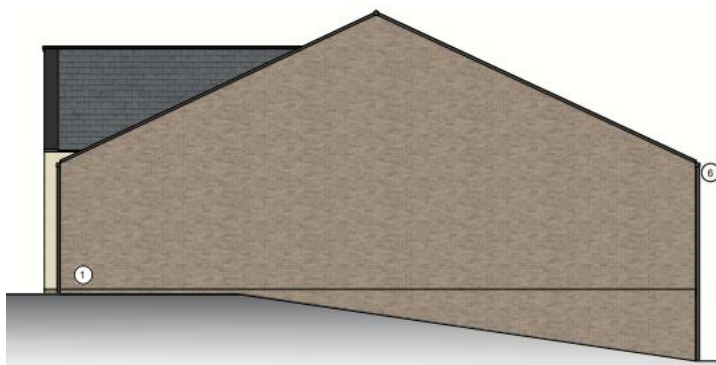


Figure 6. Proposed East Elevation

- 3.7 As can be seen from the proposed drawings, the elevations depict a similar material palette to that of the approved drawings.
- 3.8 Similarly, the revised layout will result in the provision of 14 parking spaces for the retail unit. This is equal to that of the approved scheme and higher than requirements for Wiltshire's parking standards for a retail scheme of this size. These require a maximum of 1 space per 35sqm (equating to no more than 12 spaces in the context of the proposed development).

Approved Drawings under PL/2023/09203	Amended Drawings – S73 application
Condition 2 (Approved Plans)	
Location Plan VIST200602 LP.01_A	Location Plan (Dwg No 250099-0100-00)
Local Centre Site Layout NHS-COM-SL01 Rev 03 August 2023	Proposed Site Plan (Dwg No 250099-0102 Rev P-02)
Local Centre Approved vs Proposed NHS-COM-EX01 Rev 01 August 2023	N/A (To be removed)

Proposed Local Centre Elevations NHS-COM-EV-01 Rev 02 October 2023	Proposed Elevations (Dwg No 250099-0301 Rev P01)
Proposed Local Centre Floor and Roof Plans NHS-COM-FP-01 Rev 03 October 2023	Proposed Floor & Roof Plan (Dwg No 250099-0201-P-00)
Site Layout SL.01 Rev R dated 14.11.24	Site Layout (Dwg No 250099-0111-P-00)
Affordable Housing Layout AHL.01 Rev J dated 14.11.24	Affordable House Layout (Dwg No 250099-0116-P-00)
Boundary Materials Layout BML.01 Rev H dated 14.11.24	Boundary Materials Layout (Dwg No 250099-0112-P-00)
Dwelling Materials Layout DML.01 Rev J dated 14.11.24	Dwelling Materials Layout (Dwg No 250099-0117-P-00)
Refuse Strategy Layout RSL.01 Rev H dated 14.11.24	Refuse Strategy Layout (Dwg No 250099-0115-P-00)
Electrical Vehicle Charging Point Layout EVCPL.01 Rev J dated 14.11.24	Electric Vehicle Charging Point (Dwg No 250099-0114-P-00)
Bus Stop Walking Distance BSWD.01 Rev C dated 14.11.24	Bus Stop Walking Distance (Dwg No 250099-0113-P-00)
Delivery Vehicle Swept Path V060A.01 Rev B August 2023	Vehicle Tracking Plan (Dwg No 250099-0104 Rev P-00)
Detailed Landscape Plan edp6767_d007 Rev q dated 22.01.24	Detailed Landscape Design (Dwg No edp9464_d002a Sheets 1 to 3)
N/A	External Works Detail (Dwg No 250099-0103 Rev P-02)
N/A	Proposed Site Sections (Dwg No 250099-0302 Rev P-00)
N/A	Proposed Visualisations (Dwg No 250099-0303 Rev P-00)

4. PLANNING HISTORY AND BACKGROUND

4.1 According to Wiltshire Council's online register the site has been subject to a number of historic planning applications. Please find a summary of those deemed of relevance below.

4.2 In December 2019, Wiltshire Council granted Outline Planning Permission (LPA Ref. 19/05824/OUT) for the following description of development:

"Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping."

