

Report PC26110 Southern Area Planning Committee PL/2021/04084

Author: Parish Clerk

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PURPOSE

To seek Council approval for a Council representative to attend the Southern Area Planning Committee meeting on September 24, 2026 to present a summary of the two attached briefing notes in relation to application PL/2021/04084.

[Application PL/2021/04084](#) has been called in by Wiltshire Cllr Barker for determination by the Wiltshire Council Southern Area Planning Committee.

BACKGROUND

The Parish Council has previously objected twice to the application. Most recently with a comment lodged on June 5, 2026. However, the Planning Officer is recommending approval of the scheme, subject to conditions and the completion of a Section 106 Agreement. As such, there is merit in ensuring that, should Wiltshire Council ultimately decide to approve the application, appropriate safeguards and clarifications are sought in relation to the two principal matters of concern.

The Clerk has therefore prepared two briefing notes for consideration by members:

Briefing Note 1 Agent of Change Principle considers the relationship between the proposed residential development and Salisbury FC. It includes recommended planning conditions and Section 106 provisions intended to protect the continued reasonable operation of the football stadium should permission be granted.

Briefing Note 2 Loss of Community Facility (Block C) considers the proposed loss of the former doctors' surgery/community facility and the evidence presented within the Planning Officer's report for marketing of this facility

[Southern Area Planning Committee](#)

This meeting is scheduled to take place on September 24, 2026. The primary agenda item is this application. The Parish Council can have up to 4 minutes to speak on the application. Given that the Parish Council is a statutory consultee and has maintained an interest in the application throughout its determination, the Clerk recommends that, subject to Council approval, copies of both briefing notes be circulated to members of the Southern Area Planning Committee in advance of the meeting and a representative of this Council attends to speak on our matter supporting the briefing notes.

The intention would not be to repeat the Parish Council's objection in full, but rather to provide a concise summary of:

- The additional safeguards sought in relation to Salisbury FC; and
- The questions the Parish Council believes should be addressed regarding the loss of the community facility.

RECOMMENDATION

It is recommended that the Council resolves:

- a) To endorse the recommendations and questions contained within the attached briefing notes.
- b) To authorise the Clerk to circulate those briefing notes to members of the Wiltshire Council Southern Area Planning Committee and relevant officers in advance of the committee meeting.
- c) To nominate and authorise a representative of Laverstock & Ford Parish Council to attend the Southern Area Planning Committee meeting and speak on behalf of the Council in support of the matters raised within the two briefing notes.

Briefing Note - Application PL/2021/04084

Agent of Change principle and potential safeguards for Salisbury FC

Purpose

This briefing note provides members with an overview of:

- How the Agent of Change principle applies to the application.
- What planning conditions and/or Section 106 obligations could be used to protect the continued operation of Salisbury FC as an established neighbouring use.
- The extent to which such measures could reduce the risk of future conflicts between residents and the football club.

1. Agent of Change principle

The National Planning Policy Framework and associated planning guidance recognise the 'Agent of Change' principle.

In simple terms, where a new development is introduced close to an existing lawful use which may generate noise, lighting or other activity, the responsibility normally falls upon the new development to mitigate those impacts rather than requiring the existing use to reduce or modify its operations.

In this case:

- Salisbury FC and Raymond McEnhill Stadium are established existing uses.
- The proposed residential development is the new noise-sensitive use.
- The developer is therefore expected to design the development so that future occupiers can enjoy acceptable living conditions whilst allowing the football club to continue operating normally.

The principle does not prevent future residents from making complaints. However, it seeks to ensure that the planning authority has properly considered and addressed foreseeable impacts at the planning application stage.

2. Limitations of planning controls

Members should note that neither a planning condition nor a Section 106 agreement can lawfully:

- Prevent residents from submitting complaints.
- Remove statutory rights under environmental legislation.
- Prevent residents commenting on future planning applications.
- Prevent private legal action where a resident believes they have suffered loss or nuisance.

Accordingly, it is not legally possible to create a condition stating that future occupiers must not complain about stadium activities.

The objective instead is to create a robust planning framework demonstrating that:

- The football club was the established use.
- Potential impacts were identified and assessed.
- Appropriate mitigation was secured.
- Purchasers were informed before occupation.

3. Recommended Tier 1 safeguards (essential)

These are the measures that would provide the greatest degree of protection to the football club whilst remaining realistic and enforceable.

A. Permanent acoustic mitigation condition

Require all approved acoustic mitigation measures to be installed prior to first occupation and retained thereafter. This should include acoustic fencing, acoustic walls, enhanced glazing, building insulation measures, and noise attenuation features.

Suggested wording:

No dwelling shall be occupied until the approved acoustic mitigation measures have been installed in accordance with the approved Noise Mitigation Strategy. The approved acoustic mitigation measures shall thereafter be permanently retained, maintained and kept in effective working order for the lifetime of the development. No alteration to, or removal of, any approved mitigation measure shall take place without the prior written approval of the Local Planning Authority.

