

Mr R Wicks
Via email: rayw1000@gmail.com

Development Services
Wiltshire Council

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Dear Mr Wicks

Date: 2nd March 2022

Site address: Albany House, 3-5 New Street, Salisbury, SP1 2PH
Proposal: Separation of the property into (it's original) 3 dwellings including internal and external alterations and rear ground, 1st and 2nd floor extensions
Reference: ENQ/2021/04661

Thank you for your request for pre-application advice.

In response to your enquiry, I hope that you will find the following information helpful.

Please note that this advice represents officers' informal opinion based upon the information you have provided. It is given without prejudice to any decision the Council may make on any subsequent formal planning application. A planning application will be the subject of publicity and consultation in accordance with the Council's procedures. These and other matters which may subsequently come to light may result in additional issues being raised that are pertinent to the determination of the application and advice offered is based on the planning policies that apply at the time of writing.

Summary of Officer View

The proposal is considered to be unacceptable as it would be in conflict with the policies of the development plan (creation of additional dwellings including extensions within Flood Zone 2).

This response explains the reasons why the proposals are considered to be unacceptable in principle. Submission of an application as proposed in the pre-application is not recommended.

Please note that whilst the pre-application response includes comments with regard to the other planning considerations (that would be considered were an application to be submitted), addressing any identified additional issues would not overcome the in-principle flooding issue with the scheme.

For the proposals to be considered acceptable in principle, they would need to be amended to be change of use with only internal and external alterations to appearance without extensions.

Constraints:

The application site is located in the Salisbury Community Area and within the defined settlement boundary of Salisbury and Salisbury Central Area.

Albany House Street is Grade II listed, and the site is also within the Salisbury City Conservation Area and within the setting of several listed buildings.

The site is located within Flood Zone 2.

The site is within the catchment of the River Avon Special Area for Conservation (SAC), and within the New Forest 13.8km Internationally protected sites zone of influence.

Planning considerations:

Relevant planning policies:

The National Planning Policy Framework (NPPF) (2021) confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990); that the NPPF is a material consideration in planning decisions and planning policies and decisions must also reflect relevant international obligations and statutory requirements.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) and the development plan which comprises the adopted Wiltshire Core Strategy (WCS), which also includes some saved policies of the Salisbury District Local Plan (SDLP) and the Wiltshire Local Transport Plan.

The statutory status of the local development plan is further reinforced at paragraph 47 of the National Planning Policy Framework ('the Framework') and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The following policies are considered the most relevant to proposals:

Wiltshire Core Strategy:

Core Policy 1 - Settlement Strategy
Core Policy 2 - Delivery Strategy
Core Policy 3 - Infrastructure Requirements
Core Policy 20 - Development in the Salisbury Community Area
Core Policy 41 - Energy Strategy
Core Policy 50 - Biodiversity and Geodiversity
Core Policy 51 - Landscape
Core Policy 52 - Green Infrastructure
Core Policy 55 - Air quality
Core Policy 57 - Design and amenity
Core Policy 58 - Ensuring the conservation of the historic environment
Core Policies 60 - 66 Transport and Development
Core Policy 67 - Drainage and flooding
Core Policy 68 - Water resources
Core Policy 69 - Protection of River Avon SAC

Adopted Salisbury District Local Plan saved policies:

H8 - Housing Policy Boundary of Salisbury

Waste Core Strategy 2006-2026

Wiltshire Local Transport Plan 2011-2026

Car Parking Strategy (Policy PS6 - Residential parking standards)

Cycling Strategy

Government Guidance:

[National Planning Policy Framework \(NPPF\) July 2021](#)

[Planning Practice Guidance \(PPG\)](#)

[National Design Guide \(NDG\)](#)

Statutes:

Wildlife and Countryside Act 1981 as amended

Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations')
Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Planning (Listed Buildings and Conservation Areas) Act 1990

- Section 16: Decision on application.
- Section 66: Special considerations affecting planning functions
- Section 72: General duty as respects conservation areas in exercise of planning functions

Ancient Monuments and Archaeological Areas Act (1979) amended by the National Heritage Act (1983) and the National Heritage Act (2002)

Environmental Protection Act, 1990

Environment Act 2021

Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021

Supplementary Planning Guidance:

[Salisbury Central Area Framework - Wiltshire Council:](#)

- Adopted Salisbury City Central Area Framework 2020

[Salisbury Conservation Area Appraisal](#)

[Salisbury District Local Plan 2011 | Wiltshire Council:](#)

- Adopted 'Creating Places Design Guide' Salisbury 2006
- Adopted 'Achieving Sustainable Development' Salisbury 2005

[Air quality reports - Wiltshire \(wiltshireairquality.org.uk\):](#)

- Adopted Air Quality Strategy for Wiltshire 2019 - 2024
- Air quality SPD

[Writing ecological surveys to inform the planning - Wiltshire Council:](#)

- Generic Appropriate Assessment of developments in Wiltshire occurring in the River Avon SAC catchment 2021
- Interim Recreation Mitigation Strategy for The New Forest Internationally Protected Sites January 2022 Guidance

Community Infrastructure Levy - Wiltshire Council

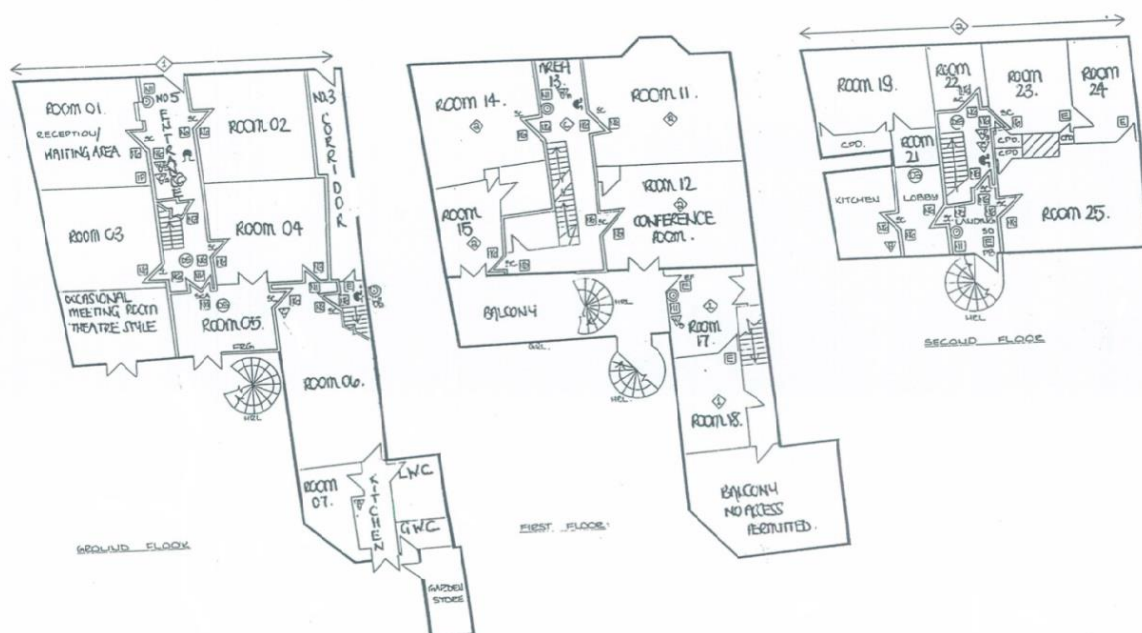
- Wiltshire Community Infrastructure Levy Revised Wiltshire Planning Obligations SPD October 2016
- Infrastructure Funding Statement 2020

Waste storage and collection: Guidance for developers 2017

The Designation of [Salisbury City Neighbourhood Area](#) has also recently been approved (18th January 2022). Refer to the [Salisbury City Council](#) website for updates.

Background:

I note that planning permission was granted under 20/07168/FUL for conversion of the entire building (vacant offices) into a single residential dwelling (Change of use of building from Class B1 to Class C3). No physical changes to the building were proposed in order to facilitate the change of use.



As no alterations were proposed to the building, listed building consent was not required (the listed building consent application 20/07788/LBC that had been applied for was therefore withdrawn).

The following informative was added to the decision notice:

Regards to condition 02 above, no proposed internal layout plans were provided as part of this application. The LPA has therefore considered the application on the basis that the proposed residential dwelling will utilise the rooms and layout shown on the existing layout floor plans. The applicant is advised that this permission authorises a change of use only and does not authorise any works or alterations that may require planning permission nor any internal or external alterations, additions, or works, which may require a separate grant of Listed Building Consent.

Main issues:

- Principle of development
- Flood risk
- Impact to the character and appearance of the area and significance of the designated Conservation Area/Listed building/settings/historic fabric
- Amenity considerations
- Highway considerations
- Ecological considerations:
 - Protected species
 - River Avon Special Area of Conservation - Phosphate Neutral Development
 - The New Forest Internationally protected sites
- Sustainable construction
- Waste & recycling

Principle of development:

At the heart of the NPPF is a presumption in favour of sustainable development and the Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability. This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

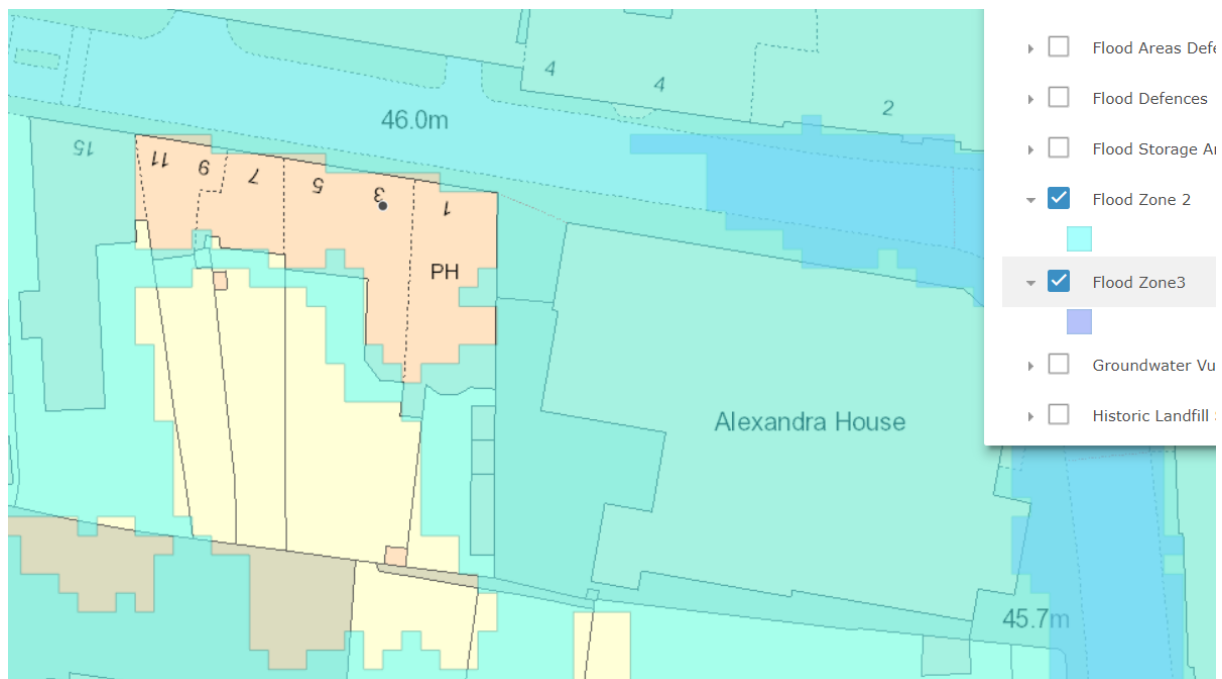
Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Salisbury is defined as a Principal Settlement and the site lies within the defined settlement boundary of Salisbury and is also within the Salisbury Central Area. Residential development within the defined settlement boundary is acceptable *in principle* under saved policy H8 of the Salisbury District Local Plan and Core Policies 1 and 2 of the Wiltshire Core Strategy, although this is also subject to consideration against other relevant planning policies.

