

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	4 September 2024
Application Number	PL/2023/08046
Site Address	Land at Pathfinder Way, Bowerhill, Melksham,
Proposal	Reserved matters application pursuant to Outline Planning Permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the Proposed Primary School (including Nursery and SEN provision)
Applicant	Wiltshire Council
Town/Parish Council	MELKSHAM WITHOUT PARISH COUNCIL
Electoral Division	Bowerhill – Cllr Nick Holder
Grid Ref	391159 162662
Type of application	Reserved Matters
Case Officer	Gen Collins

Reason for the application being considered by Committee

The Councils adopted Scheme of Delegation requires this application to be reported to the elected members of the area planning committee because the applicant is Wiltshire Council and two third party objections have been raised about parking issues and the loss of privacy/overlooking of a private garden.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

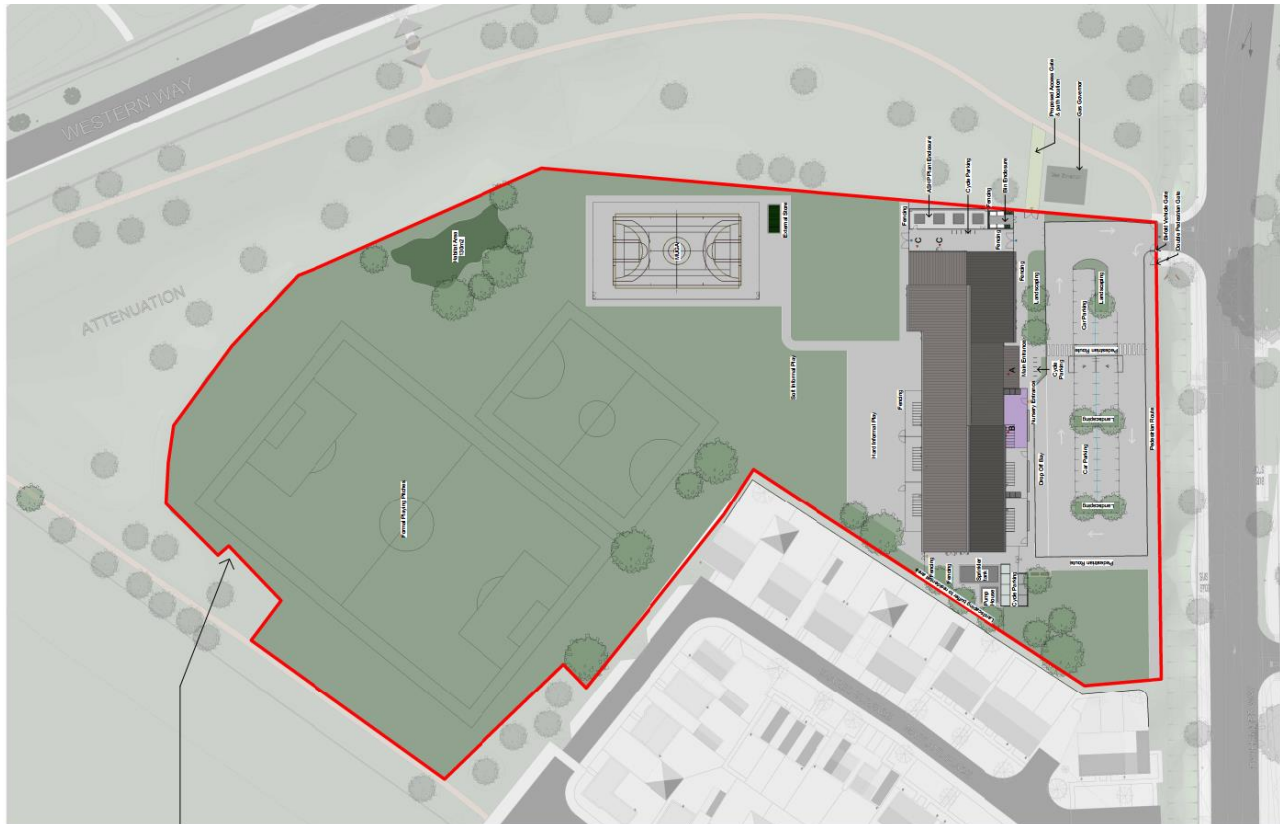
The key issues for consideration are:

- The principle of development
- Design/Visual Appearance
- Heritage Impact
- Impact on the residential amenity
- Highways/parking issues
- Ecology
- Drainage
- S106/CIL
- Other Matters

Melksham Without Parish Council initially raised objection to the application (as did the local ward member Cllr Holder) on highway safety and requested a second pedestrian access be provided.

Following a detailed and lengthy engagement with the Councils Highway officers, the application was amended to include a second pedestrian access. This revision as subject to a re-consultation which resulted in the parish council and Cllr Holder confirming they no longer wished to object, although the parish council did request that the pedestrian route would be supervised at the start and end of the school day. Two local residents have raised an objection.

