

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	14 th October 2021
Application Number	PL/2021/06492
Site Address	Land adjacent The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT
Proposal	Erect new church with day nursery
Applicant	Ms Nataliee Stoner
Town/Parish Council	AMESBURY
Electoral Division	Amesbury East - Cllr Yuill
Grid Ref	416556 140496
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

This application is brought to committee at the request of Councillor Yuill, for the following reasons:

- Visual impact on surrounding area;
- Design – bulk, height, general appearance;
- Environmental or highway impact;
- Car Parking;
- Noise impact on surrounding properties; and
- The application uses outdated information that could give a false impression of the area

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 main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Character & Design
- Neighbouring Amenities
- Highway Safety
- Waste Management
- Archaeology

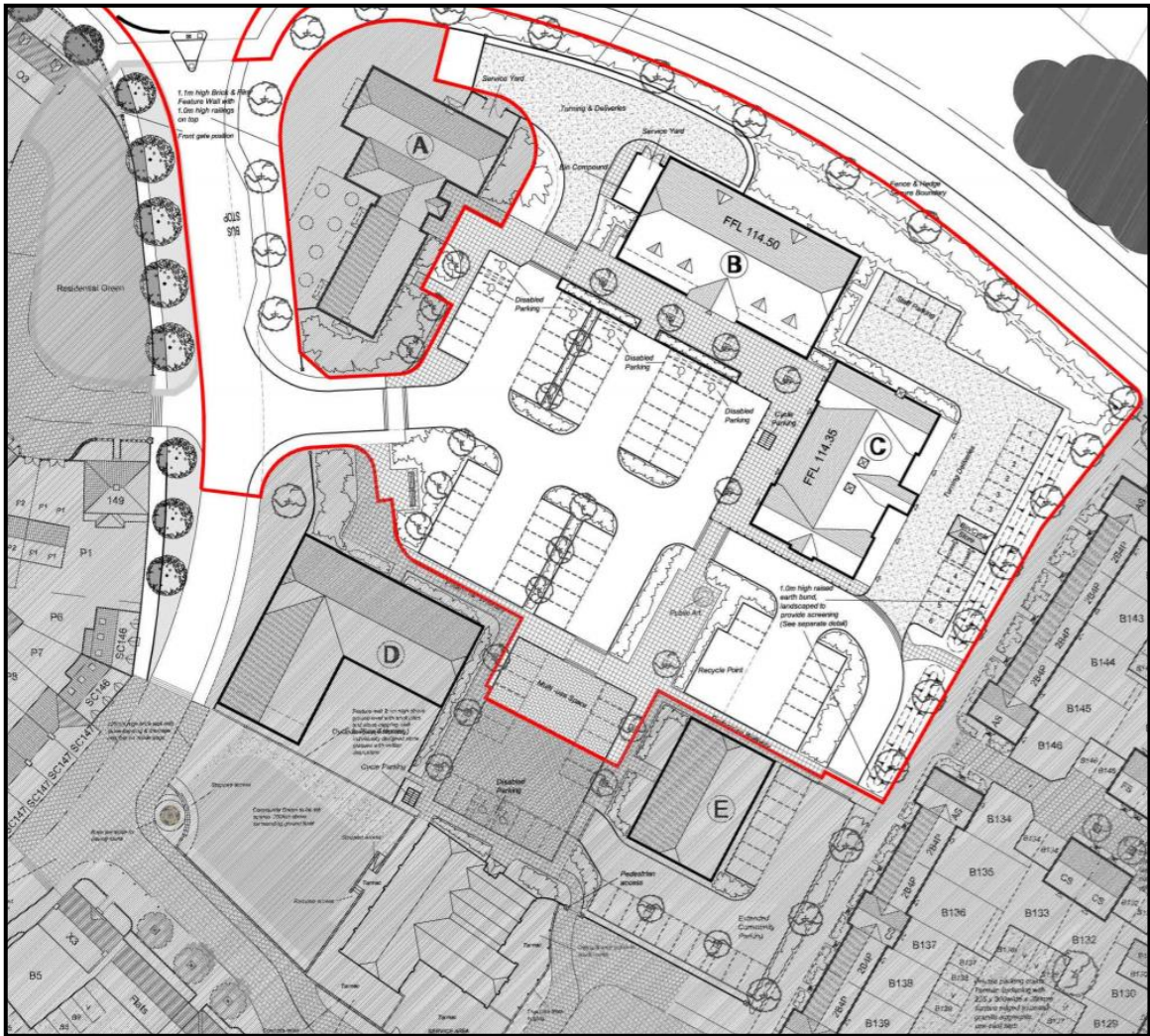
The application has generated no comments from Amesbury Town Council; 110 letters of objection; 9 letters of support from third parties; and comments from The Local Centre Management Company.

3. Site Description

The site consists of one parcel within the local centre at the Kings Gate residential development, which was secured in line with the strategic allocation of the wider site as an urban extension to the Market Town of Amesbury; and defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy), CP4 (Amesbury Community Area) and Appendix A – Development Templates for Strategic Allocations. The final phases of the housing development are currently being built out under various outline and reserved matter permissions. The local centre was however granted outline permission as part of one of the earlier phases of the wider housing estate (under ref: S/2002/1075). This in detail secured 550 residential dwellings and its associated parking/affordable housing/landscaping/junctions and roads; a local centre comprising retail facilities, local services and community buildings; a primary school; a cemetery; playing fields; tennis courts; and a sports pavilion across the whole site. A Section 106 Legal Agreement was also secured as part of this permission which secured various community infrastructure improvements as well as detailing the requirements and services that the local centre was to provide.