4.3 The Outline Planning Permission included approval of access with all other matters reserved for subsequent approval (appearance, landscaping, layout and scale).

4.4 A Reserved Matters Approval application for Phase I of the development was approved 21st October 2022 under application ref. PL/2021/08735, for:

"Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (19/05824/OUT) for the erection of 234 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation area, public open space, access provision for the school, re-positioned attenuation basin and drainage with associated infrastructure and engineering work".

4.5 This RMA included details relating to the retail unit. A subsequent Section 73 Application was made pursuant to application reference (PL/2023/09203), seeking an amended proposal to the retail unit and associated residential properties. This application was granted on 29th November 2024 for the:

"Variation of Conditions 1 and 2 of PL/2021/08735 - Proposed separate retail unit with an adjacent block of five apartments at the local centre"

4.6 A more comprehensive overview of the relevant planning history for the site is displayed within the table below.

Reference	Description	Decision
PL/2021/04147	Discharge of condition 8 of 19/05824/OUT.	Approved June 2021.
PL/2021/04146	Discharge of Conditions 31 and 32 (Noise) of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular	Approved August 2021.

Reference	Description	Decision
	accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	
PL/2021/05144	Discharge of condition 12 of 19/05824/OUT.	Approved August 2021.
21/00316/DOC	Discharge condition 33 on permission 19/05824/OUT.	Approved September 2021.
21/01913/DOC	Discharge of conditions 4, 13 & 27 on 19/05824/OUT.	Approved September 2021.
PL/2022/06142	Approval of reserved matters in respect of appearance, landscape, layout, and scale, pursuant to planning permission reference (19/05824/OUT) for the development of Phase 1 of the Country Park.	Approved October 2022.
PL/2021/08735	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (19/05824/OUT) for the erection of 234 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation area, public open space, access provision for the school, re-positioned attenuation basin and drainage with associated infrastructure and engineering works.	Approved October 2022.
PL/2021/09736	Discharge of Condition 6 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022
PL/2021/09725	Discharge of Condition 5 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.

Reference	Description	Decision
PL/2021/09733	Discharge of Condition 10 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09730	Discharge of Conditions 9 and 11 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09727	Discharge of Condition 22 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09734	Discharge of Conditions 35 and 37 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09724	Discharge of Condition 7 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.

Reference	Description	Decision
PL/2021/09728	Discharge of Condition 21 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09731	Discharge of Condition 26 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09735	Discharge of Condition 30 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2021/09738	Discharge of Condition 28 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2022.
PL/2022/05608	Discharge of condition 4 and 27 of 19/05824/OUT.	Approved November 2022.
PL/2023/01993	Approval of reserved matters in respect of appearance, landscape, layout, and scale, pursuant to planning permission reference (19/05824/OUT) for the development of a loop road and parking court with associated landscaping and drainage.	Approved December 2023.

Reference	Description	Decision
PL/2022/03681	Discharge of condition 34 of 19/05824/OUT	Approved December 2023.
PL/2024/08212	Modifications to the original S106 Planning Obligation dated 24 June 2020 as contained in the draft Deed of Variation between (1) Wiltshire Council (2) Vistry Homes Limited and (3) Aster Communities to provide additional clauses in respect of nutrient neutrality and subsequent s73 applications	Approved February 2024
PL/2021/09726	Discharge of Condition 29 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2024.
PL/2021/09729	Discharge of Condition 15 of 19/05824/OUT (Mixed use development comprising of residential (Class C3) up to 640 dwellings, local centre (Class A1), primary school (1.8 ha), employment (2 ha) public open space including country park (10 ha), landscaping, 2 vehicular accesses, estate roads including loop road in detail and associated infrastructure and landscaping).	Approved November 2024.
PL/2023/09203	Variation of Conditions 1 and 2 of PL/2021/08735 - Proposed separate retail unit with an adjacent block of five apartments at the local centre	Approved November 2024.
PL/2023/11196	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (19/05824/OUT) for the erection of 406 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation area, public open space, attenuation basin and drainage with associated infrastructure and engineering works	Approved June 2025.
PL/2025/01187	Approval of Reserved Matters in Respect of Appearance, Landscape, Layout, and Scale, Pursuant to Planning Permission Reference (19/05824/OUT) for the Development of Phase 2 of the Country Park	Pending

Reference	Description	Decision
PL/2025/07943	Modification of the Section 106 agreement pursuant to application 19/05824/OUT, as amended via Deed of Variation under permission PL/2024/08212, to vary financial contributions in respect of transport, education, waste and recycling, play pitches, healthcare, buses and public art	Pending

5. PLANNING POLICY

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 For completeness, the proposal is considered within the context of the National Planning Policy Framework (NPPF) 2025 and any relevant National Planning Policy Guidance (NPPG).