The principle of development is also subject to compliance with other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

Particular constraints in developing this site are flood risk (including in relation to the principle of development discussed further below), heritage and amenity considerations:

Flood Risk:



Part of the site is identified on flood maps as being located in Flood Zone 2. However, the Environment Agency mapping data is indicative and is only an indication of the flood zones and does not account for the potential impact of Climate Change, including extreme weather events. Applying the cautionary principle to flood risk, the EA advise that flood risk to the site is likely to be over much more of the site than indicated, and we would consider the entire site to be within flood zone 2; unless it can be demonstrated using flood modelling via a site-specific flood risk assessment (FRA) that the site is/will remain in Flood Zone 1 with climate change.

Sequential test:

Paragraph 162 of the NPPF is clear that development should be restricted in flood zones:

162. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The Planning Practice Guidance (PPG) explains that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding and that the NPPF sets these strict tests to protect people and property from flooding which all local planning authorities are expected to follow and where these tests are not met, national policy is clear that new development should not be allowed.

The sequential test is the first stage in addressing flood risk.

Any 'Minor' development proposals for residential development require a sequential test. This is because residential development other than change of use in flood zones 2/3 is unacceptable in principle unless there are no alternative sites available for development to meet the housing needs of the authority in flood zone 1.

The only exclusions (taken from Planning Practice Guidance- PPG) - are as follows:

You also don't need to do a sequential test if either of the following apply:

☐ *your development is a minor development – but see below for definition of Minor in context of flooding:*

☐ *your development involves a change of use (e.g. from commercial to residential) unless your development is a caravan, camping chalet, mobile home or park home site*

Minor development in the context of flood risk is:

☐ *minor non-residential extensions: industrial/commercial/leisure etc. extensions with a footprint less than 250 square metres.*

☐ *alterations: development that does not increase the size of buildings e.g. alterations to external appearance.*

☐ *householder development: For example; sheds, garages, games rooms etc. within the curtilage of the existing dwelling, in addition to physical extensions to the existing dwelling itself. This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling e.g. subdivision of houses into flats*

The proposals include extensions to the building and as such are not exempt from needing to first pass a sequential test and are unacceptable in principle on flood risk grounds (regardless of any FRA/drainage strategy).

It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which sequential test considerations have been satisfied.

In terms of acceptability of the principle of development in flood risk terms; the sequential test will apply first. Unless it can be demonstrated by the applicant via the sequential test that there are no alternative sites of lower flood risk; the proposals to create an additional 2 dwellings would not meet the sequential test and as such would be unacceptable on flood risk grounds.

There are undoubtedly sites elsewhere within Wiltshire at less risk of flooding in flood zone 1 where 2 additional dwelling units could be provided; and as such it is not considered that the proposals could meet the sequential test. The site is therefore considered to be an unacceptable location in principle for the creation of additional residential units through conversion of an existing building involving extensions on flood risk grounds and it is not recommended that this should be pursued.

Flood Risk Assessment were the scheme revised to change of use only:

Were it possible to convert the property without extensions (only including alterations to the external appearance), then a sequential test would not be required, although a site-specific FRA would be required in accordance with paragraph 168 of the NPPF:

168. Applications for some minor development and changes of use⁵⁶ should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 54.

For example, I note the pre-application refers to the 1854 extension being able to be converted without alterations, in which case were this element submitted as a stand-alone scheme then a sequential test would not be required, and a site-specific FRA would be.

A site-specific FRA is carried out by (or on behalf of) a developer to assess the flood risk to and from a development site. Where necessary the assessment should accompany a planning application submitted to the local planning authority. The assessment should demonstrate to

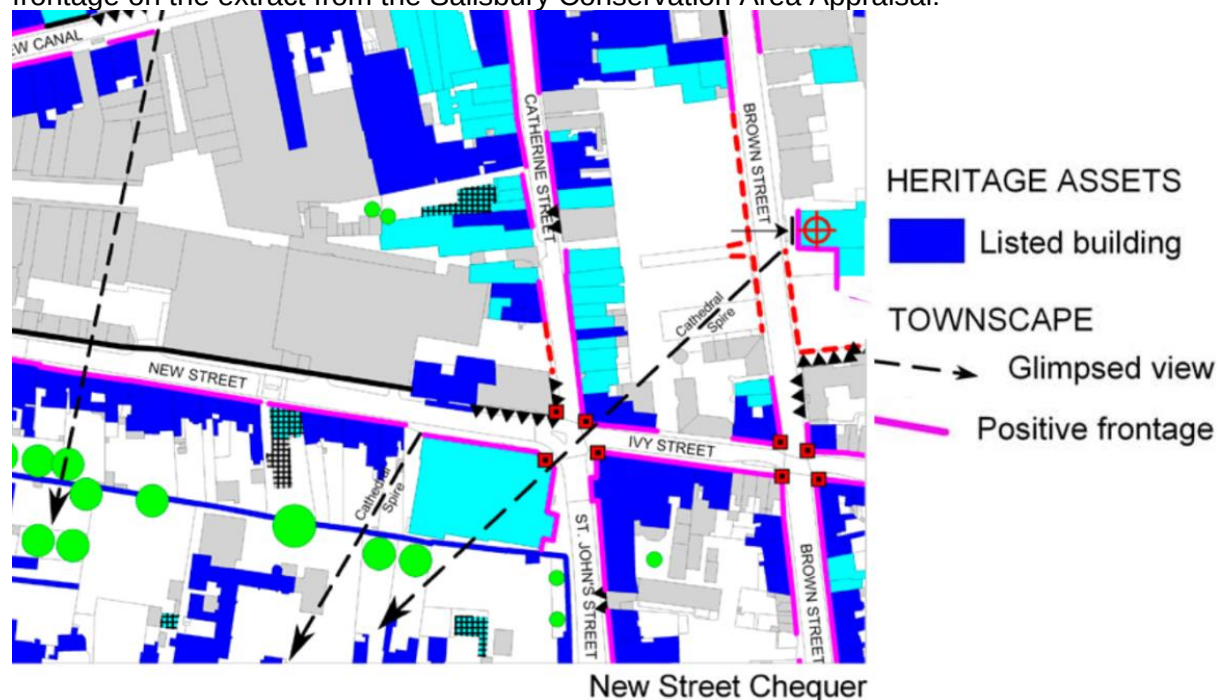
the decision-maker how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users (which in the case of buildings used for dwellings is a 'More vulnerable' use).

The Environment Agency (EA) has a strategic overview of all sources of flooding and is also responsible for flood and risk management activities on main rivers and is a consultee on planning applications. Whilst the EA have produced Local Flood Risk Standing Advice (LFRSA) for Wiltshire Council negating consultation with the EA on certain development types including residential conversion proposals, this standing advice only applies to upper floor conversions and would therefore not apply to these proposals which include the ground floor.

Consultation with the EA would be required, and I have included contact details for the EA in this response as they have their own pre-application advice procedures.

Impact to the character and appearance of the area and significance of the designated Conservation Area/Listed building/settings/historic fabric:

The site is also located within the designated Salisbury Conservation Area and is attached to and within the setting of several listed buildings and New Street is identified as a positive frontage on the extract from the Salisbury Conservation Area Appraisal:



Extract from of Salisbury City Conservation Area Appraisal and Management Plan 2014

The Planning (Listed Building and Conservation Areas) Act 1990 (sections 16 & 66) requires proposals affecting listed buildings or their settings to seek to preserve the special interest of the buildings and their settings. The principal considerations are to ensure that new development preserves the significance of listed buildings and their settings.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

In paying 'special attention/regard' to the Conservation Area and listed buildings and their settings, the NPPF requires an assessment as to whether the proposal causes 'substantial harm' or 'less than substantial harm'.

The NPPF outlines the government's policy in respect of the historic environment (Section 16). Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 200 emphasises that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.

The NPPF defines the setting of a heritage asset as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

The NPPF explains that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss and where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The PPG clarifies that public benefits might comprise anything that delivers economic, social or environmental progress. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

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. The policy seeks to conserve designated heritage assets and their setting as well as non-designated heritage assets that contribute to a sense of local character and identity.

Core Policy 57 also requires a high standard of design in all new development which is expected to create a strong sense of place through drawing on the local context and ensure that valuable features and characteristics are protected and enhanced. Criteria (i), (iii) and (vi) specifically refer to development making a positive contribution to the character of Wiltshire through:

i. 'Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.'

iii 'Responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines to effectively integrate the building into its setting.'

vi. 'Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area.'

In terms of impact to the listed building and conservation area; the Conservation Officer has provided detailed comments which are attached at appendix A and would need to be addressed.

In addition to the in-principle flooding issues with extending the building, the Conservation Officer has raised concerns about the internalisation of the historic rear wall, relocating (or replacing) 3 windows and also the stair configuration.

It may be possible to subdivide the unit to create the dwellings without extensions (which may could be achieved with a reduction in bedrooms/living room arrangements in order to facilitate bathroom provision in 'No.5') and also address the Conservation Officer's concerns.

The Conservation Officer recommends seeking advice from an architect who is familiar with historic buildings to provide some design input and guidance and lists the information that would need to be submitted with an application (not all of which would be necessary if the scheme were amended removing the extensions).

I also draw your attention to the Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021 which requires Historic England and the amenity societies to be notified of any applications for listed building consent for certain proposals including:

(ii) works for the alteration of any principal building which comprise or include the demolition of a principal external wall of the principal building;

(iii) works for the alteration of any principal building which comprise or include the demolition of all or a substantial part of the interior of the principal building;

For the purposes of sub-paragraphs (ii) and (iii) above:

(a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;

(b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior.

Notwithstanding the in-principle flood risk issues with the scheme as proposed; if the proposals were submitted as proposed in the pre-application and included these elements of demolition, then I would also recommend seeking advice from Historic England (they have their own preapplication advice procedures) prior to submission of a planning application.

Potential Archaeology:

The Conservation Area Appraisal identifies that the city has high archaeological potential. Salisbury is one of a small number of planned medieval cities that rapidly grew to fill most of its grid of streets, and consequently the archaeology of the city is considered to be of national importance.

With proposals including demolition/ground-breaking works there may be archaeological implications, and the heritage impact assessment should also address archaeology in accordance with paragraph 194 of the NPPF:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation

Impact to amenity:

The NPPF (para 130) states that planning decisions should ensure that developments 'f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

⁴⁹ Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

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

Paragraph 9 of the NPPF requires plans and decisions to take local circumstances into account and paragraphs 174 and 185 states decisions should ensure new development is appropriate for its location and to mitigate and reduce potential adverse impacts:

174. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁶⁵;

⁶⁵ See *Explanatory Note to the Noise Policy Statement for England* (Department for Environment, Food & Rural Affairs, 2010).