The local centre was subsequently subdivided into a number of parcels and applications have been approved and, in most cases built out, for various uses on these parcels. This application involves the last remaining parcel (parcel D). The uses/development of the local centre parcels are outlined below and shown on PLAN A:

- A: A parcel adjacent to one of the main roundabouts off the Stockport Road link road into the wider housing estate. It is also adjacent to the main entrance into the local centre off Archer's Way. It gained permission in 2011 (under ref: S/2010/1821) for its redevelopment as a public house/restaurant (use class: A3 – now sui generis) and has since been built out. It is currently in use as a public house and pizza restaurant.
- B: A large plot immediately adjacent to parcel A. It gained planning permission in 2010 (under ref: S/2010/1043) to be redeveloped for a large retail convenience store (use class: A1 – now E) and is currently in use as The Co-operative store.
- C: A smaller plot that was granted permission in 2010 (also under ref: S/2010/1043) for its redevelopment with 4 smaller retail units and residential flats above. This has subsequently been built and currently provides a charity shop (use class: A1 – now E); 2 take away uses (use class: A5 – now sui generis); and a beauty salon (use class: sui generis)
- D: This parcel (the site) consists of 0.14 hectares and recently received planning permission for its redevelopment with a church with a congregation of 60-80 worshippers, a community hall and 25 space children's nursery (use class: D1 – now F1 and E respectively) (under ref: 16/02899/FUL), all within a building of 209 square metres in size. This permission has not been implemented and this parcel therefore currently remains vacant providing an area of grassland at the main entrance to the local centre from Archer's Way and is adjacent to the local community centre (The Bowman Centre) and its community garden.
- E: This parcel is situated in the south eastern corner of the local centre and was originally used as overspill car parking for The Bowman Centre. Planning permission was granted in 2016 (under ref: 16/04684/FUL) for this parcel's redevelopment with a new building to be used as a children's nursery (use class: D1 – now E). This has since been built out and provides 326 square metres of ground floor space for this purpose.



PLAN A: A plan submitted for application S/2010/1043 showing the different parcels within the Local Centre as outlined above, including The Bowman Centre site, and this application site (Parcel D), both shaded in grey

Between parcels D and E, the reserved matter details for the Bowman Centre were agreed (under refs: S/2006/1690 & S/2007/0823). This gave permission for a community building and community green to its immediate west. This has since been built out and is used by the Town Council as their office/base. It is accessed through the local centre to the north as well as sharing a boundary with Shears Drive to the south. It has a small, dedicated parking area to its north.

4. Planning History

S/2002/1075	O/L: Up to 550 residential dwellings inc affordable housing, the southern section of the Amesbury Link Road and 4 associated junctions between underwood drive and Stock Bottom. A local centre comprising retail facilities, local services, a community building and associated car parking facilities, a primary school, a cemetery, 2 infiltration basins and ancillary surface water drainage facilities. Formal open space comprising playing fields, tennis courts and ancillary pavilion, informal open space, associated landscape planting (ES submitted). (Archers Gate, Phase 2)	Permission – 01.03.2005
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S/2006/1690	Construction of community building and community green (Reserved Matters approval sought for siting, design, external appearance and means of access)	Permission – 04.10.2006
S/2007/0823	Reserved Matters application for hard and soft landscaping for community building and green (pursuant to outline S/2002/1075)	Permission – 14.06.2007
S/2009/0789	Development of part of the local centre to include the provision of a convenience store, 4 no retail units with 6 no residential units above and associated service yards, parking, landscaping and refuse/recycling provision	Permission – 22.10.2009
S/2009/1577	O/L: Construction of 170 residential dwellings, informal open space, parking provision, equipped play area, ancillary road infrastructure, landscape planting and temporary infiltration basin and temporary foul pump station (All matters reserved). (Archers Gate, Phase 2)	Permission – 10.12.2010
S/2010/1043	Development of part of proposed local centre to include the provision of a convenience store (Use Class A1), 4 no retail units with 6 no residential units above and associated service yards, parking provision, landscaping and refuse/recycling provision (revised scheme to planning permission S/2009/0789)	Permission – 15.10.2010
S/2010/1821	Proposed public house/restaurant and associated works.	Permission – 03.03.2011
S/2012/0497	O/L: Demolition of former agricultural barns and removal of up to 26 protected trees and construction of 460 dwellings (including a 60 bed extra care facility) and associated community infrastructure including the first phase of a country park, children's play areas, landscape planting, an infiltration basin and three temporary water pumping stations (amended description). (Kings Gate Phase 1, Phase 3)	Permission – 20.05.2013
13/06181/OUT	O/L: Removal of the existing temporary infiltration basin and construction of 143 dwellings with associated infrastructure including landscape planting, an electricity substation, a temporary sewage pumping station and a new temporary infiltration basin. (Kings Gate Phase 2, Phase 4)	Permission – 26.10.2015
15/02530/OUT	O/L: Removal of up to 26 protected trees and construction of 515 dwellings and associated community infrastructure, including access roads, the second phase of a country park, a primary school with playing fields, children's play area, natural play areas, landscape planting and an infiltration basin. (Kings Gate Phase 3, Phase 5).	Permission – 14.02.2017
16/02899/FUL	Erection of community hall to be used for a day nursery and church meeting place	Permission – 09.08.2016
16/04684/FUL	Proposed construction of children's nursery, with associated works.	Permission – 13.07.2016
19/00416/FUL	Erect new church with day nursery.	Withdrawn

19/04220/VAR	Variation of condition 4 of 15/02530/OUT to allow revision to the overall market housing mix.	Permission – 04.10.2019
19/06605/FUL	Erect new church with day nursery	Refused – 29.06.2020