The Development Plan

- 5.3 The Development Plan for Wiltshire Council comprises the following:
- Wiltshire Core Strategy (adopted January 2015);
 - Wiltshire Housing Site Allocations Plan (Adopted February 2020);
 - Saved Policies from Salisbury District Local Plan 2011; and
 - Salisbury Neighbourhood Development Plan 2020-2038 (Made March 2025)
- 5.4 The assessment is set out in the knowledge that the principle of development has been approved and that the focus of policy is on detailed matters rather than strategic policy considerations. The proposal therefore accords with the following:

Wiltshire Core Strategy

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 3 – Infrastructure requirements
- Core Policy 33 – Spatial Strategy: Wilton Community Area
- Core policy 34 – Additional employment land
- Core policy 41 - Sustainable construction and low carbon energy
- Core policy 43 - Providing affordable homes
- Core Policy 45 - Meeting Wiltshire's housing needs
- Core Policy 50 – Biodiversity and Geodiversity
- Core Policy 51 - Landscape
- Core Policy 52 - Green Infrastructure
- Core Policy 55 – Air Quality
- Core Policy 56 – Contaminated Land

- 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 64 – Demand management
- Core Policy 67 – Flood Risk
- Core policy 69 - Protection of the River Avon

Wiltshire Housing Site Allocations Plan

- Policy H3.1 – Land at Netherhampton Road, Salisbury

Salisbury District Local Plan ('saved' policies)

- Policy G7 – The Water Environment
- Policy D8 – Public Art
- Policy C6 - Special landscape areas
- Policy C18 - Development affecting rivers and river valleys
- Policy R1C - Outdoor recreation
- Policy R2 - Open space provision
- Policy R7 - Dual use of educational facilities
- Policy PS1 - Community facilities
- Policy PS5 - New educational facilities

Salisbury Neighbourhood Development Plan

- Policy 6 – Design in the Built Environment
- Policy 10 – Safeguarding and enhancing green and blue infrastructure
- Policy 11 – Biodiversity Net Gain
- Policy 21 – Sustainable Transport
- Policy 23 – Cycle Parking
- Policy 28 – Major Food Retail

National Planning Policy Framework (NPPF) (2025)

- 5.5 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development within the planning system and states that development proposals that accord with the development plan should be approved without delay.
- 5.6 Paragraph 34 outlines plan review and flexibility by stating that *'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years'*. This reinforces the principle of planning not being static and this application reflects a more up-to-date approach that should be supported.
- 5.7 Paragraph 39 outlines that decision making should be positive and proactive by stating *'Local planning authorities should approach decisions on proposed development in a positive and creative way... They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area'*. The variations will still achieve the aims of the Reserved Matters Approval and should be considered constructively.
- 5.8 Paragraph 57 relates to planning conditions and states *'Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'*. This is directly relevant to the application as it seeks to remove, amend or simplify conditions that may now be restrictive.
- 5.9 Paragraph 98 states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
 - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
 - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
 - d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
 - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 5.10 Paragraph 124 states that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses'*. This supports the application as the amendments allow for more efficient site use and optimised layouts.
- 5.11 Section 12 sets out expectations for achieving well-designed places.