I have attached a copy of the Public Protection Team's advice document which should be followed (please see appendix B) as this is in a city centre location adjoining a licenced premises. Evidence would need to be submitted with an application to demonstrate that internal noise levels as detailed in BS8233:2014 can be met in regard to road traffic. The assessment should also take into account noise from any external mounted plant, which must be assessed in accordance with BS4142:2014 and noise transfer from the licenced premises must not exceed NR20 in the adjoining dwelling.

An application must be accompanied by all appropriate assessments and any necessary mitigation included in the design; to ensure an intensification of the residential use from 1 units to 3 is acceptable in this location and as it is a listed building full details of mitigation affecting the fabric of the building will need to be included in the design to be considered as part of the application. The same will be required for any acoustic mitigation (e.g., insulation, secondary glazing, acoustic venting/through wall air vents/cowls).

In terms of impact to existing dwellings, this would need to be considered and addressed in any development scheme taking into account that residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

I note the pre-application documentation refers to the Party Wall Act not being considered applicable. The Party Wall Act is separate from planning or building regulations control and is not something I can therefore comment on; however, I am concerned that the proposal to build out at first/2nd floor level will have an impact on the outlook from No 7 New Street:



The proposed projection of the rear of No 5 and also including the first floor balcony projection would also increase overlooking to the rear garden of No 7.

We would consult the adjoining dwellings as part of the planning application process and would need to consider any comments received in forming a recommendation on the scheme. It is generally sound advice to let immediate neighbours know in advance about what is being planned. This normally means showing them any plans that have been drawn up to establish and try to address any concerns early in the process. Experience shows that early consultation or discussion by an applicant with neighbours often smoothes the passage of any subsequent planning application.

Highway considerations:

Wiltshire Core Policy 60 seeks to help reduce the need to travel, particularly by car, and support and encourage the sustainable, safe and efficient movement of people and good within

and through Wiltshire through a series of initiatives and together with Core Policy 62 seeks to mitigate any adverse impact on the transport network on transport users, local communities and the environment.

In promoting demand management measures, Core Strategy policy 64 includes a requirement for traffic management measures to promote sustainable transport alternatives, reduce reliance on the car and lower the risks of accidents and improve the environment.

As part of the transport strategy for the county, the Wiltshire Local Transport Plan (3) 2011-2026 also contains a number of local strategic objectives, including:

- SO2 To provide, support and promote a choice of sustainable transport alternatives.
- SO3 To reduce the impact of traffic on people's quality of life and Wiltshire's built and natural environment.
- SO7 To enhance Wiltshire's public realm and streetscene.
- SO8 To improve safety for all road users and to reduce the number of casualties on Wiltshire's roads.
- SO11 To reduce the level of air pollutant and climate change emissions from transport.
- SO12 To ensure that new developments adequately provide for their sustainable transport requirements and mitigate their traffic impacts.
- SO13 To reduce the need to travel, particularly by private car.
- SO14 To promote travel modes that are beneficial to health.
- SO18 To enhance the journey experience of transport users.

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The reviewed LTP3 Car Parking Strategy was adopted by the council in March 2015 and includes policy PS6 – residential parking standards.

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

Table 7.1 Minimum parking standards (allocated parking)

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

However, the recently adopted Salisbury City Area Framework (CAF) document provides a set of recommendations which include reducing motor vehicle movements through the city whilst ensuring the city remains accessible to all through supporting public transport, cycling and walking. The site is in a sustainable location being within easy walking distance of public transport and other local facilities for shopping, leisure, education, health and employment, thus minimising the need for a private car and as such it is considered that the proposal would meet the criteria of PS6 contained within the Wiltshire Parking Strategy which allows for a reduction in residential car parking in certain specific circumstances. The highways authority has commented thus:

I refer to the above pre application enquiry for the separation of the property into (it's original) 3 dwellings including internal and external alterations and rear ground, 1st and 2nd floor extensions.

The property does not benefit from any off-street parking, however as this property is located in the city centre of Salisbury close to the services, amenities and public transport links that residents may need, I am happy to accept a car free development and wish to offer no highway objection.

The minimum cycle parking standards will also apply and are included at appendix 4 of the Cycling Strategy and are as follows:

1 covered space per bedroom for up to 3 bedroom dwellings.

3 covered spaces per unit for 4 bedroom dwellings.

4 covered spaces per unit for 5 + bedroom dwellings

+ 1 visitor space per 20 bedrooms.

Ecological considerations:

Protected species:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The site may support protected species and where the proposals involve works to the roof, it would need to be assessed for its potential to support habitats and species of importance to nature conservation. This should be undertaken by a suitably qualified and competent consultant ecologist. Any application would need to be supported by relevant ecological surveys and any necessary mitigation.

Ecology survey advice is available on the council website:

https://www.wiltshire.gov.uk/planning-bio-ecological-surveyBiodiversity_and_development_-_Wiltshire_Council

A list of consultant ecologists who are members of the Chartered Institute of Ecology and Environmental Management can be found here. It is recommended that full members of the Institute should be used to conduct survey work.

Please note: Under the terms of the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats & Species Regulations 2010 (as amended), it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. This statutory protection remains applicable to everyone, irrespective of involvement in the planning system.

River Avon Special Area of Conservation - Phosphate Neutral Development:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The site is within the catchment of the River Avon Special Area of Conservation (SAC). SACs are protected under The Conservation of Habitats and Species (Amendment) Regulations

2019. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

When a European site is affected by a land use authorisation (which includes changes of use proposals), it is necessary to consider whether the activity being authorised would impact on any of the designated features.

The River Avon SAC/SSSI encompasses the five rivers flowing into the River Avon at Salisbury; River Nadder, River Wylde, River Till, River Avon and River Bourne. The SAC has been designated because it contains populations of European importance of the following features:

- River habitat characterised by water crowfoot and starwort
- Atlantic salmon
- Bullhead
- Brook lamprey
- Sea lamprey
- Desmoulin's whorl snail

The first five features of the River Avon SAC occur within the river itself and are therefore vulnerable to changes in water hydrology and water quality and also to any activity which affects the river channel. The sixth is a tiny snail which lives on vegetation growing on the banks of the river and potentially other areas in flood zones.

Under the Habitat Regulations, any development with the potential to affect a SAC and its designated species must be subject to strict scrutiny by the decision maker, in this case the Local Planning Authority (LPA). The Authority should not permit any development, which would have an adverse effect on the integrity of the River Avon SAC, alone or in combination with other developments, unless certain rigorous tests are met.

Where a development is likely to have a significant impact on a European site, the Regulations require a rigorous assessment of the impacts, known as an Appropriate Assessment in order to demonstrate that any likely impacts are avoided or reduced to levels as to avoid adverse impacts upon the SAC.

Of particular relevance to development within the River Avon catchment area is the fact that elevated levels of phosphorous are preventing the conservation objectives from being achieved and causing the river to be in unfavourable condition. Developments within the river catchment have the potential to contribute to elevated phosphorous through foul water discharges.

As this site falls within the catchment of the River Avon SAC, the proposal has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding (MoU) with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period.

The MoU and the associated Interim Delivery Plan (IDP) currently commits planning authorities to imposing a condition on all residential permissions in the catchment area to restrict water usage to 110 litres per person per day. This will have the effect of slightly reducing the amount of water reaching sewage treatment works. Most treatment works are restricted through their

Environmental Permit on the amount of phosphorous that can be discharged per litre of water. The water use restriction will thereby achieve a reduction in total phosphorous discharged and reduce the offsetting by a small degree.

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has also favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, it is concluded it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

Any consent would be subject to the following condition:

The dwelling 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.

The Council's 'Generic Appropriate Assessment of Developments in Wiltshire Occurring in The River Avon Sac Catchment' can be downloaded via:
<https://www.wiltshire.gov.uk/article/1103/Writing-ecological-surveys-to-inform-the-planning>

The New Forest Internationally protected sites:

The site is also within the New Forest 13.8km Internationally protected sites zone of influence. The New Forest Internationally protected sites include the New Forest Special Protection Area, New Forest Special Area of Conservation (SAC) and New Forest Ramsar site. The Council has just published the Interim Recreation Mitigation Strategy for The New Forest Internationally Protected Sites January 2022.

The strategy has been prepared to comply with the Habitats Regulations 2017 (as amended), including the need to take a precautionary approach and to address impacts both alone and in-combination. Following caselaw, the strategy also aims to provide certainty that detrimental effects will not occur as a result of any authorisation, and confidence that the absence of detrimental effects will extend in-perpetuity.

The interim approach taken forward in the strategy is based on that already in place at the New Forest and other sites across the UK where recreational pressure threatens to devalue designated sites. All smaller housing schemes and tourism development will contribute funding towards strategic SANGs and access and visitor management within the New Forest itself. It is the Council's intention to fund the majority of contributions through the Community Infrastructure Levy (CIL) with all completions arising from new developments of 1-49 dwellings permitted from 1 September 2021, within 13.8 km of the New Forest designated sites.

Further details are provided in the Mitigation Strategy, but this interim strategy enables the Council to conclude that development coming forward under the Wiltshire Core Strategy, will not lead to an adverse effect on the integrity of the New Forest designated sites. It will apply until a co-ordinated strategic approach is agreed with the New Forest National Park Authority and other neighbouring authorities and it will be reviewed before the end of March 2023.

Sustainable Construction:

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

Core Policy 41 identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. The policy requires:

All non-residential development will be required to achieve the relevant BREEAM "Very Good" standards, rising to the relevant BREEAM "Excellent" standards from 2019/86.

86. For residential development post-construction Code for Sustainable Homes assessments will be required which must be undertaken by an accredited assessor. For conversions and for non-residential development an appropriate post-construction BREEAM assessment will be required which must also be undertaken by an accredited assessor. Replacements for the BREEAM standards are being developed and this policy will apply the equivalent replacement standards. The policy will also apply to any future replacements to the Code for Sustainable Homes.

From February 2018 the LPA has not been applying CP41 to residential development (given it has effectively been superseded by the current government direction of travel favouring Building Regulations for these matters), although [Carbon reduction is a key theme in the council's recovery from COVID-19](#) and the LPA encourages the incorporation of sustainable construction techniques and low carbon energy in development schemes.

Waste & Recycling:

The Wiltshire Council Waste Collection Guidance for Developers requires the following:

8.1. In order to verify whether a proposed development has suitable access, storage space and collection points, the council requires plans to highlight certain information through the application of its adopted 'Validation Checklist'. By providing this information, developers will assist us in pro-actively making decisions about waste matters quickly, rather than having to engage in lengthy dialogue on details that could be provided at the front end of the process.

8.2. The items that would enable a full assessment of the feasibility of a development, if shown on site layout plans, waste management plans or other relevant application documents, are set out in Table 6.

Individual residential properties and flats grouped in blocks of five or fewer
Indication of the external waste storage area per property
Identification of the collection point per property
Identification of the route from the storage area to the collection point, including the distance and the width (minimum 1m) of all such routes (may be tabulated separately for ease of reference)

Supporting Information

As outlined in detail above, a number of reports and supporting information will be required to support an application, and also generally outlined below.