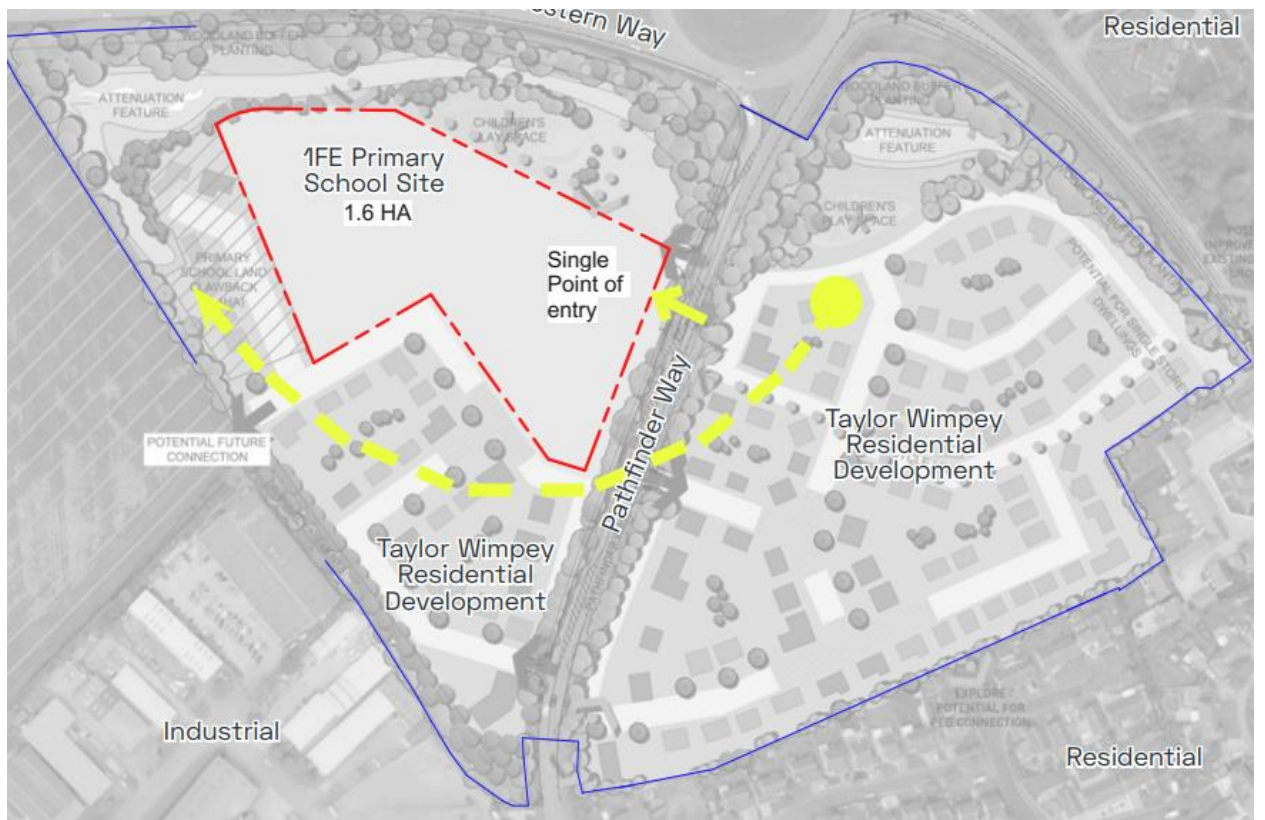
3. Site Description & Planning Context



The application site, illustrated above, extends to about 1.6ha and forms part of an approved outline application for residential development (comprising up to 235 dwellings) which included the provision of a new primary school that was identified as a s106 safeguarding and land transfer developer obligation to support the future delivery of a new primary school to be forward by the Council.

The site is located outside the limits of development of Melksham on a corner plot south of Western Way (the A365) at the roundabout where it meets Pathfinder Way. There are no heritage assets on site and there are no specific ecological or landscape designations.

The site is located in flood zone 1 with no risk of ground water flooding although there is slight risk of surface water flooding to the northwest of the site – by an existing attenuation basin where the playing pitches are proposed.



Planning Background

Application 16/01123/OUT (to which the above insert plan refers) was reported to the strategic planning committee in September 2016 at a time when the Council was unable to demonstrate a 5-year housing land supply (when tested against the NPPF iteration that applied in 2016).



The 2017 Reserved Matters application relating to vehicular access, established the access for the entire outline application site including the school site from the main road within the development – Pathfinder Way. A standard bell mouth access on the northeastern boundary of the school site was approved – with the insert below illustrating what already benefits from detailed consent and has been constructed.

