

Highways Technical Note

Section 73 Application

Mistlebourne, The Avenue, Porton, Salisbury SP4 0NT

Planning Permission: PL/2024/04928

Applicant: Bluestone Homes Ltd

Date: 27th July 2026

1. Purpose of Note

This Technical Note accompanies a Section 73 application seeking to vary approved plans associated with planning permission PL/2024/04928 and to remove Condition 14. The proposal replaces the approved two-storey dwellings with three single-storey bungalows whilst retaining the approved access strategy.

The purpose of this note is to confirm that the proposed changes do not give rise to any material highway impacts beyond those previously assessed and accepted under the extant planning permission.

2. Approved Highway Arrangement

Under planning permission PL/2024/04928 the following access arrangements were approved:

- Plot 1 served from the existing access onto The Avenue.
- Plots 2 and 3 served from a new shared access onto the A338.
- Visibility splays of 2.4m x 43m in both directions from the A338 access.
- On-site parking and turning areas for all dwellings.
- Vehicle circulation allowing vehicles to enter and leave in a forward gear.
- The Section 73 proposal retains all of these arrangements unchanged.

3. Impact of Proposed Changes

The proposed amendment relates principally to the replacement of the approved two-storey dwellings with three single-storey bungalows. No changes are proposed to:

- Site access locations.
- Visibility splays.
- Internal vehicle circulation.
- Vehicle turning arrangements.
- Parking provision.

- Refuse collection arrangements.

The development remains as three private dwellings and therefore no increase in vehicle movements is anticipated when compared with the approved scheme. Given the reduction in dwelling size and floorspace, the proposal is likely to generate no greater traffic demand than the approved development.

Accordingly, no material highway impacts are considered to arise from the proposed variation.

4. Condition 14

Condition 14 of planning permission PL/2024/04928 requires:

- Extension of the footway around the bellmouth of the junction of The Avenue and the A338.
- Provision of an informal passing bay on The Avenue.

Subsequent review of the Land Registry title confirms that the land required for these works lies outside the applicant's ownership and control, within highway land. The corrected site boundary reflects the registered title boundary. The applicant therefore has no ability to undertake the required works without the consent of third parties.

In addition, the area affected by Condition 14 overlaps with the protection area associated with retained tree T24, which is protected under the approved Tree Protection Plan secured through Condition 7. The required highway works would therefore conflict with the approved arboricultural protection measures.

5. Highway Safety Assessment

The highway safety circumstances of the site remain materially unchanged from those previously approved.

The proposed development continues to provide:

- Suitable access arrangements.
- Approved visibility splays.
- Appropriate parking provision.
- Adequate turning facilities.
- Safe vehicle manoeuvring within the site.

The revised bungalow scheme results in no increase in dwelling numbers and no increase in anticipated vehicular activity when compared with the extant consent.

It is therefore considered that the removal of Condition 14 would not result in any material highway safety harm.

6. Conclusion

The Section 73 proposal retains the previously approved access strategy, visibility splays, parking provision and vehicle turning arrangements. The amendment results only in a reduction in scale and massing through the replacement of the approved two-storey dwellings with single-storey bungalows.

No material highway impacts arise from the proposed variation.

Condition 14 relates to works outside the applicant's ownership and control and conflicts with the approved tree protection requirements secured under the extant planning permission. The condition is therefore requested to be removed as part of the current Section 73 application.