- Sequential Test if the proposal includes extensions (*although please above note advice not recommending submission of such as scheme*)

- Flood Risk Assessment
 - A detailed statement of significance and heritage impact assessment to inform the design proposals
 - Noise reports and mitigation in line with WC public protection guidelines and addressing impact to the heritage asset
 - Professionally drawn plans at a scale of 1:50
 - Detailed sectional and elevational drawings - new windows, doors, mouldings, features such as fireplace - Scale Minimum of 1:20 to provide general view. Large scale drawings of individual architectural details at 1:5 elevations with 1:2 sections
 - Waste and recycling storage area
 - Cycle parking
- Structural engineer's report in respect of the proposed extension, particularly the roof (if this is pursued)
 - Ecology survey report and details of any necessary mitigation if works to the roof are proposed

Please also note that you will need to meet the requirements of the [Council's Validation Checklist](#), attached at appendix C.

Please also note the planning notice/guidance on submitting applications during the Covid-19 pandemic [Planning notice - Wiltshire Council](#)

Suggested Additional Consultees:

Advice regarding Building Regulations: It is likely that your proposal will require separate approval under the Building Regulations. The Council's Building Control Team can be contacted on 0300 456 0113. They will be happy to provide you with Building Regulation advice on this proposal and discuss this project further. This will help to ensure that the final decisions are compliant with the Building Regulations and may help save you time and money.

Historic England

Environment Agency:

Get planning advice on your proposals

The Environment Agency can give a [free preliminary opinion](#) to applicants who consult us on their proposals outside the statutory consultation process. This will include advice on what allowances to apply and the appropriate approach to incorporating the allowances into assessments.

There is a charge for more detailed pre-application planning advice and reviews of flood risk modelling.

Contact your [lead local flood authority](#) through your local council for advice on flood risk from local watercourses (surface or groundwater).

Contact the Environment Agency

General enquiries

National Customer Contact Centre

PO Box 544

Rotherham

S60 1BY

Email enquiries@environment-agency.gov.uk

Telephone 03708 506 506

Telephone from outside the UK (Monday to Friday, 8am to 6pm GMT) +44 (0) 114 282 5312

Monday to Friday, 8am to 6pm.

The impact of COVID-19 means you may experience some delays in responses.

Community Infrastructure Levy (CIL):

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015; and is a fixed, non-negotiable charge on new development. The amount is based upon the size of a development and is charged in pounds per square metre. It varies according to the type of development (e.g. residential, retail or employment uses) and in which area of Wiltshire the development takes place. The Wiltshire CIL Charging Schedule sets out the CIL rates that apply to different types of development in different parts of the county.

CIL will contribute towards the “funding gap” between the total cost of infrastructure necessary to deliver new development and the amount of funding available from other sources.

CIL is charged on commencement of development and is separate from the planning decision process, being administered by a separate department. Further information is available on the following website:

[Community Infrastructure Levy - Wiltshire Council](#)

The site is in CIL Charging Zone 1. The CIL charges are £85 per square metre for residential development.

Summary and conclusion:

This response identifies the issues which would be considered were an application to be submitted.

As explained above, the principle of the development is unacceptable on flood risk grounds. As such it is considered that the proposals as proposed in the pre-application would be unacceptable and unsupported by officers. Submission of a planning application is not recommended.

However, were the scheme amended to be change of use only then in principle this could be acceptable on flood risk grounds subject to a site-specific flood risk assessment (which you should seek advice on from the EA). Such a scheme would also need to address the other issues outlined above including impact to neighbouring amenity concerns, the concerns raised by the Conservation Officer (to be subject to a detailed statement of significance and heritage impact assessment) and address amenity mitigation for the occupiers outlined above.

We could provide advice on a revised pre-application as per our [FAQs](#):

Will I get the opportunity to amend the proposal following your initial response?

amendments submitted within 3 months of the date the original response will be free of charge provided that:

- *the enquiry is made by the same person as the previous enquiry*
- *the enquiry relates to the same site or part of the same site as the previous enquiry*
- *the development is of the same character or description as the development to which the earlier enquiry related.*

Please note the above is an opinion of an officer of this Council and is without prejudice to any formal decision taken in respect of development of the above site.

Yours faithfully

Andrew Guest

Head of Development Management

Officer's Name: Lucy Minting
Officer's Title: Senior Planning Officer
Email: lucy.minting@wiltshire.gov.uk

Appendix A – Conservation Officer comments

CONSERVATION CONSULTATION RESPONSE

To: Lucy Minting

Ref: ENQ/2021/04661

Location: Albany House, 3-5 New Street, Salisbury SP1 2PH

Proposals:

Comments by: Jocelyn Sage

Date: 24 January 2022



Albany House is a grade II listed building and in the City of Salisbury conservation area.

The list description is as follows:

'Early C19. 3 storeys grey brick low pitch hipped slate roof, moulded eaves cornice. 5 windows to 2nd floor, recessed sashes, glazing bars intact. 1st floor has canted bay window to left, sash glazing bars, lights, panelled apron, moulded cornice, 3 other sash windows no glazing bars. Ground floor has central entrance and 4 sash windows, no glazing bars. 6 panel door in mid C19 stucco surround of fluted pilasters frieze and moulded cornice. Small door to No 3 at left hand.'

Nos 1 to 11 (odd) form a group.'

THE RCME book says:

*'Houses, two adjacent, Nos.5 and 3, **formerly a single dwelling**, are three-storeyed with brick walls and slate-covered roofs and were built c 1840. The N.front is of five bays.'*

RW info says that it was built around 1814 as two dwellings and in 1846, when it was taken on by a dentist I think, it was converted into a single dwelling and much modified (ie re-fronted and new roof and fenestration). It was also at this time that the staircase from number 5 was removed, and that the staircase in number 3 was reversed (ground to first) to separate almost the business and residential part of the house.

The application enquiry is also accompanied by a heritage statement provided by the client which is welcomed. (It is not a statement of significance though).



1844-1888 OS map

At this point it was a single property

The proposals

Splitting the property back into its 'original' 3 constituent properties: 3, 5 and an 1854 extension

Re-installation of the front door of No 5, recreation of its hall, stairs and landing. Dividing the house along the 'original' party wall.

Demolition of the existing single storey extensions in respect of numbers 3 and 5 and new two storey extensions.

No works are proposed within the pre-application to the 1854 extension which is a self-contained unit.

Conservation officer response

In summary, I have no objection in principle to the division of the house into two units (3 if the existing self-contained unit is included). The controversial elements of the project are clearly the visual impact and detailing of the new door on the front elevation and the rear extensions. In respect of the rear, I was able to see at the site visit (26th January) that the rear is much altered and largely in a 'unsympathetic' way. As such, subject to detailing, I am unlikely to object in principle to the proposed 1st floor extensions.

In respect of the detailed proposals:



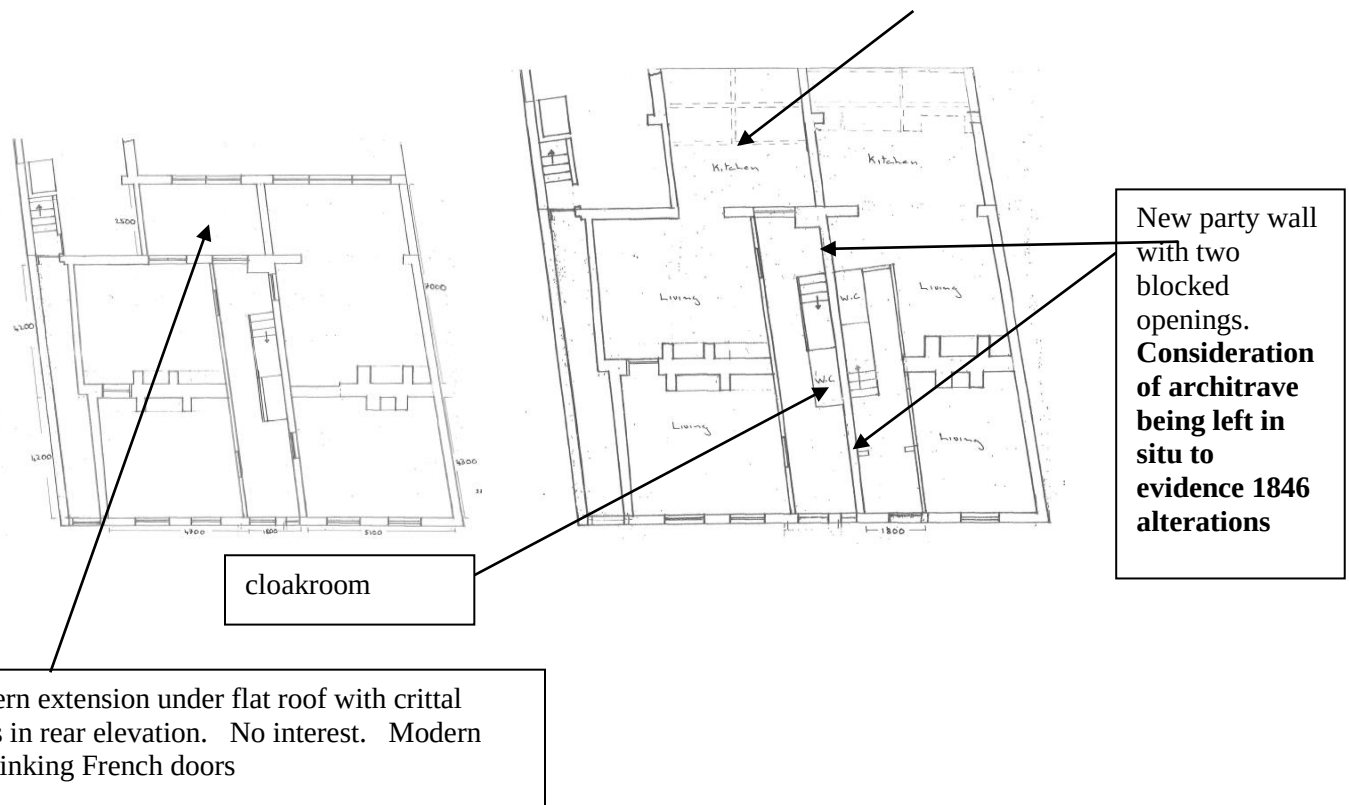
This would need to be carefully design and well detailed. I would suggest that the decorative fanlight is probably overly decorative in this location and detracts from the existing doorway

Proposed unit 3

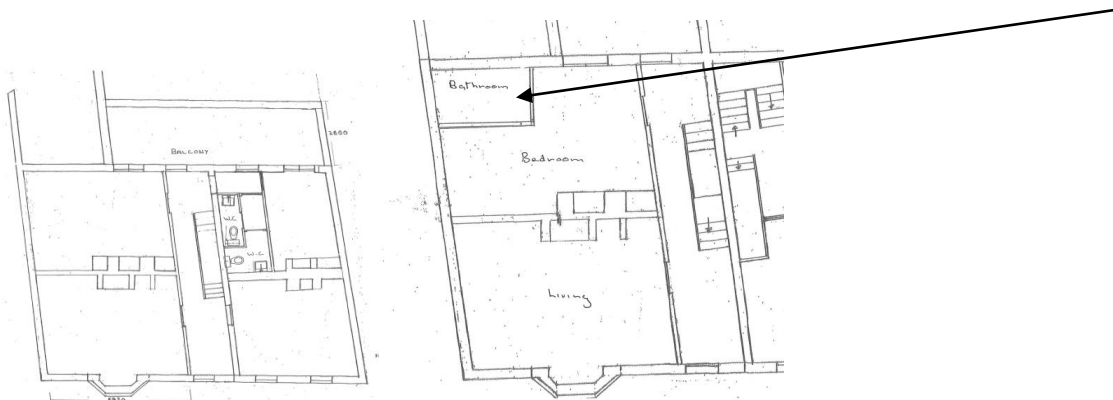
Number 3 is currently the least altered internally (since 1846) and this is reflected in the planning application, where the design proposals retain the original floor-plan and are limited to the introduction of a kitchen and bathrooms, having no effect on the principal rooms.