This latter application, also involving the redevelopment of Parcel D with a new church and day nursery, was refused last year for the following reasons:

1. *The proposed Church and nursery by reason of its size, design and appearance is considered to be both out of character with other more traditionally styled buildings within the local centre and to be of an excessive, size, scale and footprint for the plot on which it is situated. As such the building would dominate the area to the detriment of both local residents and others using the local centre and leaving insufficient area for parking within the curtilage of the plot. The proposal is therefore considered contrary to both chapter 12 of the NPPF which requires the creation of high quality buildings and Core policy 57 (iii and vi and xiv) of the Wiltshire core strategy which requires a high standard of design*
2. *The proposed development, in that it exceeds the threshold for non A1 retail uses within the local centre at Archers Gate would conflict with the signed legal agreement for the development and core Policy 4 of the Wiltshire Core strategy, the appendix to the Core strategy relating to Kings Gate and the Adopted development brief for land South of Boscombe road dated 2001*

INFORMATIVE: - It should be noted that the reason given above relating to an excess of non A1 retail uses and Policy 4 of the Wiltshire Core strategy could be overcome if all the relevant parties can agree a variation to the existing Section 106 Agreement

Of relevance to note from the above summary of the site history is that the development of the local centre, including parcel D, with new A, B1 or D uses (now E and F1 uses), was granted in outline as part of the 2002 permission (Ref: S/2002/1075). This outline permission remains a valid consideration for this application. The principle of the subdivision of the local centre into parcels was also established by the first few developments in the local centre in 2009 and 2010 (under refs: S/2009/0789 and S/2010/1043), which as per the plan provided in PLAN A above, identified parcel D with an indicative L shaped building on it, although that permission did not give any permissions for the actual development of parcel D. It is therefore clear from the site history that this parcel of land (parcel D) was always intended for development and whilst it has now been vacant for some time it's use as part of the local centre was always understood and catered for in the subsequent redevelopment of the rest of the local centre. However the last scheme involving a new church on this plot was considered to be of a design and size that was not appropriate for this local centre site and therefore something closer to the approved 2016 scheme needs to be considered going forward.

This current application is therefore another revised scheme to the 2016 permission (ref: 16/02899/FUL). That permission has now expired and was not implemented but remains a material consideration for this application especially as the policy context governing the local centre site has not changed significantly since 2016. That application also involved the development of parcel D with a new church, community hall and day nursery. The approved plans for the 2016 scheme are provided below in PLAN B.



PLAN B: Approved Plans for 16/02899/FUL on Parcel D

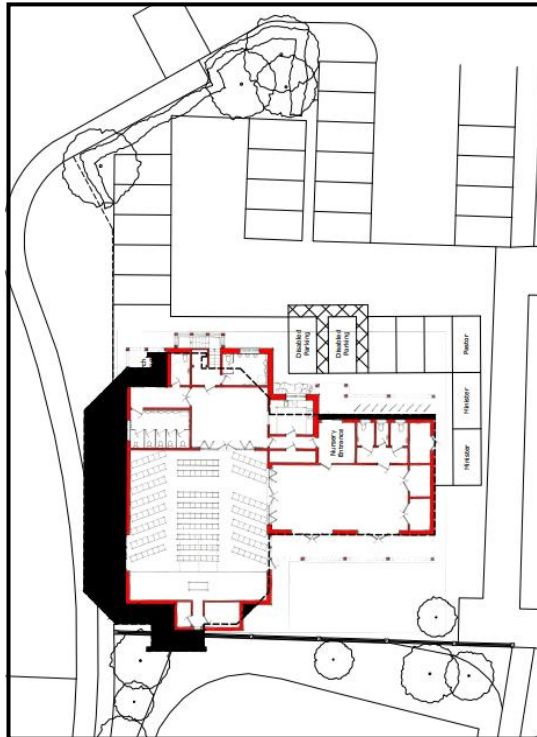
Whilst this permission has since expired it does establish the principle of the site's redevelopment with a new church and nursery facility.

5. The Proposal

This is a full application proposing the redevelopment of the last vacant parcel in the local centre, parcel D, with a new church and further day nursery (use classes: F1 and E respectively). This is effectively a revised scheme to one which was allowed in 2016 (under ref: 16/02899/FUL and as shown in PLAN B above) but also follows and tries to overcome the reasons for refusal of the scheme that was considered last year (under ref: 19/06605/FUL). The church congregation are to relocate from Bulford, where it currently operates out of a rented building that can only cater for 60 worshippers. The 2016 scheme provided a like for like replacement for the rented church hall in Bulford but did not allow or cater for the increased expansion/demand for the church or its future plans. The supporting documentation for this current application confirms that the church, like the 2019 application, is still to cater for a congregation of around 150 people. The children's nursery is also (like both the 2016 and 2019 schemes) still to provide 25 nursery spaces and is to complement the existing nursery in this local centre to meet a growing local demand for such facilities.

As is seen in PLANS C & D below, the design and size of the building now proposed on this site has been reconsidered following the refusal of the previous quite contemporary scheme last year. The maximum ridge height of the proposed building remains the same as the 2019 scheme (at 8.7 metres), but the footprint of the proposed building has been reduced; the eaves height is reduced to 2.8 metres (from 3.9 metres); and the design has changed to better reflect the more barn style

vernacular of the existing community buildings in this local centre. The scheme now involves a less bulky building providing 435 square metres over 2 floors (instead of the 538 square metres previously proposed). At ground floor, this will consist of the main entrance; the main church hall; and kitchen and toilet facilities within the principal rectangular part of the building (275 square metres in total). A smaller, single storey wing is then to extend from the south eastern elevation of this principal part of the building and will provide the proposed children's nursery facilities (100 square metres in total). This element is to have a separate entrance to the church but will share the kitchen facilities and can be opened up to the main church hall to create a more flexible meeting space.