Other Material Considerations

- 5.12 On 28th November 2024 Wiltshire Council submitted the Wiltshire Local Plan to the Secretary of State for Housing Communities and Local Government for independent examination.
- 5.13 According to the Council's website the first stage of hearings in relation to the Duty to Cooperate were held on 24 June 2025 and second stage of hearing sessions are due to commence on 11 November 2025.
- 5.14 Subject to adoption the new Local Plan intends to set out the planning policy framework to guide development up to 2038. Whilst the new Local Plan intends to assess the future levels of need, and an appropriate basis, for new homes (including market, affordable, and specialist housing), employment land, and infrastructure provision over that period. For completeness it will not change or remove strategic objectives or policies that remain in accordance with national policy and support the delivery of sustainable development which includes the Wiltshire Housing Site Allocations Plan.
- 5.15 In light of the above the site at Wilton Gate/ Netherhampton Road is recognised as an existing allocation and Policy 22 (Salisbury Principal Settlement) reflects the Council's support for the remain homes, local centre and other facilities to be delivered in a timely manner. This is reflected in the following wording:
- "Over the plan period (2020 to 2038) approximately 4,500 homes and 12.3ha of employment land will be provided at Salisbury including: remaining homes and employment land on existing allocations at Fugglestone Red, UKLF, Wilton, Longhenge, Old Sarum, Netherhampton Road, Hilltop Way, North of Netherhampton Road, Land at Rowbarrow, The Yard"* (Note: Emphasis added by author).
- 5.16 By virtue of the above, and given the new Local Plan has progressed to the latter stages of the plan-making process, the new Local Plan should be taken into consideration when determining planning applications.

6. PLANNING ASSESSMENT

6.1 This section of the Planning Statement provides a brief assessment of the key planning considerations arising from the proposed amendments:

- The design amendments to the retail unit itself;
- The re-orientation of the retail unit and associated plant equipment;
- The car park design amendments; and
- The landscaping changes to accommodate the above.

Principle of Development

6.2 This s73 application seeks approval for minor variations to the design, layout and landscaping arrangements associated with the local centre at Wilton Gate.

6.3 The principle of residential and commercial development has been established by the approved Outline Planning Permission Ref. 19/05824/OUT and subsequent Reserved Matters Approval for Phase 1 under application ref. PL/2021/08735. Both of which specifically includes the provision of a local centre which similarly accords with the site's allocation within the adopted Wiltshire Housing Allocations plan under Policy H3.1.

6.4 For completeness whilst the local centre and associated residential units were originally expected to be brought forward in a single building as initially permitted via the Phase 1 RMA. This was subsequently amended in November 2024 via a previous S73 application ref. PL/2023/09203 to facilitate the proposed creation of a standalone retail unit accommodated in the form of a single storey building and 5 residential units to be accommodated in a separate apartment block which comprises 2 and 3 storeys respectively.

6.5 For the avoidance of doubt the amendments sought as part of this application simply relate to the design of the local centre building/ convenience store and do not involve any alterations to the separate apartment block. Furthermore, from a procedural perspective we can confirm the following:

- Does not impact delivery of the wider development associated with phase I (RMA ref. PL/2023/09203) or outline permission ref. 19/05824/OUT;
- Fully complies with point 2, criterion (i) of condition 23 of outline planning permission 19/05824/OUT whereby the overall quantum of floorspace within Class A1 use is specified as being up to 400sqm.

6.6 The overarching purpose of the proposed design alterations is to account for ongoing scheme evolution and better align with the operational requirements of a future operator following recent discussions.

- 6.7 Subject to approval, the revised design shall enable the local centre to be delivered in a timely manner in order to serve the wider community at Wilton Gate/ Netherhampton Road. The principle of which fully accord with the previous planning permissions for the site along with the existing site allocation as set down within Policy H3.1 of the adopted Wiltshire Housing Site Allocations Plan.
- 6.8 Furthermore, the proposed development sought via this s.73 application seeks to ensure a sustainable mix of uses comes forward to meet the needs of the local community. This aligns with Wiltshire Council's vision for the site as a whole and simultaneously accord with Paragraph 98 of the NPPF in terms of planning positively for the provision of community facilities such as local shops to enhance the sustainability of communities and residential environments.
- 6.9 The detailed technical assessments approved by the extant Outline Planning Permission, RMA's, and s.73 applications remain upheld, and the overall integrity of the site shall be unaltered by the proposal sought by this application.
- 6.10 Given the above, the principle of development is therefore considered acceptable and shall facilitate the delivery of the consent local centre. The latter will enhance the overall sustainability of the Wilton Gate as a whole in accordance with adopted local and national planning policies.