Layout is

Ground floor existing and proposed. Don't see a big issue but is the kitchen an extension? Proposed cloakroom to go under stairs – existing modern cupboard there with unsympathetic door. No objection subject to detailing. Downstairs hall as 1960s terrazzo floor. Original timber floorboards. Possible change to black and white tiles – no objection providing tiles appropriate.



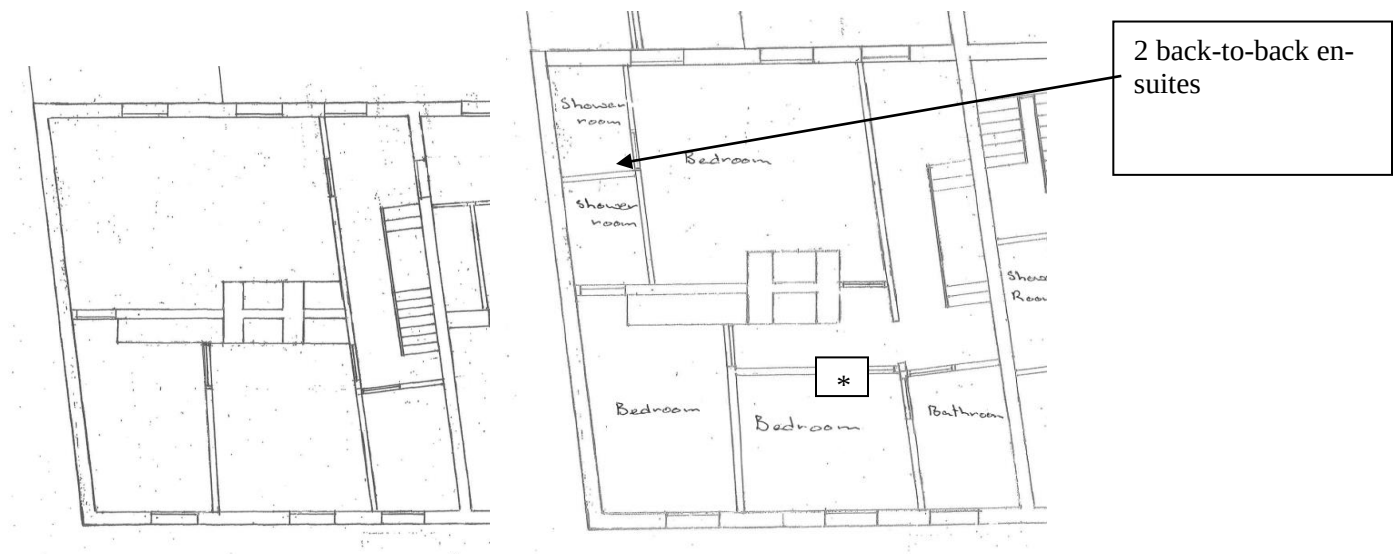
First Floor



At first floor level, an ensuite is inserted into a rear bedroom. This room has an attractive cornice (1846 possibly) with high ceilings. Suggested that the en-suite's 'roof' should sit below the cornice such that the dimensions of the room can be appreciated via the cornice. No objection to an en-suite though.

No extension is required at this first floor level for this unit. However, the applicant is proposing a sweeping canopy over a balcony (below kitchen extension). Clearly this would mean the loss of a rear window and its conversion to a door. **PHOTO**

Second floor – existing and proposed



Initially I had reservations about the proposed insertion of the partition at *, however, there is no fireplace (presumably filled in or perhaps never was one) and the room is large enough to not feel cramped so no objection.

There is modern cupboard and door in the left hand bedroom so no objection to creating a doorway though (into proposed ensuite). In respect of the en-suite, as one might expect the ceiling heights are lower here so the back-to-back ensuites should be 'full height' There is a plainer 'run through' cornice in the back room which could be replicated around the en-suite.

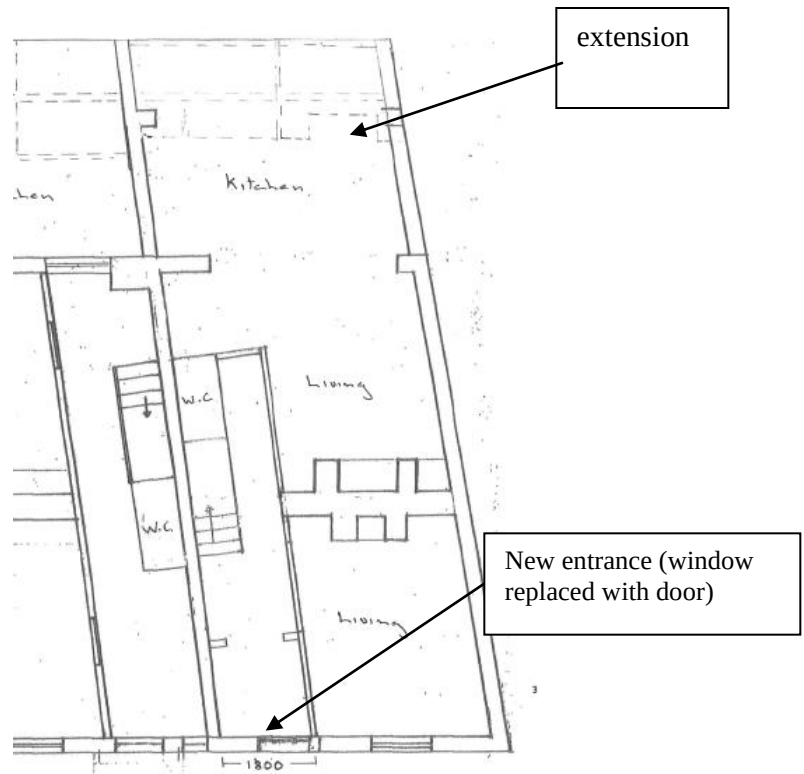
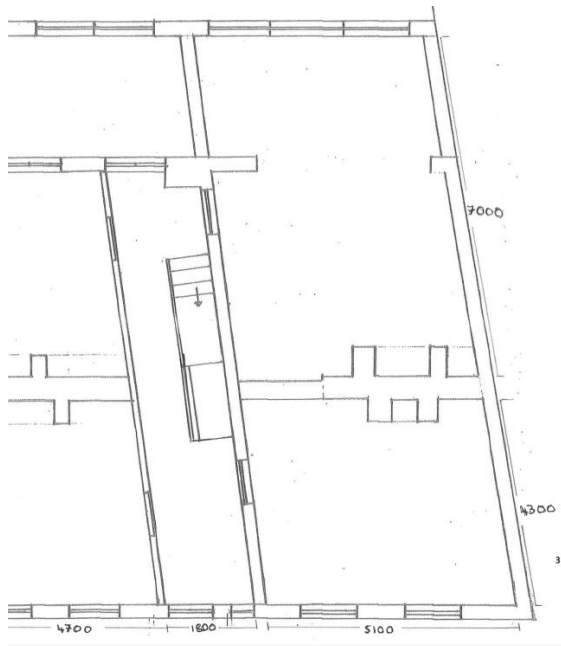
Proposed unit 5

Number 5, having been altered in 1846, 1964 and 1986 and having had ceilings replaced has only the second-floor front room in its original form. The planning application seeks to return Number 5 to a self-contained dwelling and all rooms to their 1814 plan. There is insufficient existing space to introduce bathrooms without resulting in unacceptably small bedrooms and compromising the original form. As a result, the proposals include the rebuilding (within the existing building footprint) and extension upwards of the 1964 rear extension to provide bathrooms without intrusion into the original floorspace.

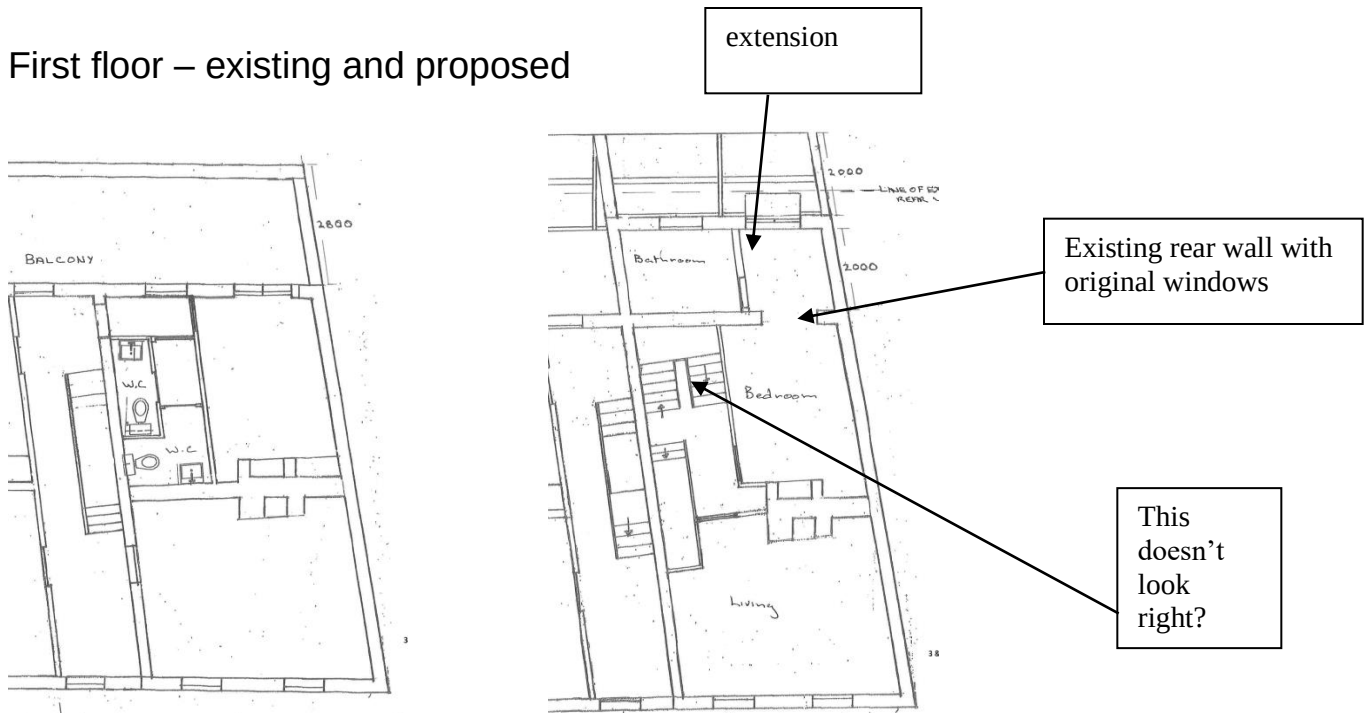
Ground floor – existing and proposed

Insertion of a staircase – ghosting of a former staircase can be seen on the front room.