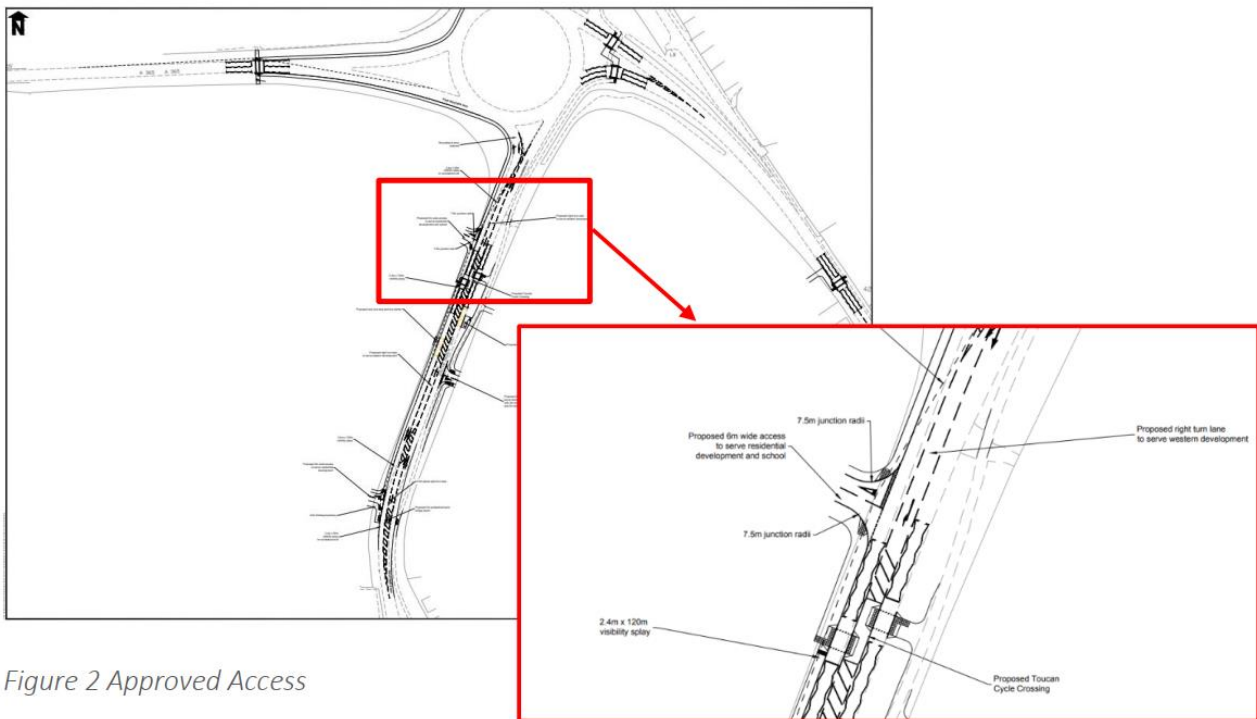


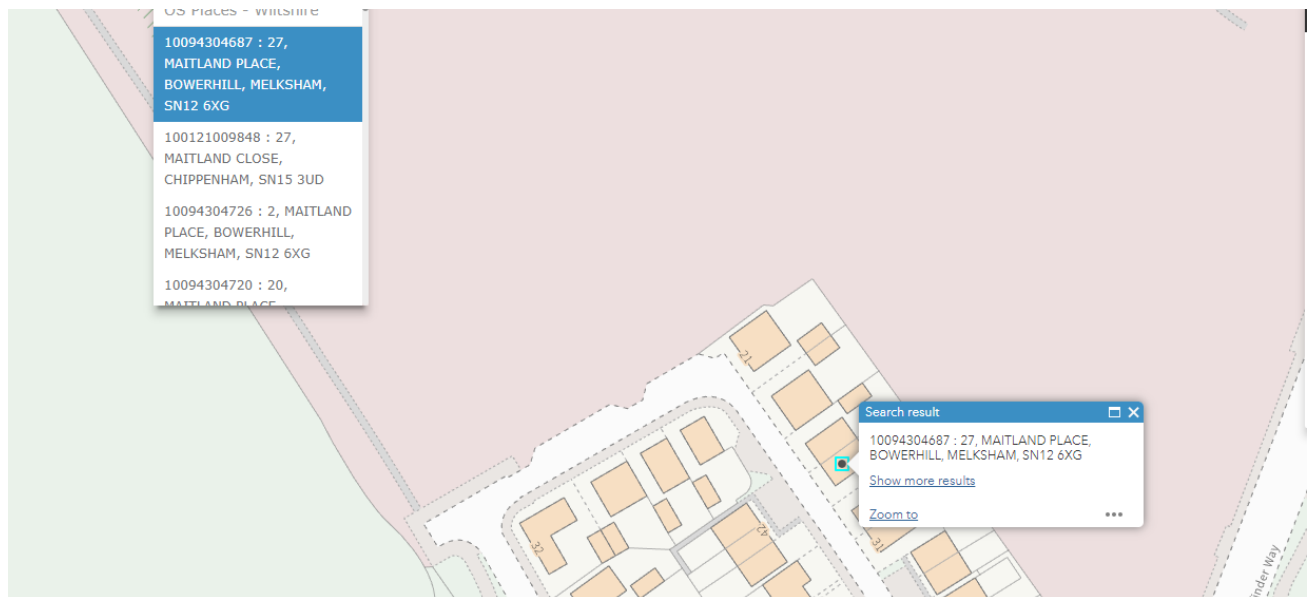
Figure 2 Approved Access

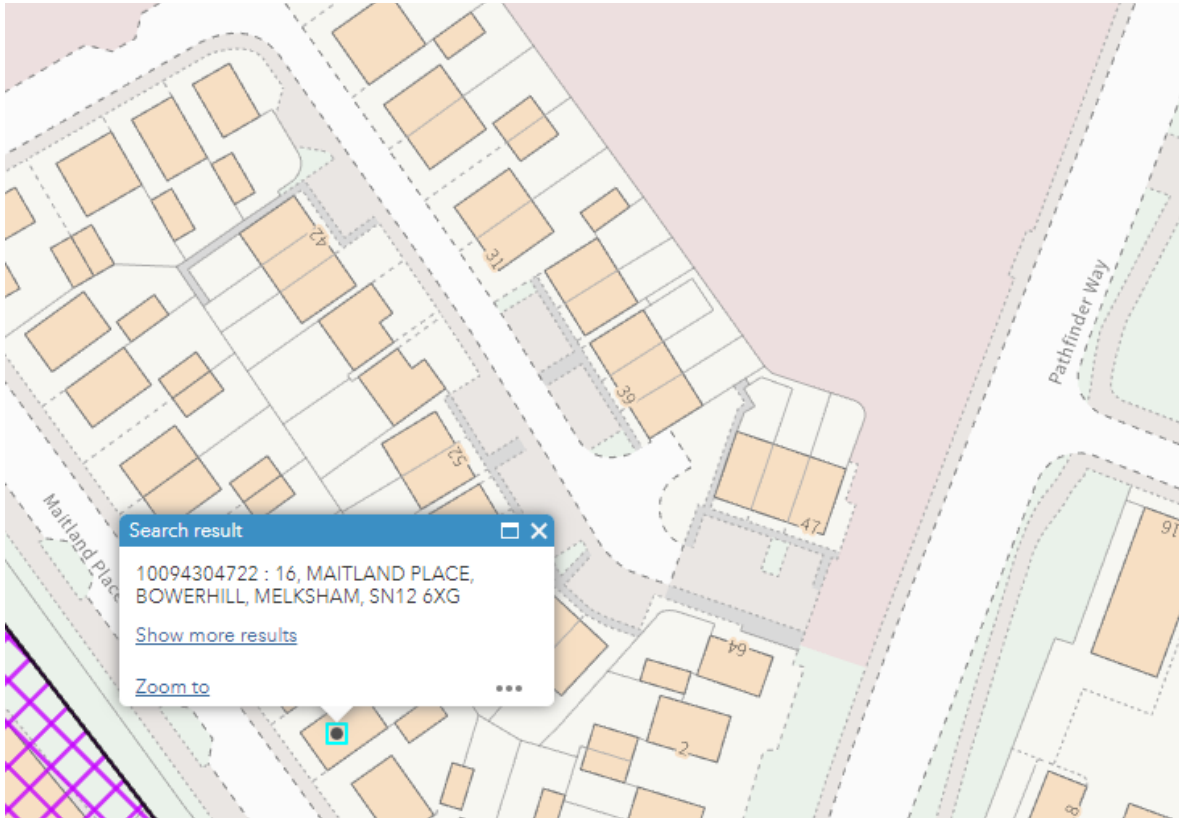
Fig. 2: Approved (and now implemented) access arrangements

The 2018 Reserved Matters application relating to the housing phase, established the layout of the housing on the site including the land to the immediate south of the designated school site (extracted below). This shows residential dwellings backing onto the school site along its southern boundary. The dwellings have been constructed, and it is from two of these dwellings (No.16 and 27 Maitland Place), whereby local residents have raised concerns relating to parking issues at drop off/pick up times and through loss of privacy and overlooking...