Material Planning Considerations

- 6.11 As part of the Full Planning Application, various technical assessments were undertaken to consider the opportunities and potential constraints of the application site and to inform the proposed development.
- 6.12 The findings of these technical studies remain relevant and therefore the acceptability of the approved reports are carried over to this s.73 Application.
- 6.13 The principal considerations relevant to this application are set out below and the potential impact of the proposed amendments to each shall be considered in order.
- Layout, Scale and Design
 - Landscape and Ecology
 - Highways and Access
 - Residential Amenity
 - Legal Obligations

Layout, Scale & Design

- 6.14 Core Policy 57 requires that a high-quality design is incorporated within all new developments; and it is expected that proposals create a strong sense of place.

- 6.15 The proposed retail unit will remain at a scale which ties in with rest of the approved scheme at Phase 1 to the south of Netherhampton Road and a new development to the north of Netherhampton Road. It is considered that the scale and density of the scheme is acceptable in the local context having regard to Core Policy 57 and the DAGS.
- 6.16 The proposed amendments seeking to make design changes to the retail unit and its re-positioning within the plot, whilst being a minor material amendment, would not result in the adverse impact to the character of the area.
- 6.17 The proposed layout for the retail plot has been carefully positioned to respond to views into the site, as well as frame the key routes and spaces. Core Policies 51 and 52, which aim to preserve Wiltshire's landscape character and ensure that development is appropriately incorporated into its surroundings, align with the proposed layout.
- 6.18 Similarly, moving the retail unit further east, away from the apartment block to the west, creates amenity improvements, and represents a visual betterment from the first design iteration.
- 6.19 It is also noted that Section 12 of the NPPF expects a good standard of design and states that planning decisions should create places with a high standard of amenity for existing and future users. To this end, the proposed scheme has been designed to be legible, and create a betterment in amenity terms, given that the levels proposed now remove the need for steps making the site more accessible and user friendly – particularly for those with disabilities.
- 6.20 In addition, the Salisbury Neighbourhood Plan (SNP) and the accompanying Design and Advertising Guide for Salisbury (DAGS) seeks to ensure high quality design, including that new development should consider the local density of development and should seek to avoid major deviations from its surroundings.
- 6.21 To ensure compliance with this, buff brick is proposed for the outer walls of the retail unit, therefore aligning with the requirements of paragraph 135 of the DAGS which requires development to *'specify a choice and use of materials that is appropriate to the context'*. As this material choice mimics that of the surrounding residential development it is considered appropriate for its setting and compliant with local guidance.

Landscape & Ecology

- 6.22 The proposal is accompanied by a detailed landscaping scheme which outlines the proposed hard and soft landscaping measures that will set the scene for the development. Whilst the principle of building in this location has already been established, this scheme has had due regard for the aims and objectives of WCS core Policy 51 which states that development should protect, conserve and where possible, enhance the landscape character, providing a comprehensive planned development, which delivers dwellings to meet the local housing needs of Wiltshire.
- 6.23 The retail proposal meets these aims and objectives by delivering a high level of planting and appropriate green space management to improve upon earlier designs for the plot.

This includes a greater number of trees, and better mix of native species to ensure the safeguarding of local character and identity through planting.

- 6.24 Furthermore, Section 15 of the NPPF expects decisions to ensure the protection and enhancement of valued landscapes. This relates to WCS Core Policy 57 which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things and states that development should have regard to the compatibility of adjoining buildings and uses.
- 6.25 It is considered that the proposed landscape layout contributes positively to meeting these requirements, as the new scheme design provides greater legibility and an image which is more closely linked to the wider phase 1 development.

