

# LAVERSTOCK & FORD PARISH COUNCIL

**Subject: Planning Application 20/11598/OUT- Land Near Church Road**

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**Author:** Nick Baker

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## **1. Report Summary**

- 1.1 On the 19<sup>th</sup> April 2023 the applicants submitted 12 new documents to Wiltshire Council including revised plans eliminating the proposed car park, a Technical Note on Nutrient Assessment and Ecological Appraisal among others.
- 1.2 I have read all of these documents and collated responses received from councillors and members of the public and drafted a further response to the consultation from the Parish Council.
- 1.3 The response restates the Parish Council's opinion that the site is unsuitable for the development of 135 houses particularly as it would contravene policies in both the newly made Laverstock and Ford Communities Neighbourhood Plan and the current Wiltshire Core Strategy.
- 1.4 In addition the response highlights concerns about the impact of the development on local traffic, Cockey Down SSSI, the River Avon SAC and the New Forest SAC/RAMSAR. It further questions loss of Best and Most Versatile Agricultural land represented by both the development itself and the proposed off setting mechanism.

## **2. Recommendation**

- 2.1 That after making any amendments the council thinks necessary to reflect matters raised by members of the public in the meeting, the council submits the additional comments set out below to Wiltshire Council in relation to this proposed developments.

## **3. Proposed Text**

### **The Principle of Development on this Site**

Having reviewed the further documents submitted in relation to this application, the council remains strongly opposed to this application for the reasons set out in our response of 16<sup>th</sup> February 2021.

Since our earlier response, the Laverstock and Ford Neighbourhood Plan has been made following a public referendum.

It is one of the key assumptions of the plan that “Laverstock and Ford are classified as small villages, limited to infill development only, unless there is a clearly identified and supported exceptional local need.” This is also a key tenet of the Wiltshire Council Core Strategy 2 which states “At the Small Villages development will be limited to infill within the existing built area.” Laverstock is defined within that strategy as a small village.

This application further directly conflicts with Policy 2c in the Neighbourhood Plan as it would represent a significant encroachment into the green areas along Cockey Down and connecting this SSSI with the River Bourne.

Given the direct conflict between this proposal and both the Neighbourhood Plan and Wiltshire Council Core Strategy, approval of this proposal would fundamentally undermine the principles of localism and community engagement in the planning process as set out in the Localism Act 2011.

We would also raise the following specific points in relation to the additional documents submitted.

### **Impact on Cockey Down SSSI and Cockey Down Chalk CWS**

We believe that the methodology in the recreational study report is fundamentally flawed and underestimates the potential impact on Cockey Down SSSI and Cockey Down Chalk CWS.

The report bases its calculations on surveys carried out on Saturday 3<sup>rd</sup> December and Thursday 8<sup>th</sup> December to justify the conclusion in paragraph 5.4 that the development would generate an additional 3 visitors to the SSSI per day. This fails to take into account seasonal variations in the number of people walking on the Down. Our experience is that footfall on the downs is much higher in summer months and school holidays than it is in term times during the winter and that two days when temperatures were on average below 5 degrees Celsius will not generate a representative sample of users and would tend to significantly underestimate the pattern of usage.

Secondly, the inappropriate time period selected skews the sample group significantly to dog walkers who will tend to walk regardless of the weather and away from recreational walkers who will be more likely to use the downs in warmer weather. This therefore undermines the potential for increasing the amount of recreational land on the development to mitigate against the increased footfall as recreational walkers are more likely to prioritise factors such as views and variety of landscape and are even less likely than dog walkers to confine themselves to footpaths around a residential development.

Thirdly, paragraph 3.9 declares an assumption 'that the new residents have similar behaviours to those recorded/observed.' The Parish Council rejects this assumption in the absence of convincing evidence that the demographics of the new residents will correspondingly reflect that of the sample and their closer proximity to the Downs will have no impact on their behaviour.

Lastly, the report authors themselves identify in paragraph 6.3 that their methodology does not take into account the significantly greater proximity of the proposed development to the SSSI compared with the vast majority of existing houses in the village. Many local residents will enter the downs via the footpath from the end of Pilgrims Way and thus have the

opportunity to walk across Laverstock Down before reaching the SSSI and many will turn and return home at the top of Laverstock Down before reaching the first of the two survey points used. This would not be the case with residents accessing the downs from the new development. This again suggests that the increased footfall on the SSSI is considerably understated.

Given the various alternative entrances to Cockey Down in the vicinity of the development we do not believe that the erection of a fence behind the development as proposed in the Conservation report would be an effective mitigation and we also believe this is a potential further intrusion into a much valued natural landscape.

In addition to the recreational impact on the SSSI itself, cattle have been regularly grazed on the down and we understand from the landowner that he intends to continue this practice. Therefore one of the additional effects (para 1.11) will be increased contact between cattle, dogs and people resulting in increased risks of injury to all three.

### **Impact on River Avon SAC**

We believe that the methodology used in the Technical Note on Nutrient Assessment and the Shadow HRA are flawed and that the proposed development would still have an adverse effect on the River Avon SAC through an increase in Total Phosphate and also an increase in recreational user impact.