Also the creation of a corridor the same width as that in number 3. This seems to make sense spatially. Details of the proposed lobby would need to be carefully considered, as well as the door and fanlight.



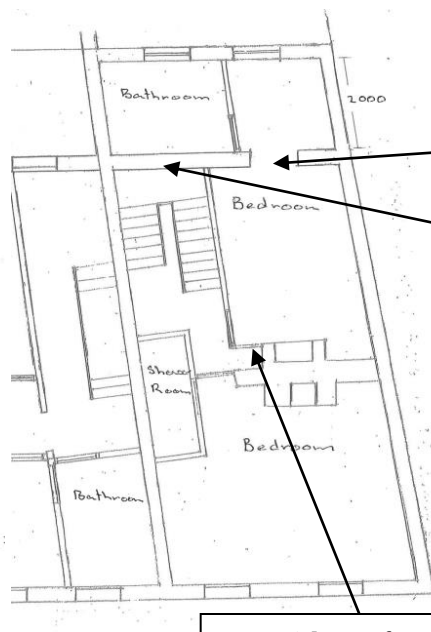
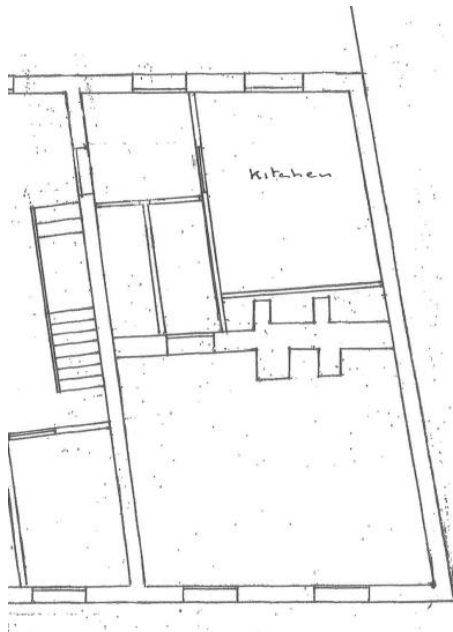
First floor – existing and proposed



The rear 1st floor extension is required to provide a bathroom and access to it (which also makes a 'sensible extension' in terms of the treatment of the proposed extended roof). Hopefully it would be possible to re-use the two existing windows (which show evidence of cut glazing bars ie the windows were previously small-paned Georgian windows) in the new location (rear elevation).

I did question the layout of the new stairs as they would originally have been a straight flight. I understand the dilemma is accomodating new bathrooms (which clearly weren't an original feature). I do think the applicant will need to demonstrate why a straight flight is not possible.

Second floor – existing and proposed

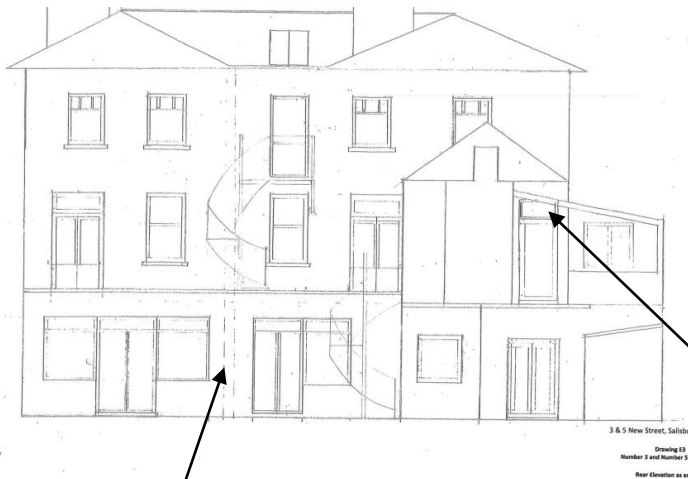


Issue again over loss of windows in original rear wall

Issue of configuration of new stairs

Issue (also at first floor) of a partition abutting the chimney stack. Suggest it stops short and a cupboard is created.

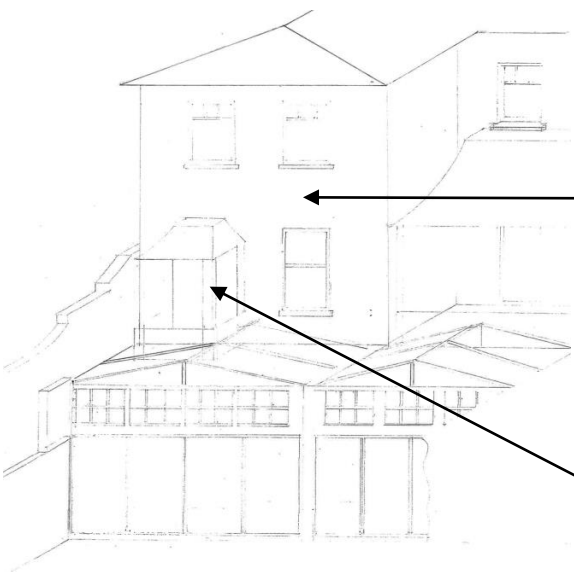
Rear extensions to unit 3 and 5



Existing flat roofed extension dating to the 1960s .
Of no historic interest or architectural merit



Ugly canopy – authorized?

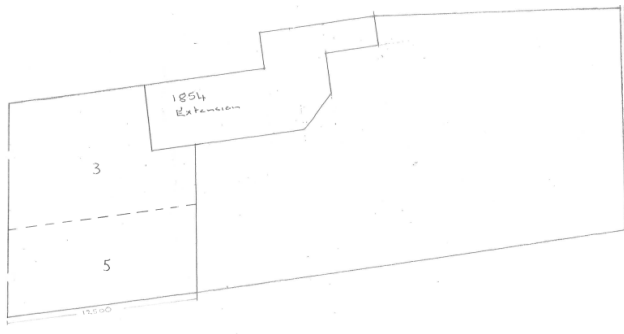


This is extended rearwards such that it becomes a projecting wing with the same roof form ie a hipped slated roof

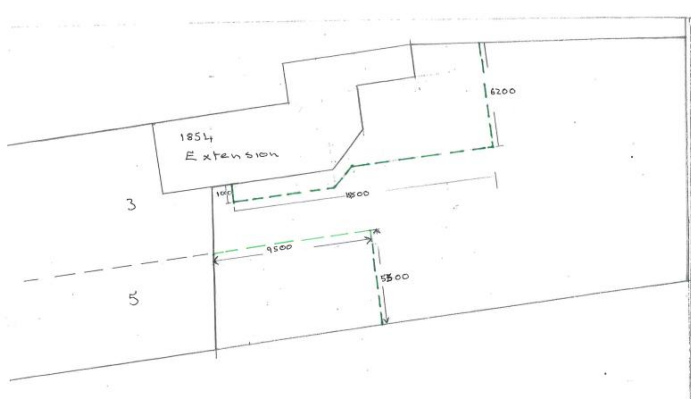
Reservations about this plus raises a potential overlooking issue. Fussy and cluttered - omit

Replacing the rear single storey extensions is uncontroversial. The first floor extension for number 5 is more controversial as it essentially involves the internalisation of the historic rear wall and relocating (or replacing) 3 windows. That said, the rear elevation is already much compromised and the roof form of limited historic interest. If sufficient enhancements /improvements could be offered (I would advise also getting rid of the ungainly portico structure identified above), then it may be something I could support, providing a greater level of convincing detail is supplied as part of a future application. In respect of the ground floor extensions, I think a flat-roofed extension (possibly behind a parapet) with bi-fold doors would look better maybe and evidently a modern extension?

Existing 1964 ground floor rear extension to No.5 is extended upwards?



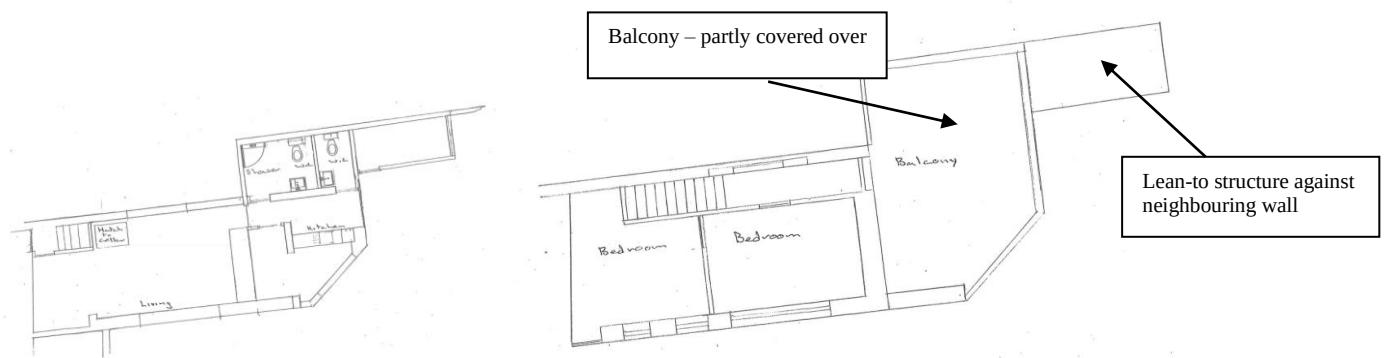
Existing



Proposed

Plans for unit in rear extension c1854

1854 extension The planning application seeks only to recognise the 1854 extension as the self-contained property it has, in fact, been since 1964. Because it already has all necessary facilities there are no alterations necessary to create a separate dwelling and so no design proposals.



Existing plans

There appear to be no proposals for this unit, however, I do recommend the removal of the ungainly projecting canopy at the rear (as previously mentioned).

In terms of supporting information for a future application, whilst the owner has done some stirring 'unpicking' of the house, I would expect a statement of significance as well as a heritage impact assessment. In respect of the drawings, I would expect professionally drawn plans at a scale of 1:50 and there will also be the need for sections and elevational drawings (external as well as some internal drawings). I would also strongly recommend using an architect who is familiar with historic buildings to provide some design input and guidance. I would also expect a structural engineer's report in respect of the proposed extension, particularly the roof. In respect of introducing new features such as fireplace, details of these would need to be supplied or the subject of a condition. In respect of the rear extended wing, I have said I would not support render. The existing building is brick, if brick (painted is not possible and I'd like to know why) then brick slips/tile hanging perhaps, should be considered.

Ms Jocelyn Sage BSc(Hons) MSc PG Dip TP IHBC
Senior Conservation Officer

Appendix B - Environmental Health advice for developers and other planning applicants

Environmental Health advice for developers and other planning applicants

This advice has been designed to aid developers and other applicants who propose to submit a planning application that has potential noise and other amenity implications. Separate advice on [contaminated land](#) and [air quality](#) can be found within supplementary planning documents on our website.