Fig. 3: Approved (and now built out and occupied) residential development permitted under 2018 REM application





4. Planning History

16/01123/OUT - Residential development of up to 235 dwellings, primary school with early years nursery and open space provision. Endorsed by SPC in Sept 2016 and approved March 2017

17/06285/REM - Reserved Matters Application Pursuant of Planning Permission 16/01123/OUT in relation to Access. Approved October 2017

18/04477/REM - Reserved Matters Application Pursuant to 16/01123/OUT and 17/06285/REM (Access). Erection of 213 Dwellings and Associated Works. Approved October 2018.

5. The Proposal

This application seeks approval of reserved matters pursuant to Outline Planning Permission 16/01123/OUT relating to the appearance, landscaping, layout and scale of the Proposed Primary School (including a Nursery and SEN provision).

The Proposed Development is for a 1FE (210 places) primary school to include 20 SEN places and a 20-place nursery facility, along with associated car parking, drop-off areas, cycle parking, playing fields and associated works including:

- 1931m² gross internal area (2,329m² GEA)
- Multi use sports hall
- Kitchen & Servery
- Plant Room and incoming services and infrastructure (suitable for a 2FE school)
- Multi Use Games Area
- Soft and Hard Play areas (suitable for a 2FE school)
- 34 Car Parking space (including disabled and EV charging spaces)

- 58 Cycle parking spaces
- 36 Scooter spaces

The main vehicular access is provided by the existing implemented access approved under the 2017 REM application with an additional secondary pedestrian access proposed from the main access to the school to meet the hoggin path leading northwards through public open space which has had to be accommodated and secured through a separate legal agreement with Taylor Wimpey Homes.

6. Planning Policy

National Context:

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

Core Policy 1 - Settlement Strategy;

Core Policy 2 - Delivery Strategy;

Core Policy 3 - Infrastructure Requirements;

Core Policy 15 - Spatial Strategy - Melksham Community Area;

Core Policy 50 - Biodiversity and Geodiversity;

Core Policy 51 - Landscape;

Core Policy 52 - Green Infrastructure;

Core Policy 57 - Ensuring High Quality Design and Place Shaping;

Core Policy 58 - Historic Environment

Core Policy 60 - Sustainable transport;

Core Policy 61 - Transport and Development;

Core Policy 62 - Development Impacts on the Transport Network;

Core Policy 64 - Demand Management;

Core Policy 67 - Flood Risk

The 'made' Joint Melksham Neighbourhood Plan 2020 – 2026

Wiltshire's adopted Design Guide

West Wiltshire District Plan 1st Alteration 2004 'saved policies', with particular regard to: U1a Foul Water Disposal; I2 Arts; and I3 Access for Everyone

Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

Wiltshire Council's Waste Core Strategy, adopted July 2009

Wiltshire Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document, January 2017

West Wiltshire Landscape Character Assessment, March 2007

7. Summary of consultation responses

Melksham Town Council: No objection but agreed with Melksham Without Parish Council comments

Melksham Without Parish Council: Originally raised concerns with the application in terms of highway safety and requested a left turn only junction, a secondary pedestrian access and a safe walking route to school from Semington Road (noting that MWPC have applied for traffic waiting restrictions on Pathfinder Way). The PC have also requested cladding to be graduated to blend in with adjacent green buffer and a condition requiring anti seagull / bird measures. The PC were disappointed at the lack of solar storage batteries and raised a concern about how to accommodate any extension in the plans.

Both concerns about future extension and cladding were fully resolved in the revised plans with redesigned layout and new materials and a different colour palette proposed.

Following amendments to the scheme and detailed officer discussions with highways and Cllr Nick Holder, a revised scheme was submitted showing a secondary pedestrian access. This was supported by MWPC with the only remaining request relating to securing suitable child supervision at the access at the start and end of the school day.

WC Assistant County Archaeologist: No objection subject to condition

WC Ecology: No objection subject to conditions.

WC Education: Supportive

WC Urban Design: No objection subject to conditions of appropriate materials

Wiltshire Council Highways Officer: No objection subject to conditions requiring parking spaces, cycle and scooter spaces to be provided, TRO's to be provided and pedestrian access with signage to be secured prior to occupation.

WC Drainage: No objection subject to conditions.

WC Public Protection: No objection

WC Landscape: No comment

Wessex Water: No objection

Salisbury and Wilton Swift: No objection subject to an appropriate number of swift boxes being installed.

Dorset & Wiltshire Fire Services: No objection

Climate Team: Supportive. The climate team support this proposal which takes an ambitious approach in the journey to net zero and addressing the causes of climate change. The proposal has been submitted with a BREEAM Pre-Assessment. This indicates that the outline planning requirement to meet BREEAM "Very Good" standard will most likely be met and is clearly in scope as the project moves forward to more detailed design work. Whilst this is below the "Excellent" expectations now applicable, the scheme will still take a positive approach to environmental quality generally and comply with the expectations set out when the outline planning approval was granted. Given that this is a reserved matters application, it is important to be recognisant of the site history....The scheme's reserved matters details appear to be on track for compliance with the outline planning stage conditions (which were based on CP41 requirements).

Where this scheme shows ambition is in the operational carbon impacts. The project is applying LETI standards to the design work, which is arguably the most universally accepted standard at the time of writing. This is well summarised in the application submission including the Part L compliance report (that on balance satisfies the CP41 need for a Sustainable Energy Strategy).

The scheme has been designed to meet operational net zero during the course of a year. The approach is correct seeking to have a fabric first approach and then meeting the resultant minimised energy demand through low carbon and renewable energy technologies. In this case this includes high levels of insulation, energy efficient products, mechanical ventilation heat recovery, air source heat pumps and solar PV. This is an electrified building not utilising the gas grid (the burning of gas results in greenhouse gas emissions). The scheme also includes an allowance/estimate for unregulated energy use which is good.

A consequence of this operational net zero is that the building will have a significant roof mounted solar PV array. The scheme shows full roof coverage on the elevational plans, although it is understood from discussions that it is likely only 75% of this will be required/realised. In any event, such a large array sends a positive visual message about addressing climate change and energy security.