Firstly, the report concludes that ‘it cannot be concluded that increased phosphate inputs resulting from the proposed development (in the absence of mitigation) will be unlikely to result in an adverse impact upon the River Avon SAC.’ Therefore even in the applicants own terms (which we do not accept) the development would only be acceptable if the proposed offsetting was an effective and appropriate measure. We do not believe it satisfies either criteria.

We do not believe that the proposed offsetting mechanism would be effective to offset in perpetuity the increase in Total Phosphate from the development on the following grounds.

1. Planning undertakings are an insufficient mechanism to ensure that over a period of many decades the land will continue to be managed in a way which will offset the predicted increase in total phosphate and a reporting mechanism is only proposed for five years. Paragraphs 2.15-2.17 of the Fallow Land Management Plan show this is an active process requiring regular intervention such as mowing. We believe that the only effective mechanism would be to transfer ownership of the land to a body such as the Land Trust or the Wiltshire Wildlife Trust along with a financial endowment sufficient to ensure the land is managed effectively in perpetuity.
2. The fact that the Offsetting land is some 20 miles from the site of the development will prevent the local community, who have the greatest interest in ensuring that the planning obligations are maintained, being able to easily monitor the use of the land.
3. It does not take into account future changes in agricultural production over the long term which may reduce the phosphate production of agriculture.

We also do not believe that the loss of high value agriculturally productive land to offset for a housing development on other productive agricultural land is an appropriate strategy to

offset Total Phosphate. Given the importance based on Food Security within the Government's 2022 Food Strategy, it would be inappropriate to allow up to 20 Hectares of land to be lost in perpetuity for agricultural production to offset the Phosphate impact of this development. The Fallow Land Management Report does not make clear the precise grading of the proposed land, and we believe that an ALC report should be provided to confirm whether this land is class 3a (i.e. best and most versatile land).

Secondly, the Technical Note on Nutrient Assessment states "Recently released guidance related to on site SuDS systems from CIRIA "Using SuDS to reduce phosphorus in surface water runoff" states that TP reduction is 100% for all infiltrated flows, assuming the site satisfies a number of criteria (CIRIA, 2022). Based on this, it is assumed that the proposed drainage basin on site will reduce TP by 100% for future land use." The report does not evaluate the site against the criteria in the CIRIA report or provide evidence this would be the case in this particular development. The assessment is also unclear whether the SuDS calculations allow for the additional flow of ground water from the slopes of Cockey Down which would previously have been absorbed in the field.

It is also worth noting that we believe the methodology of the nutrient assessment is flawed in using the average occupancy figure of 2.3 persons per dwelling from the South West Census Data. This is based on an average of all housing stock across the South West area which will include a significant number of one and two bed properties, and also a significant number of larger houses which are resided in by couples whose children have now left home. Although the precise housing mix is not specified, the design access statement makes clear that in the mix of housing family homes will predominate. We would submit that the majority of homes are likely to be of at least three bedrooms, and the most common purchasers of these properties would be those who currently require use of at least two bedrooms creating an average occupancy that is likely to be 3.0 or above. (It is worth noting that the applicants' Recreation Study Report uses a figure of 2.52 at paragraph 5.3). This means that the Total Phosphate figure is likely to be understated by a factor of 9.5% using the methodology of the Recreation Report to 30% or more taking into account the likely pattern of ownership of new homes such as this.

We further believe that the Shadow HRA underestimates the recreational pressure that will be put on the River Bourne. It incorrectly states "No footpaths or PROW routes exist directly adjacent the riverside anywhere within typical walking range of the Site". There are sites where dogs regularly enter the river where it is crossed by the Bishopdown Footpath (0.4 km), behind the Church (0.6km) and an area which is widely used by children and dogs to play at Whitebridge Spinney (1.1km).

Finally, we are concerned that the addition of 135 houses on a road already notorious for congestion at peak times could lead to further congestion on this road, particularly from traffic held up by vehicles trying to turn right into the development. This increases the level of particulate pollution from vehicles impacting the SAC.

### **Impact on Salisbury Plain SAC**

The Shadow HRA acknowledges the potential for air quality impact from vehicles from this site but then discounts it without investigation by saying that it would fall below the 1,000 AADT threshold. We would point out firstly that one of the reasons Laverstock was designated a small village was the lack of employment opportunities or scope to develop these further.

Residents of the development would therefore be more likely than average to have to travel out of the village on the major roads neighbouring the Salisbury Plain SAC for employment purposes. Also the sHRA only considers the individual rather than the cumulative impact of this development on top of the development already planned for within the Wiltshire Core Strategy and emerging local plan. We therefore believe that the air quality impacts on Salisbury Plain SAC should not be discounted and have not been sufficiently investigated.