This advice will provide you with general information on what should be considered and how to ensure your application is processed quickly and effectively when the Environmental Protection and Control Team are consulted. General queries about the planning process are best directed to Development Services.

Those requiring pre planning application advice are advised to have close regard to the information below and to ensure their applications are accompanied by the appropriate documentation. Failure to provide appropriate assessments may result in delays to processing a planning application and could mean a recommendation to the planning officer to refuse an application on the basis that the information required for us to make a decision has not been provided.

Amenity and Statutory Nuisance

Amenity is not specifically defined in planning legislation. It is defined in the Chambers Dictionary as “the experience of a place as pleasant or attractive”.

Environmental Protection Officers day to day deal with issues that amount to ‘statutory nuisance’. This legislation covers issues such as noise, smoke, dust and a range of other situations. Statutory nuisance is specific and has been defined by many years of case law. In some cases the application “statutory nuisance” controls are limited and statutory defences are available, it may therefore not be available as remedy for some problems and even where it is there are circumstances under which those causing a nuisance may be permitted to continue causing a nuisance.

“Amenity” and “Statutory nuisance” are distinct and separate from one another. In examining a planning application Environmental Protection Officers will specifically consider the implications of the application for amenity. This provides a higher standard of protection for future occupiers of a premises and people living near to a prospective development. The Environmental Protection

Officers work within the planning system to try to avoid conflicts between adjacent uses and this reduces regulatory burden by preventing or mitigating problems that may otherwise arise.

Things to consider

Before submitting planning applications consider the impact on amenity. If any of the environmental factors mentioned below are likely to be an issue you are strongly advised to provide supporting documentation with the application that quantifies the issue and details how it will be addressed.

Good planning facilitates economic prosperity, by protecting residents from undue disturbance that can lead to potentially protracted conflicts and allows business to flourish and grow unhampered by bureaucratic restrictions that can result from poor design, and land use planning.

Environmental factors we consider

- **Noise (including vibration)** - from various sources including; plant, equipment, machinery, noise associated with service yards (unloading/loading, reversing beepers) and licensed premises (live and recorded music, customer movements).
- **Odour/Gas/fumes** – From kitchen extractions, boilers, industrial process, slurry tanks and other similar bulk storage, intensive animal husbandry, stables.
- **Smoke** – Particularly wood burners
- **Dust** – From roads, processing material, construction activity, storage of raw material
- **Light** – Impact of light spill and breakout on nearby sensitive receptors
- **Pests (including insects)** - Animal husbandry including some stables, sewage spreading, sewage treatment, poultry houses/farms, sewage treatment works, waste transfer sites
- **Contaminated Land** – Wiltshire Council has produced [supplementary planning guidance](#) for developers
- **Air Quality** – Wiltshire Council has produced [supplementary planning guidance](#) for developers

Noise impacts

Application proposals that raise issues of disturbance or are considered to be in a noise sensitive area must be supported by a noise impact assessment prepared by a suitably qualified acoustic consultant ¹. These include proposals for;

- New residential development close to existing industrial or commercial units or vice versa
- New development close to railway, airfields, busy road, motor racing circuits etc
- New development close to pubs, clubs and other businesses that form part of the night time economy or vice versa
- New development close to retail and other premises using air conditioning units, refrigeration and ventilation plant or vice versa.

Guidance available

- **BS 4142: 2014+A1: 2019 Methods for rating and assessing industrial and commercial sound** This British Standard can be used to assess the likelihood of complaints arising from the installation of a new industrial noise source e.g. new air conditioning or refrigeration units. In most cases we will be expecting the “rating Level” of the noisy activity not to exceed the pre-existing background levels.
- **BS8233: 2014 Guidance on sound insulation and noise reduction for buildings** This British Standard provides information on the design of internal acoustics for buildings. Environmental Health would normally recommend that noise reduction measures are put in place that will achieve internal noise levels in bedrooms and living rooms set out in the standard.
- **[World Health Organisation Community Noise Guidelines 2000](#)** This guidance describes the impacts on health that may arise as a result of exposure to noise and recommends noise levels within residential properties

¹ The professional bodies for acoustic consultants are the Institute of Acoustics and the Association of Noise Consultants and you can search for registered consultants on their websites

- National Planning Policy Framework – [Noise Guidance](#)

If the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation.

- [Artificial Grass Pitch \(AGP\) Acoustics](#)

Sport England Design Guidance note providing appropriate noise criteria and assessment methods and outlines practical measures that can be applied to reduce noise in particularly sensitive areas

- [Building Regulations Approved Document E](#)

It is good practice to consider the layout of rooms at the design stage to avoid placing noise sensitive rooms in which noise is generated. You should avoid placing bedrooms adjacent to, above or below living rooms, kitchens or utility rooms.

- [ProPG: Planning and Noise](#) – **Professional Practice Guidance on Planning and Noise**

Provides guidance on a recommended approach to the management of noise within the Planning system and encourages the process of good acoustic design for new residential development aiming to protect people from the harmful effects of noise.

Smaller scale projects e.g. a corner shop installing an air conditioning unit, refrigeration plant or other small scale plant/ equipment, will need to assess as far as possible any likely impact from noise on the surrounding community for example; hours of operation of the plant, location of the nearest noise sensitive receptor, noise output of the plant/equipment, acoustic treatments to be installed.

Noise & Dust during the construction phase

If there are residential properties close to your development, you will need to consider how noise & dust will be controlled during the construction phase. The Council recommends that noisy activities should not be carried out on site, outside the following hours:

Monday to Friday 08.00 - 18:00

Saturday 08:00 - 13:00

Not at all on Sundays or Bank Holidays

Where complaints are received from members of the public about noise from the site, a legal notice may be served under the Control of Pollution Act 1974 to formally restrict the time for noisy works.

We would expect a Construction Management Plan to be submitted with any major development whose construction/demolition phase is likely to be ongoing for a long period of time.

Odour impacts

In some instances, an odour impact assessment may be required to ensure odour from certain sources (slurry lagoons, sewage works, poultry houses etc.) will not adversely impact upon new or existing residents, which should include appropriate mitigation measures.

Odour from takeaways and restaurants can also be highly intrusive. Appropriate methods of odour dispersal and abatement should be considered by your ventilation engineer. Further guidance can be found at;

- DEFRA; [Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2005](#)– This has been withdrawn but provides guidance for estimating the odour risk taking into account the stack/exhaust height, size and type of the kitchen and proximity to sensitive receptors;
- IAQM; [Guidance on the assessment of odour for planning 2018](#);
- [Environmental Health Licences and Permits](#) – Larger industrial plant such as coating & spraying will need to approach their suppliers for specialist advice. You may also require a permit under the Environmental Permitting regulations, and you are therefore advised to contact Environmental Protection direct;

Smoke

Chimneys and flues must be located away from neighbouring windows. Chimneys must be sufficiently high to allow free dispersal; e.g. if you are on a hillside for example you might need a higher chimney than normal to take the smoke away from an adjoining neighbour higher up the hill.

Large scale boiler operators will need to provide a chimney height calculation in accordance with the appropriate relevant guidance such as D1 or the chimney height memorandum.

Light

For developments with proposed significant external light which will have line of sight to residential properties or other sensitive receptors we will require the submission of a lighting impact assessment and proposed mitigation measures in accordance with guidance set out in The Institute of Lighting Professionals "[Guidance Notes for the Reduction of Obtrusive Light](#)".

Further information can be found on the GOV.UK website under [Light Pollution](#) which provides advice on how to consider light within the planning system. Including, the [Guidance on sections 101 to 103 of the Clean Neighbourhoods and Environment Act 2005 – Statutory Nuisance from Insects and Artificial Light](#).

Pests

If it is likely that pests (including flies) may arise from the proposals we would expect the submission of a management plan to detail how pests will be effectively managed and mitigated against to prevent having an adverse impact on local sensitive receptors.

This includes [Fly Management Guidance](#) .

Informative

This advice is provided without prejudice and all applications will be determined on their individual merits.

Other planning applications

Environmental Impact Assessments

Some complex or large scale developments may require a full Environmental Impact Assessment (EIA) and such developments are defined in the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 and the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Any EIA must include references to the impact of noise and other environmental related amenity issues associated with the proposal.

Change of use

If your application involves a change of use for a commercial premises or a change in the hours of operation for a business, you will need to consider the following as part of your application:

- **Change of use** - If in changing the use of the business there is likely to be a change in the noise arising from the business, e.g. a retail unit turning into a bar, you will need to consider this in your application and include details of any potential noise control measures, e.g. improvements to sound insulation, noise limiters, lobby doors, double glazing, noise management plan
- **Change in the hours of operation** - you will need to check with Planning Services whether there are any conditions relating to the hours of operation on the current planning permission. They can be contacted by telephone; 0300 456 0114 or by email Developmentmanagement@wiltshire.gov.uk and further advice can be accessed online at [Planning and building control - Wiltshire Council](#),

If there are restrictions on the hours of operation and you plan to open beyond this you will need to submit an application to vary the condition. You should be aware that the community will be more sensitive to noise after 23.00 hrs and before 07:00 hrs and additional control measures may be required if the new business will be producing noise during this time. This needs to be addressed in the planning application.

General Permitted Development

Permitted development rights have temporarily been extended under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2018. In accordance with this Order the Environmental & Control Protection Team is no longer consulted on the full range of environment issues which may be caused by or associated with such a change of use.

Those who wish to utilise these new rights are advised that, notwithstanding the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2018, you have a duty to ensure that:

- i. The occupants of the development are adequately protected against environmental issues or emissions which exist in the area of the development; and
- ii. Those living or working nearby are adequately protected from environmental issues or emissions caused by the development or use thereof.

There are a wide range of environmental issues or emissions which may affect the health or wellbeing of other local residents or businesses including the environmental factors that are considered in this guidance document. These issues or emissions can be present in the local environment generally or can be caused by specific activities or operations taking place nearby.

You must consider whether your development will be affected by, or will cause, any of the environmental issues mentioned in this document, air quality and contaminated land. If so you must take the appropriate steps to ensure that both the future occupants of your development and those living or working nearby are adequately protected. Where it is not possible to take steps to prevent, or protect people from, these issues you should reconsider whether the change of use should take place.

If the change of use is to change or introduce a business activity and that business activity subsequently causes a “statutory nuisance” the advice given in this document may affect that business’ ability to claim any statutory defence of “best practicable means” in any action taken against it under the Environmental Protection Act 1990.

By addressing these issues before the development takes place you will reduce the risk of any adverse effects, and reduce the chances of the local authority using its enforcement powers in the future to resolve the problem.

Appendix C – Validation checklist

Full Planning Permission & Listed Building Consent Validation Checklist

National Requirements -Plans

Location Plan ☐

Scale 1:2500 or 1:1250

When required

All applications

What information is required?

- Up to date map with site edged clearly with a red line, including any required visibility splays and access to the site from the public highway
- The direction of north should be shown.
- The plan must cover a large enough area to enable the location to be easily found.
- A blue line should be drawn around any other land owned by the applicant

Planning Policy and Where to look for further assistance

Government Guidance on Information

Requirements and Validation - paragraphs 44 - 48
- found at:

[Communities and government validation guidance](#)

Site Plan ☐

Scale 1:500 or 1:250/1:200/1:100

When required

All applications

What information is required?