PLAN C: Comparative Site Layout (The Black outline is the 19/06605/FUL scheme moved on the site for comparison purposes)

Only the principal church part of the overall building is to benefit from first floor accommodation. The majority of this first floor will be created as a double height void above the main church hall at ground floor. A further meeting/function room and the church office/staff facilities will also be provided at this level (providing 60 square metres of additional floor space).

Access to the site is to be gained through the adjacent local centre from Archers Way to the north west of the site. As a result of the reduced footprint, additional onsite parking is to be provided as part of this scheme comparative to the 2019 scheme. The current application identifies a total of 17 onsite parking spaces (compared with 13 that were previously proposed). These are to be provided to the front of the building (adjacent its northern elevation). It is however envisaged that the visitors to the site will also make use of the existing public car park that currently serves the local centre; and the existing church is also looking into acquiring mini buses and producing a travel plan. Cycle parking for 18 cycles is also identified.

The previously refused scheme involved a modern interpretation of ecclesiastical design with focal tower features at either end of the building and disjointed ridge lines aimed at drawing attention to the building on this prominent site. The current proposals however involve a far more toned down design. The building is to be a mix

of brick and timber cladding under a low slung, sweeping, slate roof and will have an agrarian character more in keeping with the adjacent Bowman Centre. The church element will essentially be a linear building with a gable roof design and an over ridge glazing feature at one end and a glazed bay window on the north eastern elevation.

The nursery element is to extend out from the principle church building at a right angle and will be of single storey form. It is to have a cropped hip gable roof form with significant eave overhang on its front and rear elevations. The supporting documentation confirms that since the previous scheme was refused, the design has evolved and *'this proposal seeks to tone down the focal point element and appear more as a community building and follow a more vernacular route of the surrounding community buildings'* and *'The overall mass...and bulk of the building has been reduced, with the eaves line down to ground floor level resembling the similarly 'low slung' public buildings within the vicinity'*. The detail of the more barn like design and a comparison with the previously refused scheme is provided in PLAN D below.



PLAN D: Comparative Elevations - Current Scheme vs 19/06605/FUL (Not To Scale)

The application is accompanied by a Planning Statement; a Church Mission Statement; a Noise Assessment; and a Transport Assessment. During the course of the application, a Parking Technical Note and updated Noise Assessment have been submitted, along with comparison plans detailing the changes proposed since the previous refusal. Much local representation including the Councillor call-in has suggested that some of these documents are out of date and show old photographs which mislead the Council with regard the existing site context. However whilst some of the photographs are out of date, the content of the supporting documents has been updated to reflect the current scheme as proposed. Officers have also undertaken a

site visit; and up to date photographs will be provided for the committee to confirm the existing site context. It is not therefore considered that the supporting documents have misled or prejudiced any of the decision making process.

6. Local Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (January 2021) (NDG)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):
PS6 – Playgroups/Nurseries

Wiltshire Core Strategy:

CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements)
CP4 (Amesbury Community Area)
CP43 (Providing Affordable Housing)
CP49 (Protection of Rural Services & Community Facilities)
CP50 (Biodiversity and Geodiversity)
CP57 (Ensuring High Quality Design & Space Shaping)
CP60 (Sustainable Transport)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)
CP69 (Protection of the River Avon SAC)
Appendix A – Development Templates for Strategic Allocations
Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

Supplementary Planning Documents:

Creating Places Design Guide SPG (April 2006)
Achieving Sustainable Development SPG (April 2005)
Wiltshire Local Transport Plan – Car Parking Strategy
Wiltshire Planning Obligations Supplementary Planning Document (SPD)
Approved Development Brief, Land South of Boscombe Road (February 2001)
Approved Design Code – Urban Design Strategy

7. Summary of consultation responses

Amesbury Town Council – No comments received

Highways – No Objection subject to conditions

- I note the proposal seeks to construct a new church capable of accommodating up to 150 worshippers at one time.
- The proposals also include the provision of a day nurse for up to 25 children.
- The site is adjacent to the existing Archers Gate Local Centre and would be served by the same means of access.
- I am also aware of the planning history of this site, with an extant planning permission for a smaller church on this site and a similar sized church proposed under reference 16/02899/FUL.
- An application was subsequently refused planning consent by the Southern Area Planning Committee, for reasons related to the scale, design and character of the proposals and the exceedance of non-A1 retail uses within the local centre area.