### **Impact on New Forest SAC/SPA/Ramsar**

In paragraph 4.48 the sHRA specifically acknowledges the sensitivities of the designated features of the New Forest internationally protected sites to increased recreational pressure. In paras 5.31-5.34 the sHRA suggests that the provision of a SANG will mitigate against the impact of this development. We believe this argument is clearly fallacious. As local residents we know that the New Forest is widely used by ourselves and our neighbours as a place of leisure and exercise. Residents value the beauty of the forest, the variety of flora and fauna and the variety of walking, cycling and other activities. The popularity of visits to the New Forest by Wiltshire Residents was demonstrated in the 2018/19 New Forest Visitor Survey where Wiltshire was the third most common local authority for visitors from outside the new forest and where 13.8km was the 75<sup>th</sup> centile figure for distance travelled by day visitors, bringing this site clearly within the range.

The same arguments we applied in relation to the effectiveness of the SANG to relieve recreation pressure on Cockey Down SSSI apply to an even greater extent in relation to the New Forest. The New Forest Visitor Survey clearly shows that visitors are already prepared to travel at least 13.8km to access the forest. There are a great number of short semi urban paths similar to the SANG nearer than that, not to mention facilities like Castle Hill Country Park. However the New Forest continues to draw visitors past all of these due to its unique characteristics and the proposed SANG is in no way any form of alternative to this. Again we would argue that this development individually and particularly when considered cumulatively in combination with development which has already been agreed within the Wiltshire Core Strategy and emerging local plan will have a negative impact on this highly protected area.

### **Impact on Traffic**

The Parish Council is frequently approached by local residents with concerns about traffic on Church Road and this is one of the most frequent reasons cited by residents opposed to this application to councillors. We would fully endorse the Highway's Officer's conclusion that this development with no supporting employment opportunities or amenities will have lead to a significant net increase in car usage.

The Applicants have removed the originally proposed Car Park which is to be welcomed. That, together with mitigating measures has caused Mark Wiltshire (Sustainable Transport) to remove reason 2 (that the development would encourage significantly increased private car use).

The Parish Council considers the removal of refusal reason 2 to be premature for the following reason. On school days vehicles cause significant congestion on Church Road at drop-off and pick-up times. Parents park along Church Road and in the adjoining streets. The proposed

development will add more adjoining streets to Church Road, thus enabling more cars to park and so encouraging more private car use than is currently the case.

In addition we believe that with a single entrance to this development, there is considerable scope for the flow of traffic to be disrupted (particularly by cars turning right into the development from the Salisbury direction). Church Road is notorious for becoming heavily congested at the start and end of school day and an extra impediment to the flow of traffic would make this worse, delaying journeys, increasing dangerous driving such as driving on pavements and raising pollution levels. The Parish Council therefore urges Sustainable Transport to reconsider the modelling of private car use in relation to the proposed development and believes this is a further ground for rejection of this application.

### **Landscapes and Visual Impact**

Laverstock is designated as a small village and residents value the amenity of its semi-rural setting. The view of the Downs from Church Road at the point of the proposed development is cherished not only by Laverstock residents but also by Salisbury City residents on Seth Ward Drive.

The Landscape Sensitivity Assessment, which forms part of the Neighbourhood Plan, has highlighted the Medium/High sensitivity of the landscape associated with this site. The assessment suggests that if any development is permitted in this area it should be limited to a series of clusters not unlike the two on the other side of Church Road of six properties each.

Were the Authority minded to grant the applicants permission to develop, notwithstanding the objections, the Parish Council would urge the setting of conditions to ensure an unrestricted view of the Downs through the centre of the development.

### **Impact on Wildlife**

The Parish Council believes that the Conservation Report provided by the applicant understates the impact that the loss of the current agricultural fields will have on existing wildlife at a time when we face a catastrophic loss of biodiversity and note with disappointment that no guarantee is provided of achieving a 10% biodiversity net gain.

The executive summary of the Conservation report states that “bird species utilising the site are largely common and widespread species including dunnock, house sparrow, red kite, starling and yellow hammer, typical of the habitat presented on the site.” However later on it acknowledges that three of these species are on the IUCN red list, one on the amber list. In addition, the report does not evaluate the impact of the proposed development on the Brown hare population (a priority species under the UK post-2010 biodiversity framework). Brown hares are regularly observed using the field. We would therefore submit that the report understates the biodiversity impact of the loss of the main field area, and that the proposed mitigations would not be sufficient prevent a significant impact on nature.

### **Potential Conditions**

The Parish Council strongly believes that no potential conditions could mitigate against the many reasons why this location is unsuitable for a large scale development. However if

approval was to be given it would request consideration be given to conditions around the following areas.

***Nutrient Neutrality-***

- That an ALC report should be provided certifying that the proposed fallowed land is not class 3a or above.
- If the Natural England Neutrient Neutrality Credit Scheme is in operation for the River Avon catchment by the time that a Reserved Matters application is made that the proposed measures should be certified under this scheme.

***Play Areas and amenity land***

- That the parish council should be consulted about the design of the LEAP and the location of litter and dog waste bins.

***Landscape***

- That the master plan should allow an uninterrupted view of Cockey Down through the centre of the development.