- The plan must show the proposed development in relation to the site boundaries and other existing buildings on the site.
- Written dimensions, including those to the boundary, should be shown.
- Any trees or public rights of way affected by the development should be shown, together with the proposed parking arrangements
- Any new boundary walls or fencing proposed as part of the development

Planning Policy and Where to look for further assistance

Government Guidance on Information

Requirements and Validation - paragraphs 44 - 48
- found at:

[Communities and government validation guidance](#)

Other Documents

Application Form ☐

When required

All applications

What information is required?

Completion of the forms, further guidance is available to download

[Full Application & Listed Building Consent guidance notes](#)

Ownership Certificate ☐

When required

All applications

Where to look for further assistance

The Certificate is part of the planning application form and details on how to complete it are included in the [application forms and guidance notes](#) available on the Council's web site.

What information is required?

Where a third party own all or part of the application site, Notice of the application must be given to them
You can download a copy of the [notice under article 6](#) on the Council's website

Fee ☐

When required

Planning applications incur a fee

What information is required?

The correct fee

Planning Policy and Where to look for further assistance

Full details can be found on the [Council's web site](#) or in Government Circular 04/2008

Design & Access Statement ☐

When required

All applications

What information is required?

A written statement which explains the design principles and concepts that have been applied to the development and that:

Demonstrates the steps taken to appraise the context of the development and how the design of the development takes that into account;

Demonstrates how the design principles and concepts take account of the special architectural or historic importance of the building;

Demonstrates how the design principles and concepts take account of the particular physical features of the building that justify its designation as a listed building;

Demonstrates how the design principles and concepts take account of the buildings setting;

Explains the policy adopted as to access, and how development plan policies relating to access have been taken into account;

States what consultation, if any, has been undertaken on issues relating to access and what account has been taken of the outcome of any such consultation;

Explains how any specific issues which might affect access to the development have been addressed

The written statement should include an assessment of the impact of the proposed works on the significance of the building and those areas affected by the works, including any steps that are to be taken to avoid or minimise any adverse impacts. (Specialist input may be required to aid understanding of the building where features of special interest are affected)

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 128-138 and associated Historic Environment Planning Practice Guide. The advice in 'Making Better applications for Listed Building Consent' published by Historic Towns Forum may also assist and is available here: <http://www.historictownsforum.org/node/1259>

Local Requirements – Plans *All plans must include a scale bar*

Plans for alterations to a Listed Building should usually be drawn to a scale of 1:50. It is rare that plans will be accepted at a smaller scale as it becomes difficult to illustrate architectural features. However in the case of very simple localised works, or large buildings where very simple localised works are proposed, plans on a smaller scale of 1:100 may be acceptable.

Existing Elevations ☐

Scale 1:50 (see note above for when 1:100 may be acceptable)

When required

Where alterations and/or extensions to an existing building are proposed

What information is required?

Drawings that clearly show the existing appearance of the building

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 128-138 and associated Historic Environment Planning Practice Guide. The advice in 'Making Better applications for Listed Building Consent' published by Historic Towns Forum may also assist and is available here:

<http://www.historictownsforum.org/node/1259>

Proposed Elevations ☐

Scale 1:50 (see note above for when 1:100 may be acceptable)

When required

For all new buildings and for all proposals where extensions or alterations to an existing building are proposed

What information is required?

These should show any elevations that would be created or altered by the development. These should include proposed building materials and the style and materials of windows and doors. Where new developments are proposed, plans should show the relationship of the new building to neighbouring buildings

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 128-138 and associated Historic Environment Planning Practice Guide. The advice in 'Making Better applications for Listed Building Consent' published by Historic Towns Forum may also assist and is available here:

<http://www.historictownsforum.org/node/1259>

Existing & Proposed Floor Plans ☐

Scale 1:50 (see note above for when 1:100 may be acceptable)

When required

For all new buildings and for all proposals where extensions are proposed

What information is required?

These should highlight any walls to be demolished and show the uses of the any proposed new rooms

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 128-138 and associated Historic Environment Planning Practice Guide. The advice in 'Making Better applications for Listed Building Consent' published by Historic Towns Forum may also assist and is available here:

<http://www.historictownsforum.org/node/1259>

Existing & Proposed Roof Plans ☐

Scale 1:50 (see note above for when 1:100 may be acceptable)

When required

Where any roof is being altered and the change cannot be adequately shown on the elevation plans

What information is required?

The shape of the roof, including any areas cut-away or proposed to be used for balconies; seating

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 128-138 and associated Historic Environment Planning Practice Guide. The advice in 'Making Better applications for Listed Building Consent' published by Historic Towns Forum may also assist and is available here:

<http://www.historictownsforum.org/node/1259>

Site Sections/levels ☐

Scale 1:100 or 1:50

When required

When a change in level is proposed eg on a sloping site

What information is required?

These should show existing and proposed site levels, and finished floor levels, with levels related to a defined datum point

Planning Policy and Where to look for further assistance

Government Guidance on Information Requirements and Validation - paragraphs 94 & 95 - found at:

[Communities and government validation guidance](#)

Site Survey ☐

Scale Minimum of 1:200

When required

New residential development

What information is required?

Survey showing existing features and levels

Planning Policy and Where to look for further assistance

Government Guidance on Information Requirements and Validation - paragraphs 94 & 95 - found at:

[Communities and government validation guidance](#)

Detailed drawings of new windows, doors, mouldings etc ☐

Scale Minimum of 1:20 to provide general view. Where architectural details form the main focus of an application large scale drawings of individual architectural details will be required e.g. joinery at 1:5 elevations with 1:2 sections

When required

Where new doors or windows or features are proposed

What information is required?

Detailed scale drawings showing sections, mouldings, profiles and materials

Planning Policy and Where to look for further assistance

Historic Environment Planning Practice Guide

Flood Risk Assessment ☐

When required

When the development is within Environment Agency Flood Zone areas Areas 2 or 3 OR is over 1 hectare in size in Flood zone 1

What information is required?

Proportionate Flood Risk Assessment

Policy Drivers and Where to look for further assistance

Detailed Guidance from the Environment Agency can be found at:

<http://www.environment-agency.gov.uk/research/planning/82584.aspx>

The site also shows flood risk areas

National Planning Policy Framework paragraphs 100 to 104

Ecological Assessment/ Protected Species survey ☐

When required

Find out if your application needs to be supported by an ecological survey, by entering details in our guidance form here: <https://survey.wiltshire.gov.uk/snapwebhost/s.asp?k=163404241874> . The form is a guide only and may not pick up all ecological constraints relevant to your application.

What information is required?

This depends on the proposal details and site context. Support can be found here:

www.wiltshire.gov.uk/planning-bio-ecological-survey

Planning Policy and Where to look for further assistance

Advice can be found on the Council's web site here [Biodiversity and Development](#)

and in the list of documents available to download here www.wiltshire.gov.uk/planning-bio-ecological-survey .

Land Contamination Assessment ☐

When required

For redevelopment of former petrol filling sites; commercial garages; landfill sites and other brownfield sites where contamination is known or suspected

What information is required?

Desk based study. Report of on-site investigative reports if warranted by desk study

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 120 to 121

British Urban Regeneration Association

Transport Assessment ☐

When required

Residential development of 100 dwellings; Retail and/or employment/leisure uses of 1000m2 or more and waste management facilities

What information is required?

Transport implications of the proposal, including access to the site by different modes and impact on any nearby trunk road

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraphs 29 to 41

Archaeological Assessment ☐

When required

Where the site includes, or has the potential to include, a heritage asset of archaeological interest

What information is required?

Desk-based assessment field evaluation if desk based assessment points to its necessity

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraph 128

Functional and viability assessment ☐

When required

When the proposal includes an isolated dwelling in the countryside for agricultural; equestrian or other rural based enterprises business

What information is required?

Professional assessment by independent expert/consultant on whether there is an essential need for a rural worker to live near their place of work in the countryside

Planning Policy and Where to look for further assistance

PPS7 Annex A - Whilst withdrawn as Government guidance offers sound advice on contents of any assessment

Waste Audit ☐

When required

For residential developments of 10 or more houses; new employment premises of 300m²; new retail facilities 500m²

What information is required?

Details of means of minimising waste during the development process; and for encouraging post development recycling

Planning Policy and Where to look for further assistance

Wiltshire & Swindon Waste Core Strategy DPD
Policy WCS 6

Structural survey ☐

When required

Where structural changes to a listed building are proposed, such as alterations to the roof; cutting of beams new openings in historic fabric

What information is required?

A professional structural survey that demonstrates that the alterations proposed will not adversely affect the structural stability of the listed building

Planning Policy and Where to look for further assistance

Historic Environment Planning Practice Guide

Noise Impact Assessment ☐

When required

For industrial uses falling within class B2 (general industrial uses) and that are proposed within 10 metres of a boundary with residential property and waste management facilities. For proposed residential uses that are adjacent to or within close proximity of noise generating industrial uses

What information is required?

A professional noise assessment that demonstrates the impact of the use on the amenity of existing residential properties or in the case of proposed new residential development demonstrates the likely impact on the amenity of the occupiers of the proposed dwellings including any mitigation proposals

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraph 123

Ventilation/Extraction Details ☐

When required

For proposed new restaurants; hot food takeaways and public houses and other premises selling/serving hot food

What information is required?

Details of the ventilation/extraction proposals, including the associated alterations/additions to the external appearance of the building required to accommodate them

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraph 123

Landscape and visual impact appraisal ☐

When required

Proposals for major development or waste management facility within or adjacent to an area of outstanding natural beauty

What information is required?

A professional landscape and visual impact assessment that demonstrates the impacts on the character and appearance of the landscape and includes an appropriate mitigation strategy

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraph 109 and 116 and Policy WDC 7 of the Wiltshire and Swindon Waste Development Control Policy DPD

Statement of Community Involvement ☐

When required

- Major developments of 10 dwellings or more, including sheltered housing
- Retail developments of 1,000 square metres or more
- Waste management facilities
- Large road schemes
- Mineral extraction
- Other developments of 1,000 square metres or more likely to generate significant public interest

What information is required?

Submission of a report outlining what public consultation has been undertaken and how the results have been taken into account in the application

Planning Policy and Where to look for further assistance

Wiltshire Council Statement of Community involvement, pages 31-38 available on the Council's web site

Planning Obligations Draft Heads of Terms ☐

When required

For any proposal that requires the completion of a legal agreement or where one is being offered, including those where the Council has given written confirmation in pre-application discussions that an agreement will be required

What information is required?

Heads of Terms covering the relevant areas

Planning Policy and Where to look for further assistance

Wiltshire Council Statement of Community Involvement, pages 31-38 available on the Council's web site

Schedule of works and/or specification of repairs ☐

When required

Mainly required for complicated or larger scale proposals including a number of different elements

What information is required?

May take the form of a written schedule or annotations to the proposal drawings

Planning Policy and Where to look for further assistance

Historic Environment Practice Guide paragraph 68

Structural and Marketing Report ☐

When required

When demolition of a listed building or heritage asset is proposed on structural and economic grounds

What information is required?

Structural report and marketing report

Planning Policy and Where to look for further assistance

National Planning Policy Framework paragraph 128