- The Local Highway Authority, following numerous submissions of additional/amended data/information, did not object to the last application. These latest proposals are similar to that considered under application 19/06605/FUL, albeit, a slightly reduced church footprint and the addition of 4 car parking spaces within the site (17 total).
- I note that the overall capacity for worshipers remains at up to 150 persons.
- As such, the potential issues of such a development in highway terms primarily remains that of car parking.
- Whilst three of the additional car parking spaces are in tandem, these are also shown to be allocated to ministers of the church and I am content that these spaces would be able to be managed appropriately by these users.
- It is widely acknowledged that any overspill parking created by the church will be reliant upon the existing car parking areas within the local centre.
- In principle, this is accepted by this Local Highway Authority, as I understand that the local centre was designed with the future development of this plot in mind, however, no specific use class was determined for this plot that I am aware of and as such, every proposal must therefore be assessed on its own merits and must demonstrate that adequate car parking will exist to accommodate any proposed use.
- Due to the similarities in this and the previous proposal, the submitted 'Highways Technical Note' is similar in form and draws similar conclusions.
- However, what is considered odd, is the omission of the car parking capacity survey undertaken for the previous submission.
- This data is wholly relevant to this application also and the conclusions drawn by the technical note are at least in part guided by this data.
- Whilst previous concerns have been raised about aspects of the assessment of the raw data, the methodology for the data collection was considered robust.
- The concerns over the assessment of the raw data were subsequently overcome by subsequent submissions and complementary data, which in combination, provided a more robust projection of the potential impact of the development in respect to car parking and traffic generation and in particular, whether the existing local centre car park would be able to accommodate any overspill parking related to the church at times of peak church usage.
- I am aware of the large number of local representations received on this application, many of which are objecting to these proposals for a variety of reasons, including that of car parking concerns.
- I also note that the manager of the Local Centre has objected to these proposals and has provided data for the various existing uses on this site and the required car parking provision for these uses, concluding that there would be an under provision of parking following the church development.
- Whilst this data is considered helpful to summarise the exact floor areas of the uses currently within the local centre, there are a couple of errors within the data and this does not take in to consideration that Wiltshire's Non-Residential Car Parking Standards are in fact 'Maximum' parking standards. Wiltshire Council's Core Strategy states at Core Policy 64 (b); "The provision of parking associated with new private non-residential development will be limited to maximum parking standards (except for disabled parking spaces). These maximum standards will be reduced to reflect local circumstances and the relative accessibility by sustainable transport modes in accordance with an accessibility framework" (Wiltshire Core Strategy p302).
- Whilst Policy PS4 of Wiltshire's Local Transport Plan 3 (LTP3) expands on this by stating that; "[...] The actual parking provision for developments will be negotiated between the council and developers taking account of a range of issues including the accessibility of the development, mix of land uses, ancillary

uses, scale of development, approach to design, availability of and opportunities for public transport use, local car ownership levels and opportunities for sharing parking” (LTP3 p25).

- These policy statements are considered particularly relevant in this case, where the development site is within an existing local centre where there are a mix of land uses and parking is essentially shared.
- The provision of a large amount of car parking adjacent to the site must thus be considered in relation to these proposals.
- The applicant has undertaken a car parking capacity study, which whilst not submitted within this application curiously, suggests that at times of peak church use, there is likely to be a sufficient level of car parking available in the vicinity most of the time.
- The submitted assessment and data is based upon the church being at full capacity, with 150 worshipers in attendance and therefore presents the worst case scenario.
- Whilst natural variation and busy church periods such as at Christmas and Easter, will cause discrepancies and at these busy periods this may result in demand exceeding provision, these occasions are likely to be few and small in number.
- The result of this could lead to a small number of vehicles parking on the public highway, most likely on Archers Way.
- Bearing this in mind, the National Planning Policy Framework 2019 (NPPF) states at para 109 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” (NPPF).
- There is no evidence to suggest there would be a severe highway capacity issue at nearby junctions caused by the proposals, so the judgement of this Highway Authority is based upon whether a small amount of occasional on street car parking would result in an unacceptable highway safety issue.
- The Sunday service period is the most critical period and there may, on busy church occasions as detailed above, be an overspill of a small amount of car parking on to the adjacent highway.
- This however is also possible with the extant permission at busy times and there is a finite amount of on-street provision.
- The applicant has also committed to developing a travel plan to encourage sustainable travel by worshipers, whilst also offering a minibus service.
- This, in combination with the 18 cycle parking spaces provided, will be likely to help reduce car parking demand for the church.
- There has been no additional information or data provided within this submission to demonstrate that the conclusions drawn by this Highway Authority on application 19/06605/FUL were flawed for a development that, in Highway terms, is very similar.
- Having again assessed all the data, considered the extant consent, previous planning submissions, local representations and the potential implications in detail, I remain content that these proposals will not represent an unacceptable impact on highway safety in this vicinity.
- As such, I adhere to my previous recommendation that no Highway objection is raised, subject to conditions being attached to any permission granted

UPDATE:

- Thanks for the attached car parking survey,
- It is odd that this was not originally submitted in this latest application, as the conclusions drawn in terms of parking are at least partly based upon this data/assessment.

- I therefore think it is in the Applicant's interest to include this in the latest submission, which they have now done.
- Having been fully aware of this data on the previous submission, I was happy that the proposals were acceptable in highway terms and I thus stand by my recommendation dated 3rd September 2021.
- I hope that response, including the references to the various policies, is sufficient for the Committee to understand the reasoning behind this recommendation.

Public Protection – Holding Objection

- There is no acoustic report provided with this application although there is one provided with former application 19/06605/FUL.
- The planning statement suggests that although plans for the building have been altered the acoustic report is still valid.
- The acoustic report would have taken into consideration the noise reduction properties provided by the construction features of the wall and roof.
- It is now proposed that the roof of the church will have an eaves line at ground level.
- With the reduction in wall and addition of roof, the acoustic report should be revisited to ensure there is no loss of amenity through church or childcare activities.
- Ventilation plant is now proposed that will be housed internally with vents to the outside. I cannot see the location of the plant room on the plans or any details of the plant to be used.
- Please see the noise condition further on in the document, that is suggested for air handling plant.
- Please could the applicant submit an updated acoustic report or letter from the acoustic consultant regarding the amendments to the design structure to examine the noise impact at the nearest receptor from the alteration to the roof/wall ratio.

Archaeology – No Objection

- There are no archaeological issues that I would wish to raise in this instance.

MOD DIO Safeguarding – No comment received

8. Publicity

This application was advertised through the use of site notices; and letters of consultation.