Highways and Access

- 6.26 As per the original proposals, the scheme aligns with Core Policy 60 which emphasises the importance of demand management to reduce reliance on the car and encourages *'the sustainable, safe and efficient movement of people and goods within and through Wiltshire'*.
- 6.27 The proposals meet the aims of this Policy, specifically criterion i, as the proposal is in an accessible location within the wider Wilton Gate development.
- 6.28 The aims of Core Policy 60 are also reinforced by Section 9 of the NPPF which expects that development provides safe and suitable access for all users and that opportunity is taken to promote sustainable transport options. It expects the design of streets, parking areas, other transport elements and the content of associated standards to reflect current national guidance, including the National Design Guide, and National Model Design Code and Local Transport Note 1/20 in relation to Cycling Infrastructure Design.
- 6.29 Accordingly, and as outlined in section 3 above, the proposals include parking provision over and above that required, cycle parking spaces, and good visibility for vehicles. Furthermore, the proposed ground levels have been amended to avoid the need for steps within the site, meaning that the retail unit is now more accessible to those in wheelchairs or with other disabilities.
- 6.30 Likewise, given that the proposals fall within the wider Wilton Gate development, it is considered that sufficient access can be achieved via sustainable travel modes. As a result, it is clear that the needs of all transport users have been considered in accordance with the hierarchy set out under Core Policy 61 and that all criteria of this Policy have been met.
- 6.31 The proposed amendments pursuant of this Section 73 application are considered to have no impact to highways and / or access. As such, the proposed development remains entirely in accordance with the Full Planning Permission whereby safe and suitable means of access is to be provided and would not cause a significantly adverse impact on

the local road network. The application is considered to accord with the objectives of the Wiltshire Local Transport Plan Strategy (2011-2026).

Residential Amenity

- 6.32 Criterion vii of Core Policy 57 notes that development must make a positive contribution to the character of Wiltshire through '*having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants ...*'. The proposed scheme has been designed to ensure sufficient separation distances are maintained with all neighbouring buildings. Most notably this includes residential properties beyond the western and northern boundaries in order to safeguard the residential amenity of all existing and future occupants.
- 6.33 These principles are reflected within the Delegated Officer's Report from permission ref. PL/2023/09203, which confirmed the amenity of neighbours would not be '*unduly affected*' provided that a condition was adhered to, requiring the undesignated area to the rear of the retail unit being restricted to 'a staff refuge area only'. As there is no longer a door to the rear of the building, this area will not be used and boundary treatments have been designed to restrict access.
- 6.34 In addition to the above the building's orientation has been informed by the desire to preclude any direct lines of sight between the store and habitable rooms within neighbouring properties. This arrangement also lends itself to reducing the prospect of any light spill later into the evenings to avoid having any adverse effects in that regard.
- 6.35 Furthermore, the proposed plant and servicing areas have been prioritised in a part of the site which is naturally set back away from surrounding dwellings. This will be further supplemented by the fact that any operational equipment shall be installed with anti-vibration fixtures to avoid any potential noise nuisance. Moreover, any deliveries will be restricted to operating hours associated with the store to accord with good practice.
- 6.36 Likewise, the proposals incorporate robust boundary treatments (as shown on the submitted plans) which improves the security of the site and naturally discourages anti-social behaviour.
- 6.37 By virtue of the above, the amendments sought via this Section 73 application shall ensure the proposal does not have any detrimental impact on the residential amenity of neighbouring occupants. The proposed arrangements are therefore considered to maintain the objectives of Policy 57 whilst facilitating betterments from an operational perspective.

Legal Obligations

- 6.38 The original outline planning permission (19/05824/OUT) for the Site was granted subject to a Section 106 Agreement.
- 6.39 Whilst this was subsequently varied back in February 2024 (PL/2024/08212) to provide additional clauses in respect of nutrient neutrality and subsequent s73 applications. In

turn further amendments are currently being sought under application ref. PL/2025/07943 which seeks to vary to vary financial contributions in respect of transport, education, waste and recycling, play pitches, healthcare, buses and public art, which is still being considered at the time of writing.

- 6.40 In light of the above, and following discussions with the Local Planning Authority, the applicant remains committed to ensuring the requisite legal obligations are entered into.

7. CONCLUSION

- 7.1 The proposed scheme has been prepared within the context of the approved Planning Permissions (outline consent, reserved matters approvals and subsequent s73 application), their respective conditions and the s106 agreement.
- 7.2 Careful assessment has been undertaken to the principal considerations and it has been concluded that by virtue of repropoed amendments, the development does not result in a greater significance of effect / adverse impact to the following:
- Layout, Scale and Design
 - Landscape and Ecology
 - Highways and Access
 - Residential Amenity
 - Legal Obligations
- 7.3 Overall, the proposal upholds the principles set out in the Planning Permission and Section 106 agreement and accord with detailed national and local planning policies. The principle of development has been established through the granting of Planning Permission. It is therefore requested that this s.73 Application be approved accordingly in order to facilitate delivery of the permitted local centre.