The purpose of this condition is to ensure that the development continues to provide acceptable residential amenity having regard to the noise associated with the operation of the adjacent football stadium and its associated activities.

This provides a clear basis for rejecting future arguments that acceptable living conditions cannot be achieved. It better reflects the Agent of Change principle because it makes clear that the responsibility for managing impacts remains with the residential development throughout its life, rather than only at the point of construction.

B. Permanent ventilation requirement

Similarly, a written condition should be imposed that requires any dwellings identified by the acoustic assessment to retain approved mechanical ventilation systems.

This ensures acceptable internal conditions can be achieved without reliance upon opening windows facing the football ground.

Suggested wording:

No dwelling shall be occupied until the approved mechanical ventilation systems have been installed in accordance with the approved Noise Mitigation Strategy. The approved mechanical ventilation systems shall thereafter be permanently retained, maintained and kept in effective working order for the lifetime of the development. No alteration to, decommissioning of, or removal of any approved ventilation system shall take place without the prior written approval of the Local Planning Authority.

The purpose of this condition is to ensure that the development continues to provide acceptable residential amenity having regard to the noise associated with the operation of the adjacent football stadium and its associated activities, without reliance upon the opening of windows facing the stadium.

C. Permanent lighting mitigation condition

Similarly, a written condition should be imposed that requires all approved lighting mitigation measures to be installed and retained. This may include boundary fencing, screens, strategic planting, building design features, non-opening windows where approved.

This should prevent the approved lighting mitigation strategy being undermined after occupation.

Suggested wording:

No dwelling shall be occupied until the approved lighting mitigation measures have been installed in accordance with the approved Light Mitigation Strategy. The approved lighting mitigation measures shall thereafter be permanently retained, maintained and kept in effective working order for the lifetime of the development. No alteration to, or removal of, any approved mitigation measure shall take place without the prior written approval of the Local Planning Authority.

The purpose of this condition is to ensure that the development continues to provide acceptable residential amenity having regard to the operation of the adjacent football stadium and associated floodlighting.

D. Purchaser notification requirement

This was discussed in a meeting between representatives of Persimmon Homes, Salisbury FC and Laverstock and Ford Parish Council. In fact, it was proposed by Persimmon itself. However, it is **NOT** included in the Wiltshire Council Planning Officer's report.

Namely, that it should be a requirement that all purchasers to be informed, prior to occupation, that the development adjoins an operational football stadium.

The notification could include reference to match-day activity, spectator noise, floodlighting, public address systems, training activity, and the staging of community events. The Clerk would also suggest that this notification includes wording that clearly states these impacts may increase, subject to planning, if the football club improves its football record or business activities.

Obviously, this creates a clear record that purchasers were informed of the neighbouring land use before purchase.

4. Recommended Tier 2 safeguards (highly desirable)

These measures provide an additional layer of protection.

E. Estate management information pack

Require the site management company to provide information to all purchasers and occupiers explaining stadium operations, match schedules, expected noise and lighting environment, existing mitigation measures. This should apply to social housing providers too.

F. Restriction on future windows facing the Stadium

Remove permitted development rights where necessary to prevent additional habitable room windows facing the stadium. This will prevent future alterations undermining the approved mitigation strategy.

G. Restriction on roof terraces and balconies

Remove permitted development rights for roof terraces, raised platforms, and balconies facing the stadium. This avoids creating new sensitive outdoor amenity areas not considered within the original assessment.

5. Recommended Tier 3 safeguards (supporting measures)

While less critical, these measures could further strengthen the planning position.

H. Formal Agent of Change clause within the Section 106 Agreement

Include wording recognising that:

- Salisbury FC is an established lawful use.
- The residential development has been designed accordingly.
- Mitigation measures have been accepted on that basis.

Creates a clear planning record that may assist in interpreting future planning decisions.

I. Planning Committee resolution

If permission is granted, the committee's reasons for approval could expressly record that:

- The neighbouring football stadium is an established use.
- Agent of Change principles have been applied.

- Appropriate mitigation has been secured.

Provides a useful planning history for future decision-makers.

6. Matters these measures cannot protect

Members should be aware that even the most robust planning conditions cannot provide Salisbury FC with unrestricted freedom for future expansion.

The safeguards would primarily assist in protecting:

- Existing lawful operations.
- Existing lawful lighting.
- Existing lawful noise emissions.
- Existing match and training activities.
- Normal day-to-day operation of the stadium.

They would not necessarily protect:

- Significant stadium expansion.
- Material increases in operating hours.
- Major increases in spectator capacity.
- Substantially upgraded floodlighting.
- New activities requiring separate planning permission.

Such proposals would be assessed on their own planning merits if brought forward in future.

Conclusion

If members are satisfied that professional environmental health advice demonstrates the current scheme can provide acceptable living conditions, the principal planning issue becomes how best to secure the long-term coexistence of the residential development and Salisbury FC.