Letters – 110 letters of objection received. The following comments made:

- This has already been refused once and should be again
- The plans/photos submitted are out of date as they do not show the existing Wind in the Willows nursery that now sits directly opposite the site
- The submitted photos give a distorted view making the site look bigger than it is
- Those in support don't even live in Amesbury and won't be affected by the development. If you don't pay council tax on the estate you shouldn't be allowed to comment on the application
- The council need to prevent the land being sold off to another developer who could then attempt a "change of use" application
- There is already a nursery in this local centre. We don't need another
- Little Druids Nursery, Smiley Faces and Little Flyers also already exist in Amesbury and all have capacity. There is no need for more nursery spaces
- Since Covid and the new normal of working from home/hybrid office working, demand for childcare has decreased not increased

- The land is scheduled for use for 'Local' community uses. The Living Grace Church serves a much wider regional community. This will not serve the 'Archers' estate community
- Existing churches are under-used or falling into disuse in the County
- Since covid many worshippers watch services on line
- This is a minority use building but will affect the whole community
- There are already many churches serving many denominations in Amesbury
- They should hire the Bowman Centre for church and nursery groups
- We need a doctors surgery/pharmacy/dentist/refuge for homeless veterans. Not another church
- The church is to serve a congregation currently from Tidworth/Bulford not Amesbury residents
- This should be put at Solstice Park
- Religion is fake and we don't need such buildings
- This area would serve the local community better kept as a green open space
- Stop building on all of the green open spaces
- This area is already built up enough esp. after the new nursery
- Children play on this green
- This building will close up the site and reduce the green open character
- This parcel gives Archers Gate a 'Sense of Place' and has a positive impact on the Wellbeing of the local residents.
- Find an undeveloped part of the estate where they can accommodate the size/parking required
- This will create an eyesore at the entrance to the local centre
- The overall impression is of an overlarge building for the site being 'shoehorned' into too small a site.
- The resultant 'form and massing' of the proposal will be out of kilter with the surroundings and dwarf the scale of the surrounding buildings.
- The proposed church is ugly and is out of keeping
- The overcrowded nature of this development will increase anti-social behaviour
- While the design is much improved on the previous, we do not need another 'focal point' for the community
- The level of parking identified is wholly insufficient and less than the Council's parking standards
- This will cause parking Issues for surrounding streets
- This will bring additional traffic to an already congested area.
- This will create accidents in the future.
- The existing parking area is not sufficient for the current uses which include the Bowman Centre, Nursery and CoOp.
- The car park is full when an event happens at the Bowman Centre
- The information provided in support of the development particularly about vehicle numbers and noise levels are contradictory and biased
- Of the 17 parking spaces proposed, 9 are for staff leaving just 8 for a 150 strong congregation
- The Transport Technical Note concludes that "The development, in a worst-case scenario, would generate 13 vehicular trips from 13 families." But the applicant suggests 36 spaces are needed; and also states that the head count at a recent church service had 88 attendees in 23 vehicles.
- The examples provided suggest a need for 76 (not 36) parking spaces for 150 attendees, resulting in a possible overspill of 59 vehicles into the commercial centre's 73 parking spaces
- The proposed modal split of 25% for car journeys is significantly lower than average car use

- The report claims the entire population of Amesbury is within 25 minutes' walk to the site and yet also states that the car is the preferred mode of transport for journeys longer than 20 minutes thus undermining the report's modelling
- The analysis concludes that 53 people or 35% of attendees would walk to the centre.
- The comparisons used to CofE churches is unrealistic. This development serves a regional audience not a local community
- Parking is already scarce during school run times
- Sunday is a very busy time for the public house with Sunday lunches etc
- It is a very busy access point to the estate already
- They have no right to use the neighbouring parking (including the Bowman Centre), which is all owned by either the Town Council or a private management company
- There is no safe turning or parking area for the proposed mini bus/es
- Archers/Kings Gate has narrow roads that are already rife with parking problems
- Overspill parking on street will block emergency; wheelchair; and bus access
- The applications provision of just 9 bicycle parking spaces against their own assertion of 27 cyclist using the facility, will force people to drive
- The 3 extra parking spaces provided now are all reserved for minister use and have poor accessibility
- The assessment fails to take into account the extensive additional housing development occurring on the housing estate, which will substantially increase the use of the Community Hub and its car parking spaces over future years
- Unless fencing is erected the congregation will pile out onto a busy junction
- It's not just services. Weddings, funerals and baptisms will all contribute to parking problems
- This is the only feeder road serving a local centre, 2 schools and a care home
- The site lines for vehicles is poor and will endanger pedestrians
- The construction will cause a big nuisance in terms of traffic and noise to surrounding home life. The constant building on this estate is suffocating
- This will create noise & disturbance for neighbours
- Noise from the Bowman Centre is already too much, esp. during Summer Months when windows are open
- The noise report does not detail the size of the choir and crucially, does not state if a capacity 150 worshippers are included in the noise estimates as it only mentions choir and PA as the source data.
- The report also assumes that all fire doors and windows will be shut. This won't happen in summer
- The noise report states that air conditioning may be required but none is included nor a firm commitment to fit appropriate seals to reduce noise transmission
- The noise report accepts 'the possibility for excessive and unreasonable noise levels...' from the nursery and that 'the dominant noise source is likely to be children screaming'.
- It dismisses the impact by simply concluding that levels shouldn't be allowed to get too high as this would 'be in breach of the noise at work action levels'!
- the existing nursery ruined the outlook from adjacent houses and affected their value/saleability
- Will cause loss of light and overshadow for neighbouring properties

Letters – 9 letters of support received. The following comments made:

- The church will help & support the community greatly
- The estate is still expanding and so more nursery spaces are going to be needed
- Lots of people currently have to travel miles to get their children a nursery place