In terms of climate change adaptation, the scheme includes nature-based solutions to help address issues such as drainage and overheating. The scheme will connect to the previously planned drainage ponds to the north and trees are proposed within the site to provide cooling to the large area of hard standing for parking/access and the building itself.

The operational net zero credentials of this scheme are positive and principally on this basis the climate team support the proposals. The wider sustainability positives are secured by the BREAM "Very Good" requirements established at outline and that must be enforced as a minimum to comply with policy.

8. Publicity

The application was publicised by the display of a site notice and individually posted out notification letters sent to neighbouring/properties within close proximity of the site.

Following the public notification, two representations have been received raising concerns about highway safety/ parking issues and loss of privacy/overlooking of garden.

In full the two representations said the following:

"I was lied to when I was sold this house. I was told when I came to view (as were other neighbours too) that the school would be in the left corner, NOT overlooking our 'private' gardens. We were also told it would be 1 story. Myself and other neighbours have made preparations for hot tubs in our garden. Preparations that have already cost money. Having children overlook our garden whilst we are swanning round in the 'privacy' of our own land is far from wrong and a 2 [storey] building obstruct the nice view completely goes against what I agreed to when buying this property. I moved to the countryside with the view of a better quality of life and having the school placed right next to the houses completely goes against that. The trees could interfere with the pipes that have been lay down for drainage as roots spread quickly. I could consider the school if it were in the original location which was the terms that I agreed to when purchasing this house. I hope you take my notes serious as there are many factors that would overturn my life in a negative way. Attached is a document that shows where I was told the school would be and it would only be the playing field by the houses".

And

"The only issue I foresee is the obvious parking issues during drop off and pick up times. What assurances can the residents have that this matter has or will be addressed. There [have] been many recent incidents of serious issues surrounding streets getting overrun by parents dropping off and picking up children".

9. Planning Considerations

The principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved in the WCS form the relevant development plan for the area.

Outline consent ref: 16/01123/OUT establishes the principle of developing a 1FE school on the Site and the means of access to the school site have already been submitted and approved under RM ref. 17/06286/REM.

The main considerations in this application relate to scale, layout, external appearance and Landscaping as required under Condition 2 of the Outline Application ref. 16/01123/OUT.

Layout, scale and design/visual impact on the character of the area

Core Policy 57 requires *'a high standard of design in all new developments. of particular relevance is paragraph (iii) which requires development to respond 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'*.

The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states Planning ... decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Core Policy 51 of the adopted Wiltshire Core Strategy states *"great weight will be afforded to conserving and enhancing landscapes and scenic beauty"*.

Layout

The site fronts Pathfinder Way and will be accessed via the bell mouth that was installed as part of the wider outline consent. The school building will be set back from the road frontage, separated from Pathfinder Way by the parking and drop off area. The main school entrance is located in line with the pedestrian route that runs through the car park to allow those arriving on foot to take the most direct route to the entrance through the Site. A pedestrian route is also proposed to run around the outer edge of the car park to join up with the hogging path.

The ground floor of the school provides nursery and reception facilities on the principal elevation with external play space provided to the front of the building. The external play space to the front of the building will be screened by landscaping to allow privacy for pupils. In the northeastern corner of the building the hall sits adjacent to the kitchen and servery, space is also provided for the storage of chairs and tables as well as sports equipment within the hall area.

To the west of the school building external play space is provided. Immediately west of the school building a hard informal play space is located which opens out onto the soft informal play area. A MUGA and associated external store is provided adjacent to the northern boundary with two formal playing pitches provided in the western corner of the site.

Design/Scale/Appearance

The proposed building reflects the established scale of existing development in the immediate locality whilst incorporating a more civic nature to the building. It is two storeys, with lower 1.5 and single storey elements. The external appearance of the school incorporates a mix of materials and colour palette.



As there is no school or trust assigned to operate the school there is more flexibility with the chosen colours. At the lower floor brick is proposed with timber or a timber-style cladding is proposed to the upper floors. The roof cladding will be a grey metal profiled sheet. The hall is proposed to be clad in a mixed colour palette comprising 5 colours including greens, blues and yellow. These colours are to be re-used across the site above windows to tie the colours in across the site. All window, door and rainwater goods are proposed to be a dark grey RAL colour 7011.

The overall design, scale and layout of the building are considered appropriate in principle for the use and locality and some additional elevational detail has improved the aesthetic quality of the building and it integrates well into the streetscene. The application has the support of the Urban Design officer.

The pedestrian route has been aligned with the main entrance doors and the approach to landscaping is considered acceptable and supported by the landscape officer.

The proposal includes an air source heat pump and low carbon technologies. The Building Regulations officer is content that the proposed design broadly meets all building regulations requirements. A condition of the outline consent requires BREEAM Very Good to be met on site. The BREEAM Pre-Assessment Report indicates a score of 63.35% which demonstrates Very Good Compliance. Accordingly, the proposed development meets requirements in CP41 and CP57 of the WCS as well as provisions of the NPPF.

Landscape

The detailed landscaping scheme will be agreed through the discharge of condition 11 on the outline, however, the D&AS and proposed site layout includes an indication of the key areas for landscaping and some detail on proposed planting on the site.

The current proposals identify trees to be provided within the car park area with additional planting to the front of the principal elevation of the school. These areas are designed to break up the large area of parking in front of the building. Landscaped areas are provided along the eastern elevation of the school which will act as screening for the external play spaces for the nursery and reception pupils.

Along the southern boundary where the site abuts the existing residential properties a landscaping buffer is proposed to assist in softening the relationship between the school building and these dwellings.

The landscape officer has raised no objection to the scheme and the proposed development is considered acceptable in this regard. Whilst condition 11 on the outline requires a landscape plan to be submitted as part of the outline the applicant has submitted a Landscape strategy plan in order to ensure that an appropriate landscaping scheme is secured for the proposed school and a condition requiring this landscape strategy plan to be complied with is recommended.