APPENDICIES

Appendix 1 – Copy of Decision Notice for Planning Permission Ref. PL/2023/09203

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2023/09203
Decision Date: 28 November 2024

Applicant: Vistry Homes Limited
Unit 5 Designer House, Sandford Lane, Wareham, United Kingdom, BH20 4DY

Particulars of Development: Variation of Conditions 1 and 2 of PL/2021/08735 - Proposed separate retail unit with an adjacent block of five apartments at the local centre.

At: Land South of Netherhampton Road, Salisbury, SP2 8RA

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to compliance with the following conditions:

Conditions: (8)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of the approval of reserved matters (PL/2021/08735) on 21/10/2022.

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 plans listed in the Documentation and Plans Schedule approved under PL/2021/08735 (dated 14/10/2022) with the following revisions:

Location Plan VIST200602 LP.01_A
Local Centre Site Layout NHS-COM-SL01 Rev 03 August 2023
Local Centre Approved vs Proposed NHS-COM-EX01 Rev 01 August 2023
Proposed Local Centre Elevations NHS-COM-EV-01 Rev 02 October 2023
Proposed Local Centre Floor and Roof Plans NHS-COM-FP-01 Rev 03 October 2023

Site Layout SL.01 Rev R dated 14.11.24
Affordable Housing Layout AHL.01 Rev J dated 14.11.24
Boundary Materials Layout BML.01 Rev H dated 14.11.24
Dwelling Materials Layout DML.01 Rev J dated 14.11.24
Refuse Strategy Layout RSL.01 Rev H dated 14.11.24
Electrical Vehicle Charging Point Layout EVCPL.01 Rev J dated 14.11.24
Bus Stop Walking Distance BSWD.01 Rev C dated 14.11.24
Delivery Vehicle Swept Path V060A.01 Rev B August 2023
Detailed Landscape Plan edp6767_d007 Rev q dated 22.01.24

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

- 3 The area of land immediately to the north of the commercial building hereby approved and adjoining the boundary with Plot 64 shall be used for the purposes of a staff refuge area only and shall not be used at any time for the purposes of loading and unloading of goods, storage and collection of refuse, external storage of goods or trolleys or the siting of ventilation and refrigeration plant and machinery.

REASON: To prevent activities which would be injurious to the amenities of the immediately adjoining properties.

- 4 The retail unit shall not be brought into use until the area of land to the rear (north) has been landscaped in accordance with details to be submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- all hard and soft surfacing materials;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- minor artefacts and structures (e.g. furniture, lighting etc);

REASON: To ensure a satisfactory landscaped setting for the development.

- 5 The development will be carried out in strict accordance with the following documents:

- Landscape and Ecology Management Plan. Edp6767_r005c. EDP (September 2020)
- Detailed Landscape Design Sheets 1 -6. Drawing edp6767_d007 Rev P (January 2024).

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

- 6 Prior to occupation a certificate of completion for the Phase 1 Country Park must be submitted to the council for approval. The certificate must demonstrate a functioning

SANG as detailed in the the LEMP and in accordance with the Country Park Detailed Landscape Design Sheets 1 to 7. Edp6767_d016c (29 September 2022) is available to new residents. As a minimum the certificate must demonstrate that all of the following features are present:

- A circular walk measuring a minimum 2.3-2.5km around the SANG and along designated paths.
- Access points appropriate for the visitor use the SANG.
- Ancillary furniture (signage, waste connection points and seats).
- Contract for removal of rubbish and dog waste.
- Largely unrestricted space where it is possible for dogs to exercise freely and safely off lead.
- Completion of all tree, scrub and hedge planting and seeding.
- Instillation of bat boxes, bird boxes and reptile hibernacula.