- This church has been in existence for over 10 years and have done greater things for families in the community
- Not only do we need physical and psychological support but we also need spiritual support.
- The community can only benefit from the addition of a new church and nursery
- Archers Gate deserves a church
- It is not a safe green space for children to play on – especially if the comments regarding the level of traffic at the junction is correct
- I have never, in 10 years, been unable to park at the local centre
- The busy times of the church are unlikely to clash with the busy times of the local centre/school run
- Yes it will be busier and yes a bit of grass will be gone, but it will bring more to the estate and to Amesbury than what it takes away
- This will provide employment for people locally

Letter – From The Management Company for the Local Centre. The following comments made:

- We manage the Public House, Co Op Convenience Store, the four small shops, the six flats above, the Nursery School and the site of the proposed Church together with the associated parking and landscaping areas.
- We have no objection in principle to the proposals,
- We have serious concerns relating to the proposed parking provisions and parking strategy and their effect on the overall parking provision in the Centre.
- We note that the Church intend to use the communal parking areas within the Local Centre which they have rights to do although they don't own them.
- The 'red line' application doesn't include the communal parking area.
- The 2011 census referred to is 10 years out of date – the current population will be more than double the number quoted.
- The AWP analysis studiously avoids giving a precise anticipated number of car spaces required for the proposed development which is surprising.
- Suggesting that 25% - 38 persons of the congregation will use cars to attend the Church is a completely unworkable assessment.
- Using their figure of 4 persons per car gives a total need of 10 cars which is clearly totally unrealistic.
- The Wiltshire parking standards refer to a requirement for 1 car space per 5m² of worship area and thus requires 29 parking spaces.
- The analysis is confused. It states that the new Church will attract 36 vehicles of all types with 4.2(!) occupants. Whilst also saying 38 persons using 9 cars with 2 9-seater minibuses totalling 11 vehicles.
- Post Covid people are highly resistant to using shared/public transport and therefore it is logical to assume that most of the congregation will use private cars to get to the
- We think it requires an absolute minimum of 36 car spaces of which 17 (2 of which are DAP & 3 for staff) have been provided on site leaving 24 spaces requiring accommodation within the existing communal parking area.
- After deducting staff and residential parking there are currently 69 spaces plus 8 DAP spaces available in local centre.
- This number includes the spaces adjacent to Bowman Centre.
- Wiltshire parking standards dictate that 92 spaces alone are required to accommodate the Public House & Retail not allowing for any requirement of the Bowman Centre.
- There is already an under provision of at least 15 spaces before the requirements of the Bowman Centre/new church are considered.

- The natural point of maximum conflict will come on a Sunday when the pub is at its busiest throughout the day.
- The convenience Store is also very busy at weekends.
- We believe that this shortfall will result in conflict with the existing users.
- We have had to double yellow line roads within the development to prevent persistent 'fly parking'.
- We feel such 'illegal' parking is bound to proliferate if the Church development is allowed to go ahead.
- To date we have not found it necessary to implement a parking control regime and we really don't want to do that, but we will if the development proceeds and parking becomes an issue.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and 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.

9.1 Principle of Development

As is identified above, the site is situated within an existing housing estate that has been developed as an urban extension to Amesbury in accordance with WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy), CP4 (Amesbury Community Area) and Appendix A – Development Templates for Strategic Allocations. The local centre was granted outline permission in 2002 (under ref: S/2002/1075) as part of a wider application dealing with one of the first housing phases at the estate. It envisaged approximately 2,100 square metres of floor space in this centre and identified the whole site for local centre purposes and none of the land contained within it was earmarked for public open space provision. The fact that the existing parcel is therefore vacant, grassed and is used by surrounding residents for informal recreation, is not secured in planning terms.

In addition, in 2010 planning permission was granted for the development of parcels B and C with a mixed retail and residential development (under ref: S/2010/1043). As per PLAN A, this particular application site was illustrated as part of that application as parcel D and was indicatively drawn with a large L shaped building on it. That approved scheme also secured parking for the whole local centre, both for the development on parcels B and C but also for the future developments on parcels A, D and E.

Subsequent to this and more recently, planning permission was granted for a new community hall and children's nursery on this site (under ref: 16/02899/FUL). Whilst this permission has now expired and the scheme has not been implemented, there are no material changes in the policy context for this site and thus this also remains a material consideration for the current proposals.

In addition to this material planning history, Amesbury is designated as a Market Town and has a defined settlement boundary within which WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area) support sustainable new development. The site is situated within this boundary.

Furthermore, saved SDLP policy PS6 allows for the provision of new childcare facilities provided that

- (i) *access and services are satisfactory;*
- (ii) *the proposal will not create a highway danger to other road users;*

- (iii) *where the use of all or part of a residential dwelling is proposed, the house must be of a sufficient size for the proposal not to cause disturbance to neighbours:*
and
- (iv) *there is adequate space available for outdoor play.*

Legal Agreement:

In addition to the above planning history and policy context; the original outline permission (ref: S/2002/1075) for this local centre was subject to a S106 agreement, part VI of which set out the constraints for the local centre. This firstly set a trigger and ensured that at least part of the centre would be developed before that particular phase of housing was completed. It also restricted the uses and secured certain infrastructure at the local centre as summarised below:

1. Not less than 300 square meters had to be built for A1 Retail purposes;
2. A total of 2,100 square metres of floor space could be built in the local centre;
3. The uses within the local centre were restricted to A, B1 and D uses only;
4. No more than 33% of the ground floor floorspace could be used for non A1 retail uses;
5. No ground floor floorspace could be used for C residential uses;
6. No one retail unit could exceed 700 square metres in footprint;
7. no more than one retail unit could be used for A3: Public House/Restaurant purposes;
8. The A3 uses at the site would not contribute or be included in the calculations set out in caveats 1, 2, 3 or 6 above;
9. CCTV at the local centre was secured;
10. Marketing instructions for the site were set out;
11. It ensured that the parking at the local centre would be available for public use in perpetuity without partitioning/fencing; and
12. It secured its long term maintenance and management of the local centre.