Heritage Impacts

The NPPF outlines government policy for planning. It sets out three overarching objectives for the planning system in the interests of achieving sustainable development – an economic objective of building a strong economy; a social objective of fostering well-designed, beautiful and safe places and an environmental objective of protecting and enhancing our natural, built and historic environment.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach to decision making with harm weighed against the public benefits resulting from proposals.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

Archaeology

This site was included in an archaeological evaluation 2014 and then later targeted excavations of later prehistoric, Roman and medieval activity in 2018. This work has been completed and reported on to the satisfaction of Wiltshire Council Archaeology Service (WCAS). The LPA are satisfied that no further works are required in this regard and raise no objection.

Built Form

There are no built or designated heritage assets on site or in proximity to this proposal. Accordingly, the proposed development meets requirements of CP58 of the WCS and the provisions of the NPPF.

Impact on Neighbour Amenity

Core Policy 57 of The WCS states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having 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 (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

The proposal is located closer to the front of the site and adjacent amenities than originally indicated on the original masterplan accompanying the outline application. This is to ensure that sufficient outdoor play space can be incorporated with outdoor play space meeting the required play standards guidance. This has necessarily meant that the school is closer to the residential development than originally envisaged.

Notwithstanding this it is considered that the school is located a sufficient distance away from the majority of neighbouring occupiers so as not to be overbearing and fenestration has been designed in such a way that will remove overlooking and any loss of privacy arising. The closest occupiers are located on Maitland Place to the southwest of the site. The elevation plans indicate that one large floor to ceiling window would be installed on the southwest facing elevation and that this will be obscurely glazed to prevent any overlooking. A condition is recommended to secure this.

It is noted that a concern has been raised by a local resident stating that their rear garden on Maitland Place would be overlooked by the school, compromising their privacy and resulting in harm to their residential amenity and that the school should be set further away.

Whilst there are no obscurely glazed windows proposed on the rear elevation of the school, the majority of the windows on this elevation are narrow and the line of sight would prevent overlooking. There is a floor to ceiling window on the end of the rear facing elevation which is not indicated as being obscurely glazed on the plans and it is recommended that a condition is secured requiring this end window on the rear facing elevation at first floor level to be obscurely glazed to ensure that no loss of privacy occurs and no perception of overlooking is felt to neighbouring occupiers using their gardens during school hours.

Following discussions with officers, the plant building, bin store and ASHP has been relocated away from neighbouring properties and public protection raise no issue in relation to noise, disturbance or odour.

Given the proximity of the site to residential properties it is considered prudent to require a Construction Management Plan to be submitted prior to development in the event of the grant permission to ensure residential amenity and highway safety is sufficiently protected during the construction period.

Accordingly, the proposed development subject to conditions requiring the obscure glazing to be installed prior to occupation, is considered not to result in a significant detrimental impact on the existing levels of amenity currently afforded to neighbouring occupiers and meets requirements of CP57 of the WCS and the NPPF in this regard.

Highways including road safety/Parking

Paragraph 114 (b) of the NPPF requires that in assessing... specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.

Paragraph 115 of the NPPF states that '***development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe***'.

Paragraph 116 (c) of the NPPF also states that ...applications for development should create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles.... and respond to local character and design standards.

CP57 (ix) of the WCS requires new development to ensure "that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible..." and CP57 (xiv) requires development to meet "the requirements of CP61 (Transport and New Development)".

CP61(ii) of the Wiltshire Core Strategy requires new development to be "capable of being served by safe access to the highway network" and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a suitable connection to the highway "that is safe for all road users".

CP64 requires sufficient parking to be provided in new development in line with residential

parking standards and requires a reduction in reliance on the use of the private car where possible.

The 2017 Reserved Matter application relating to Access established the access for the school site from the main road within the development – Pathfinder Way. This was a standard bell-mouth access on the northeastern corner of the school site. The access arrangements have now been constructed.

A Transport Statement has been submitted with the Reserved Matters application.

The current presented scheme is for a one form entry (1FE) and an application for a 2FE expansion may come forward in the future but this application is solely to assess a 1FE not a future 2FE expansion.

The site is located on land which has already been identified for the purpose of providing an educational facility and has outline planning consent (ref: 16/01123/OUT). The outline consent for the school forms part of the wider development served from Pathfinder Way including a residential development of 235 dwellings, the residential development is largely complete and fully occupied. The scheme approved at outline included a number of infrastructure improvements, as detailed below, which are covered by a S278 legal agreement and have mostly been completed.

These highway improvements were identified to support both the residential and school uses, to encourage sustainable travel choices, improve accessibility and provide safer routes particularly for vulnerable users of the highway.

The walking and cycling connectivity of the proposed 1FE school has already been addressed and the mitigation measures are already in place. No additional physical measures will be required on the surrounding highway network, at this stage.

Detailed discussions were undertaken regarding no waiting restrictions to be applied, a secondary pedestrian access was required and a left turn only junction should be included. It was concluded that the no wait restrictions are already planned and paid for and these will be going into effect shortly although a condition requiring no occupation of the school until these are completed on Pathfinder Way by the school is recommended. The left turn only junction was discussed however it was considered that this could create more problems and undermine road safety of traffic coming the other way and it was agreed that this would not be required or supported in this location. There is a light-controlled crossing just south of the school entrance which will be adequate to achieve crossing of Pathfinder Way.

Revised plans showing a new secondary access for pedestrians joining the main entrance and the hogging path to the north in the public open space adjacent to the site has been submitted. This has a section of footpath going behind the existing gas governor which joins the pedestrian circulation space leading to the school entrance away from the car park, to ensure pedestrian safety at this entrance and main access could be achieved.

A lot of time was taken liaising with Council officers, highway officers and local community members to ensure that this was the best possible solution to ensure a safety and accessibility for pedestrians accessing the school. A condition is recommended to ensure that this pedestrian

access and clear signage associated with its use are installed prior to first occupation of the school and maintained as such throughout the lifetime of the development.

It has also been confirmed that a staff member would supervise this access at the start and end of each day, although this cannot be secured directly through planning conditions, it would form part of the schools adopted safeguarding protocols.

Condition 26 on 16/01123/OUT requires the submission of a School Travel Plan, so no further Travel Plan condition is required on this REM application.

Car Parking

The car parking has been calculated in line with the Car Parking Strategy for Education Centres as contained within the Wiltshire Local Transport Plan 2011-2026. The parking allocation has been calculated based on 230 pupils plus a 30 place early years nursery and approximately 24 of staff. An assessment has been provided based on other similar schools to obtain an average pupil to staff ratio, which is then used to calculate car parking, this methodology is accepted.

