

Persimmon Homes Wessex
Verona House
Tetbury Hill
Malmesbury
SN16 9JR
Tel: 01666 824721

Dear Mr Richardson,

RE: PL/2021/04084 Residential development of 49 no. new dwellings comprising development on land to the west of Roger Way (Areas A&F), alongside the change of use of the vacant ground floor unit at Block C of the Old Sarum Local Centre (Area G), to provide for 7no. affordable apartments.

I am pleased to submit this resubmission of application PL/2021/04084 for 49 dwellings at Land to the west of Roger Way and Old Sarum Local Centre.

This resubmission responds directly to the comments raised by Public Protection.

For the avoidance of doubt the following is submitted for consideration:

Planning Pack

- Layout
- Street Scenes
- Affordable Housing Plan
- Enclosure Details
- Fencing and Enclosures Plan
- Parking Plan
- Bin Collection Plan
- Materials Plan
- House Type Pack

Landscaping

- Detailed Landscaping

Noise

- Noise Report

Lighting

- Lighting Report

Public Protection commented on 1 August 2025, objecting on the grounds of potential light and noise impacts arising from the adjacent football ground. It was stated that the application did not provide sufficient vertical illuminance data to adequately model light levels on habitable room windows.

The revised submission includes:

- Updated application pack incorporating amendments including the rearrangement to Plots 1-3 and their respective parking arrangements, clarification that car ports to the rear of 15-7 and 24-26 include garage doors and that the proposal includes a 3m high noise and light attenuation barrier along the boundary with the football club.
- Updated modelling by specialist lighting and noise consultants.

Light Impact

The submitted report by SHD Lighting has taken full account of the Public Protection Officer's comments and concludes that:

- The scheme has been carefully designed to minimise potential impacts from existing floodlighting.
- Plots closest to the football ground have been designed without external windows on elevations facing the pitch.
- A 3m high timber acoustic fence will provide additional mitigation against light spill.

Should the Local Planning Authority consider any residual impact to be significant, a condition could be imposed requiring integral blinds or window coverings. These are encased within the glazing unit, cannot be removed, and therefore provide a robust and permanent mitigation solution.

The acceptability of such mitigation is supported by appeal decision **APP/U1430/W/24/3339879** (Land off Turkey Road), where residential development adjacent to an operational brickworks was considered. The Inspector concluded:

"As the brickworks can operate throughout the night the issue of lighting was raised... However, occupants would have the means of mitigating this through the use of blinds and/or blackout curtains. I therefore do not consider light spillage onto the appeal site would be a reason for the scheme to fail."

In the present case, the proposed integral blinds represent an enhanced form of mitigation, as the responsibility would not rest with the occupier and the solution would be secured in perpetuity. Moreover, evening matches are limited and infrequent.

Noise Impact

We respectfully maintain our disagreement with the objection in relation to noise impacts from the neighbouring football ground. The updated acoustic assessment demonstrates that:

- Thermal and acoustic double glazing will achieve internal ambient noise levels below 35dB during the daytime and below 30dB at night, in accordance with BS8233:2014;
- A 3m high acoustic barrier will ensure external amenity areas remain below 55dB, consistent with WHO guidance;
- The Council's Public Protection Officers have previously accepted the principle of closed windows as mitigation on recently consented schemes (PL/2023/04469 and PL/2023/04928).

The consultant concludes that, with the proposed mitigation in place, noise does not represent a material constraint on development.

Further support is found in appeal decision **APP/K0940/W/25/3367317** (Land at Raiselands Farm), relating to residential development adjacent to a railway line. The appeal was successfully brought by Persimmon Homes. In that case, a condition requiring non-opening windows was removed. The Inspector concluded that residents are capable of making their own decisions regarding whether to open windows and may rely on mechanical ventilation where necessary. The appeal was allowed, with the Inspector finding compliance with paragraph 198 of the National Planning Policy Framework.

The same principle applies here. Mechanical ventilation provides a suitable and viable alternative on the limited and infrequent occasions when evening matches occur.

The Presumption in Favour of Sustainable Development

The National Planning Policy Framework confirms at paragraph 11 that where the presumption in favour of sustainable development is engaged, planning permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits.

On 17 December 2024, Wiltshire Council's Housing Need Policy Update confirmed that the authority can demonstrate only a 2.03 year housing land supply. The presumption in favour of sustainable development is therefore clearly engaged.

Furthermore, on 2 March 2026, the Local Plan examination confirmed that Inspectors had advised either withdrawal of the Plan or that it would not be found sound. Wiltshire therefore remains without an up-to-date development plan, which is a significant material consideration in the determination of this application.

Planning Balance

In applying paragraph 11, the question is whether any adverse impacts would significantly and demonstrably outweigh the benefits.

The scheme delivers clear and substantial benefits:

- 49 new high-quality dwellings;
- A range of house types and sizes to meet local needs;
- 20 affordable homes, with tenure and mix agreed with Council officers;
- Re-use of a long-vacant building;
- Development in a sustainable and established residential location;
- Over 10% Biodiversity Net Gain.

Against this context, the technical evidence confirms that noise and lighting impacts can be satisfactorily mitigated. Recent appeal decisions demonstrate that similar circumstances have not justified refusal.

When assessed against paragraph 11(d) of the Framework, it is clear that the benefits of the proposal substantially outweigh any residual impacts. The presumption in favour of sustainable development therefore applies, and planning permission should be granted without delay.

Should you require any further clarification, please do not hesitate to contact me.

Kind Regards,

Barnaby Harris

Senior Planner