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

- 7 The residential development 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). Within 3 months of each phase being completed and the housing being brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

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

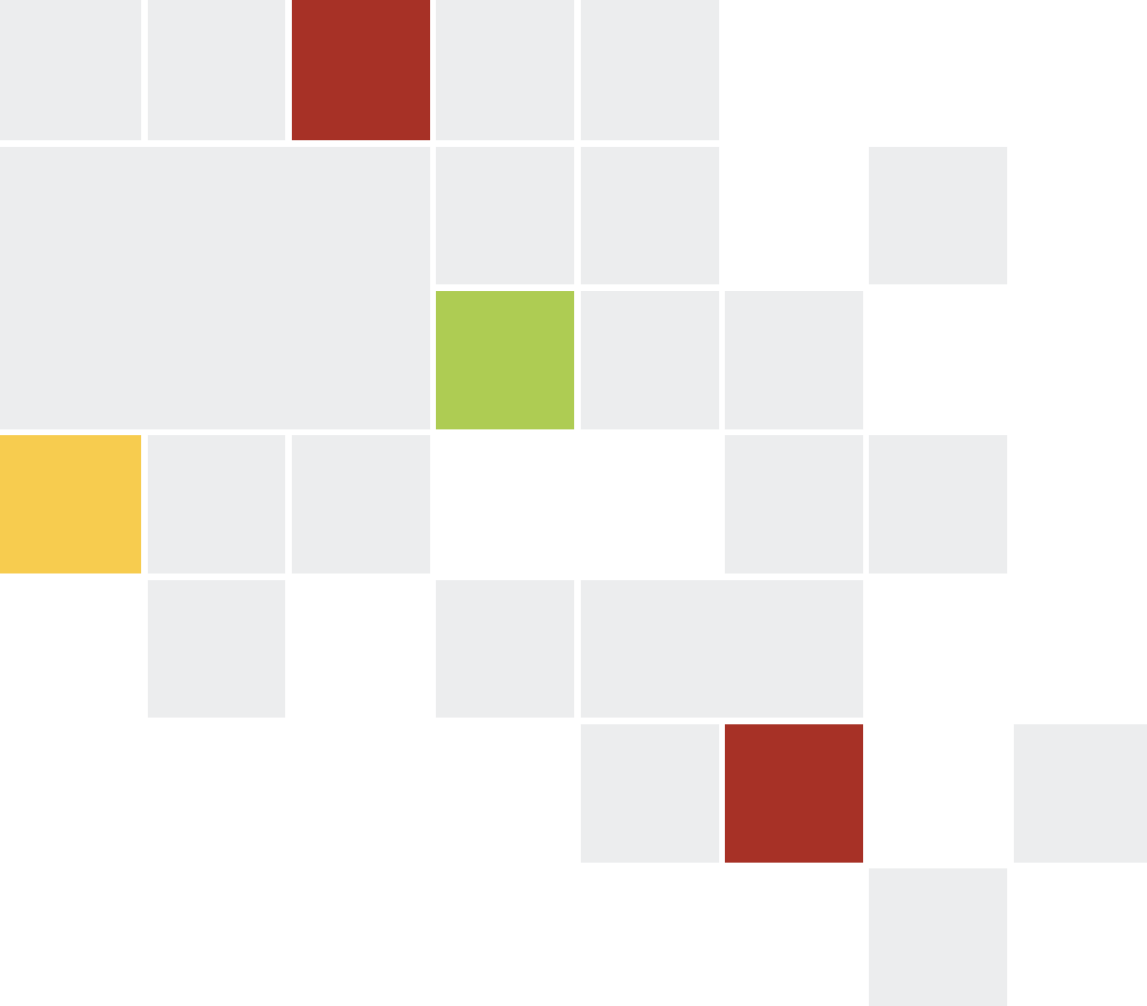
- 8 The residential development hereby approved shall be designed to ensure the phosphorus load from the urban use is minimised by Sustainable Urban Drainage Systems. Within 3 months of the development being completed and the housing being brought into use, a SuDS report shall be submitted to the local planning authority for its written approval. The report will follow CIRIA guidance to calculate the reduction in phosphorus in the surface water runoff from the agreed SuDS treatment train.

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

Parvis Khansari - Corporate Director, Place

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>).
- 3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk



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