Cycle Parking

Cycle parking to be provided in accordance with the Wiltshire Local Transport Plan Cycling Strategy (in particularly Appendix 4). On the basis of the forecasted staff figures and the pupil numbers, the proposed cycle parking/scooter provision is considered appropriate, and details of the bike storage is acceptable.

The proposed cycle parking provision, and car parking provision of 34 spaces is adequate and in line with standards. A drop off point for parents is shown on the Proposed Site Plan and is considered essential and should be secured through condition and should remain as such.

Conditions are recommended to secure these parking spaces prior to use and to ensure their retention throughout the lifetime of the development.

Accordingly subject to the conditions set out above being secured, the highways officers are content that there would be no unacceptable impact on highway or pedestrian safety and the development as proposed is acceptable and meets the requirements of policies CP60, CP61 and CP64 and CP57 of the WCS and paragraphs 114 and 116 of the NPPF.

Drainage Matters

Policy CP67 of the WCS requires that all new development will include measures to reduce the rate of rainwater runoff and improve rainwater infiltration to soil and ground (sustainable urban drainage). Paragraph 159 of the NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

The Wiltshire Council Strategic Flood Risk Assessment, SFRA Data Explorer, has indicated that the site is located within Flood Zone1. No historic flooding incidents related to the site have been identified. Some parts of the site (to the north) is at slight risk of surface water flooding (1 in 30 and 1 in 100). The site is in an area at low risk of groundwater flooding.

A site-specific Flood Risk Assessment (FRA) has been submitted with this application demonstrates that the site is not adversely affected by flood risk from different sources. Access and egress to the school site will be provided by Pathfinder Way, located along the eastern boundary of the site. The road is predominantly at low risk of flooding from surface water flooding, with a small area of medium risk, based on the EA's Flood Risk from Surface Water Mapping. The potential surface water overland flow along the access and egress road is generally <0.15m, with some isolated areas at <0.3m during low-risk events.

The site has been demonstrated to be at low risk of flooding from all sources, and therefore outside of a functioning floodplain. As such, the proposed development is not considered to increase flooding within the catchment through a loss of floodplain storage, and accordingly no further mitigation measures are required in this respect. A drainage strategy has been submitted with the application and is considered acceptable.

A condition requiring the drainage strategy to be implemented in accordance with the approved details is recommended. Subject to this condition the proposed development would meet requirements of policy CP67 of the WCS.

Ecology

The application site is a reserved matters application related to an outline planning permission for a much larger area (east, south and north of this application area). Habitats within the site have been cleared in recent months/years and during the habitat survey (2023) comprised mainly ruderal vegetation. Prior to clearance, habitats (as described in the Ecological Assessment for the outline) within this application site area comprised mainly arable. Attenuation basins are present in adjacent habitats (north and east) originally forming part of the masterplan in 2017 and created as part of the Reserved Matters app 18/04477/REM.

The nearest known great crested newt pond is just over 250m west of the application site. The Ecological Assessment submitted for this REM application, states that habitats including the attenuation basins are not suitable for great crested newts; the attenuation basin to the east of the application site was dry at the time of the survey (August 2023) and the smaller area to the west of the application site was holding some water at the time of the survey. There appears to be an attenuation basin to the north, and this has also been considered.

Notwithstanding this, officers agree that due to a lot of disturbance in the area, it is unlikely that great crested newts would be using the habitats. The revised Ecological Report provides sufficient detail to clarify that great crested newts are unlikely to be present. It is therefore recommended that, a watching brief can be present to oversee any further habitat clearance.

While this is a school site and not residential there are opportunities to incorporate integrated bird and bat features, and the Ecological Report submitted states that this will be undertaken. This is recommended to be secured via condition in the event of a grant of permission.

During the preapp it was stated that as the outline application was approved in 2017, subsequent reserved matters applications would not be required to fulfil mandatory Biodiversity Net Gain (BNG) if submitted after November 2023 and a Biodiversity Metric calculation would therefore not be required to for an application with regards to this site. This REM application was registered in September and mandatory BNG was not in place.

However, in accordance with WCS CP50, the applicant has demonstrated no net loss of biodiversity through the use of Natural England's Biodiversity Metric. Officers therefore raise no objection subject to conditions requiring a precautionary methodology and safeguarding operations pursuant to GCN as part of any Construction Management Plan and a condition requiring details of integral bat and bird boxes to be installed prior to the school being brought into use.

10. Conclusion

The principle of development for a primary school on the site is well-established and the layout, appearance, scale design and landscaping are considered acceptable. The proposed development would also include SEN and nursery spaces which add weight in favour of the scheme given the local need for these services.

The proposed development would also provide an improvement to the location visually in terms of improved landscaping and demonstrates an efficient and effective use of land.

It would provide construction jobs and be an asset to the local community. No harm has been identified in terms of amenity, highway safety, drainage or biodiversity, indeed if anything the drainage and biodiversity of the site will result in a betterment of the current situation. Accordingly, it is recommended that planning permission be granted subject to conditions.

11. RECOMMENDATION:

That the Committee delegates authority to the Head of Development Management to grant planning permission subject to the conditions and informatives listed below -

Conditions: (16)

- 1 The development hereby permitted shall begin no later than two years from the date of the last suspensive planning condition being discharged pursuant to this reserved matters approval or three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

- 2 The development hereby permitted shall be carried out in accordance with following plans and documents:

Location Plan – drawing ref. MKS-AWW-XX-XX-D-A-0010-P03
Existing Site Plan - drawing ref. MKS-AWW-XX-XX-D-A-0011-P05
Proposed Site Plan - drawing ref. MKS-AWW-XX-XX-D-A-0100-P03
Proposed Elevations - drawing ref. MKS-AWW-XX-XX-D-A-0300-P03
Proposed Site Elevations - drawing ref. MKS-AWW-XX-XX-D-A-0305-P02
Proposed Ground Floor Plan – drawing ref. MKS-AWW-XX-00-D-A-0200-P03
Proposed Ground Floor Context Plan – drawing ref. MKS-AWW-XX-XX-D-A-0101-P05
Proposed First Floor Plan – drawing ref. MKS-AWW-XX-01-D-A-0201-P03
Proposed Roof Plan – drawing ref. MKS-AWW-XX-XX-D-A-0202-P02
Proposed Lighting Plan – drawing ref. MKS-HYD-XX-XX-D-E-0851 Rev: P01
Landscape Plan and Schedule (Sheet 1 of 2) ref: MKS-AWW-XX-XX-D-A-0380-P0
Landscape Plan and Schedule (Sheet 2 of 2) ref: MKS-AWW-XX-XX-D-A-0381-P03