The strongest approach would be to secure a comprehensive package comprising:

- A planning condition requiring permanent acoustic mitigation.
- A planning condition requiring permanent lighting mitigation.
- A planning condition requiring mechanical ventilation requirements.
- A planning condition for purchaser notification requirements.
- Ongoing management company / affordable housing provider obligations.
- Removal of permitted development rights targeted at future property alterations.
- A Section 106 covenant recognising the status of Salisbury FC as an established neighbouring use.

Taken together, these measures would not prevent complaints, but they would provide the strongest practicable planning framework to protect the football club's continued reasonable operation as an established community sports facility.

Briefing Note - Application PL/2021/04084

Loss of community facility (Block C)

Purpose

This briefing note provides Parish Councillors with an overview of:

- The principal planning issues arising from the proposed loss of the doctors' surgery/community facility element of the development.
- The reasoning set out within the Planning Officer's report.
- Potential areas where Wiltshire Councillors may wish to seek further clarification before determining the application.
- Potential mitigation measures that could be secured should Wiltshire Council ultimately decide to approve the development.

The purpose of this briefing is not necessarily to oppose the redevelopment of the site in principle. Rather, it is to help ensure that community-use opportunities have been fully explored before the permanent loss of a facility originally intended to form part of the wider Old Sarum development.

Background

The application proposes the conversion of the long-vacant premises originally intended for doctors' surgery and community uses into residential accommodation.

The Wiltshire Council Planning Officer's Report¹ concludes that:

- The premises have remained vacant for a significant period.
- Previous aspirations for healthcare provision have not materialised.
- Relevant service providers have not taken up the opportunity.
- There is insufficient evidence that the reserved use will come forward within a reasonable timeframe.
- The delivery of housing now attracts substantial planning weight.

The planning officer therefore considers the loss of the facility to be acceptable within the overall planning balance.

The Clerk recognises that Wiltshire Council may ultimately conclude that residential redevelopment represents the most appropriate use of the building. However, approval would permanently remove one of the last remaining opportunities within the original Old Sarum development framework to provide healthcare services, community meeting space, voluntary sector facilities, local public services, or flexible community accommodation.

Once converted to residential use, the opportunity to provide such facilities on this site is unlikely to return.

¹ REPORT OUTLINE FOR AREA PLANNING COMMITTEES - Issued by Joe Richardson. Southern Area Planning Committee, Thursday 24 September 2026

For this reason, Parish Councillors may wish to satisfy themselves that all realistic community-use opportunities have been thoroughly investigated before that opportunity is lost permanently. The Clerk cannot find any evidence on the planning portal of marketing of these units. There is evidence of marketing of the employment land which is also included in this application but not for these units.

A key question

The most important question this council could ask is “Has sufficient evidence been provided to demonstrate that the community use is no longer realistically deliverable?”

A building remaining vacant does not automatically demonstrate that no community demand exists. Members may reasonably wish to request evidence that all realistic opportunities have been thoroughly explored before a permanent loss is accepted.

Areas of further clarification

a. Marketing evidence

The Planning Officer's report refers to the long-term vacancy of the premises and the apparent absence of occupier interest. However, the report provides only limited detail regarding:

- marketing periods;
- marketing methods;
- asking rents;
- enquiries received;
- discussions with potential occupiers; and
- reasons why opportunities did not proceed.

Members may wish to seek clarification regarding what marketing activities have been undertaken during the previous 24-36 months, whether marketing specifically targeted community organisations, whether healthcare providers were approached directly; and whether local voluntary and charitable organisations were contacted.

b. Stakeholder engagement

Members may wish to seek clarification regarding what level, if any, engagement has taken place with:

- local community organisations;
- voluntary-sector groups;
- youth organisations;
- sports organisations;
- Wiltshire Council community teams; and
- NHS and Integrated Care Board representatives.

c. Viability assessment

The Planning Officer's report concludes that there is little realistic prospect of the premises being occupied for community purposes. Members may therefore wish to seek clarification regarding:

- what viability evidence has been submitted;
- whether any viability evidence has been independently reviewed;
- whether mixed-use occupation has been explored.

d. Retention of some community function

Members may wish to enquire whether any element of flexible community use could be retained within the final scheme, should Wiltshire Council conclude that complete retention of the original community facility is no longer justified.

Conclusion

The strongest planning concern arising from this element of the application remains the permanent loss of a facility originally intended to provide community and healthcare services to the growing Old Sarum area.

If members are satisfied that such uses are no longer realistically deliverable, then the planning balance may reasonably favour redevelopment for housing. However, before accepting that conclusion, members may wish to ensure that:

- Community demand has been thoroughly tested.
- Marketing evidence is robust.
- Alternative community solutions have been properly explored.

The concern is not specifically about retaining a doctor's surgery, which would be hard to argue for given the apparent responses from local surgeries. The concern is whether sufficient evidence has been provided to demonstrate that community uses generally have been fully explored and are no longer deliverable.