Enclosure Details - Bin Store ref: MKS-AWW-XX-XX-D-A-0388-P02
External Canopy Details ref: MKS-AWW-XX-XX-D-A-0385-P02
Cycle Parking Details ref: KS-AWW-XX-XX-D-A-0386-P03
Enclosure Details - Air Source Heat Pump ref: MKS-AWW-XX-XX-D-A-0387-P03
Drainage Report ref: MKS-HYD-XX-XX-T-C-9000
Transport Statement ref: FS0614-HYD-XX-XX-DR-D-5001-P01-S4
Travel Plan ref: FS0614-HYD-XX-XX-DR-D-6001-P01-S4
Desk Study and Ground Investigation Report prepared by Hydrock;
Ecological Report prepared by Wessex Ecological Consultancy;
Flood Risk Assessment ref: 27203-HYD-XX-XX-WET-RP-0001 P02 prepared by Hydrock;
Drainage Strategy MKS-HYD-XX-XX-D-C-9000 P01 & MKS-HYD-XX-XX-D-C-9001 P01
prepared by Hydrock;
Noise Impact Assessment prepared by Hydrock
Energy Statement prepared by Hydrock
BREEAM Pre-Assessment prepared by Hydrock

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the LPA. The CMS shall include the following:

The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- The movement of construction vehicles;
- The parking of vehicles and storage of materials
- The cutting or other processing of building materials on site;
- Wheel washing and vehicle wash down facilities;
- The transportation and storage of waste and building materials;
- The recycling of waste materials (if any);
- The loading and unloading of equipment and materials;
- The location and use of generators and temporary site accommodation;
- There shall be no burning undertaken on site at any time.
- No construction work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday

The development shall be undertaken in accordance with the details set out in the approved Construction Management Statement.

REASON: To ensure the amenities and safety of future occupants and highway safety of the development

- 4 No development shall commence, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Precautionary Methodology of Working for Great Crested Newts shall be submitted to the local planning authority for approval in writing and shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase.

Development shall be carried out in strict accordance with the approved Precautionary Methodology of Working for Great Crested Newts.

REASON: To ensure adequate protection and mitigation for Great Crested Newts prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 5 No development shall commence above ground slab level until a plan showing the details for siting, positioning and installation of integral nesting features for bats and birds has been submitted to, and approved in writing by, the local planning authority.

The integral nesting features should identify:

- a) the bird/bat species likely to benefit from the proposed integral nest feature;
- b) the type of integral nest feature to be installed;
- c) the specific buildings on the development into which features are to be installed, shown on appropriate scale drawings;
- d) the location on each building where features are to be installed.

The integral nest box plan should be implemented in accordance with the approved details and all boxes shall be retained (or replaced as necessary) for the lifetime of the development.

REASON: For the protection, mitigation and enhancement of biodiversity.

- 6 No development shall commence on site above slab level until details of the materials to be used for the external walls, cladding and roofs, windows and doors have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

REASON: In the interests of visual amenity and the character and appearance of the area.

- 7 No part of the development hereby permitted shall be first brought into use until the 'No Waiting At Any Time' road markings (double yellow lines) have been installed along the entire length and on both sides of Pathfinder Way.

REASON: To discourage on-street parking in the vicinity of the school access in the interests of pedestrian and highway safety

- 8 No part of the development hereby permitted shall be first brought into use until the car parking spaces shown on the approved drawing ref: Proposed Site Plan 0100 Rev P05, have been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site and in the interests of highway safety.

- 9 No part of the development hereby permitted shall be first brought into use until the cycle and scooter parking as shown on the approved drawing ref: Cycle Parking Details 0386 Rev P03, has been provided in the locations shown and in accordance with the approved details. This provision shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made within the site for the parking of cycles and scooters in the interests of sustainable travel.

- 10 No part of the development hereby permitted shall be first brought into use until the pedestrian access gate and path have been provided on the northern site boundary (to the west of the Gas Governor) to connect with the path on the site perimeter and as shown on the approved drawing ref: Proposed Site Plan 0100 Rev P05. The access and gate shall be retained and maintained for the lifetime of the development and made available for use at school drop off and pick up times.

REASON: To encourage sustainable travel choices and in the interests of highways safety

- 11 No part of the development hereby permitted shall be first brought into use until, a small sign shall be provided near to the school main entrance gate, to direct pedestrians arriving along the footway adjacent Pathfinder Way from the north to the pedestrian access gate (located to the west of the Gas Governor). The sign shall be retained for the lifetime of the access use.

REASON: In the interests of pedestrian safety

- 12 No part of the development hereby permitted shall be first brought into use until the window in the southwest facing elevation at first floor level and the last window on the western side of the rear facing elevation at first floor level have been glazed with obscure glass to an obscurity level of no less than level 3 and thereafter, the windows shall be permanently maintained with obscure glazing in perpetuity

REASON: In the interests of residential amenity and privacy.

- 13 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

- 14 The development shall be undertaken in accordance with the details set out in the approved submitted drainage strategy ref: MKS-HYD-XX-XX-D-C-9000 P01 & MKS-HYD-XX-XX-D-C-9001 P01 prepared by Hydrock.

REASON: To ensure the approved development is adequately drained and to avoid flood risk.

- 15 The development hereby approved shall be undertaken in accordance with the approved landscape strategy.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 16 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Informatives

1. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

2. Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.

3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

4. Wiltshire Council as Highway Authority is proposing to install 'No Waiting At Any Time' markings on Pathfinder Way. The applicant must liaise with the Highway Authority to ensure the timescales for the necessary TRO correspond with the school delivery programme to meet Condition 7