Caveats 1, 7, 8, 9, 10 and 12 have been satisfied by other permissions and development at this centre as set out in the planning history section above. The Bowman Centre was not included in this centre and was permitted separately under a different part of the permission and S106 agreement. The most pertinent caveats that are relevant for the development of this site (parcel D) are caveats 2, 3, 4 and 11 which are therefore assessed below.

To date the following units/developments/uses have been built at the local centre:

- A public house (use class: A3 – now sui generis) on parcel A
- Unit 1 which is currently used as the Cooperative store (use class: A1 – now E) measuring 342.13 square metres in size and positioned on parcel B
- Unit 2 which is currently used as a beauty salon (use class: sui generis) measuring 105.33 square metres in size and positioned on parcel C
- Unit 3 which is currently used as a fish and chip shop (use class: A5 – now sui generis) measuring 91.20 square metres in size and positioned on parcel C
- Unit 4 which is currently used as a Chinese takeaway (use class: A5 – now sui generis) measuring 90.40 square metres in size and positioned on parcel C
- Unit 5 which is currently used as a charity shop (use class: A1 – now E) measuring 107.22 square metres in size and positioned on parcel C
- A nursery has been built on Parcel E (use class: D1 – now E) measuring 326 square metres in size.

Therefore a total of 1062.28 square metres of floor space has been built at the local centre. However, only 449.35 square metres of this floor space has been provided as A1 uses, meaning that 57.7% of the ground floor floorspace at the centre is currently in

non A1 use. Therefore, whilst the overall floorspace that has been built to date is well within the amount of floor space allowed by caveat 2, the percentage of non A1 uses already, currently exceeds the 33% allowance set out in caveat 4.

The approved 2016 scheme on this parcel would have further exacerbated this situation. It allowed a further 209 square metres of floor space at the centre (150.7 of which was at ground floor), which was to be used as a community hall/church and children's nursery (use class: D1). Whilst this permission again did not exceed the 2,100 square metre allowance for overall development at the local centre, it would therefore have taken the percentage of non A1 uses up to 63%.

The current scheme proposes a larger church/nursery on parcel D than the 2016 permission. Overall it proposed 435 square metres of additional floorspace on this parcel, which will take the overall floor space provision at the local centre to 1497.28 square metres (well within the S106 allowance). However, a total of 375 square metres of this is to be provided at ground floor for D1 (now E & F1) purposes. If allowed this permission would therefore take the non A1 uses at ground floor up to 68.74%.

It is clear that the S106 caveat summarised in point 4 above has never been satisfied as even without the development of parcel E with a children's nursery, the percentage of non A1 uses at the centre was already at 39%. It is also clear that the previous permission on parcel D along with the development of parcel E would have taken the percentage of non A1 uses well above the 33% threshold to a total of 63%. The current scheme will however also serve to exacerbate this issue and is technically therefore in contravention of the associated S106 for the site.

In response to this the applicants previously submitted marketing evidence for this parcel as part of the consideration of the 2019 application. This confirmed that parcel D was first advertised by Woolley Wallis Agents in 2012. It was actively and robustly marketed at a reasonable price for 12 months. The only offer that was received in that time was from Wind in the Willows Nursery which has since moved into the new nursery building on parcel E. Due to lack of market interest, active marketing of the parcel ceased but it was still on the market and available for purchase until the applicant purchased the site for Living Grace Church in 2015. This evidence demonstrates that there is limited demand for A1 retail uses at this site/local centre.

In addition, the retail market has changed considerably since the agreement was completed in 2002, and with the impact of covid; and the rise in internet shopping, traditional, high street, retail uses are struggling. National policy is also far more permissive of changes of use in commercial areas as the recently revised Use Class Order 2020 demonstrates, which effectively groups the different land uses into far fewer categories and permits far more changes without planning permission. Therefore, given this and the fact that the non A1 caveat has never been complied with in this local centre, it is considered that the continued trend towards non A1 uses in this local centre should be allowed. This recommendation is therefore made on the basis of a deed of variation being completed to update Part VI of the original S106 accordingly.

On this matter, much local concern has also been made about whether there is a need for additional churches, community halls and children's nurseries on this site, or in Amesbury at all, especially given that parcel D is adjacent to the Bowman Centre and parcel E has recently been developed and opened as a children's nursery. However, whilst restrictions can be imposed on uses within a local centre, as per the S106 in this case, it is not for the planning system to control the market. Market forces will decide

whether the proposed use will be a viable proposition. In this instance, the application includes a defined end user that has purchased the site making a significant financial investment into the site in that regard. This is not therefore a speculative application. The existing churchgoers currently congregate in a church in Bulford but their existing site does not have the capacity to meet the growing demand hence the alleged need to relocate to a bigger site within their catchment. There is nothing to suggest that the proposals will not be for this purpose and/or that it will not therefore be a successful enterprise. The assessment of this planning application therefore needs to focus on the merits of the scheme before us, rather than whether alternative uses would be more successful on this site.

Local representation has suggested that a doctor's surgery would be better received and a better use of this last parcel. On this point, it should be noted that if this scheme were to receive permission, the permission would be for an E and/or F1 use only, not a church/nursery *per sé*. Therefore planning permission would not be required to change the use of the building (or part of the building) at a later date to an alternative E or F1 use, which would include a doctors' surgery or health centre if market forces deemed it suitable.

Overall it is considered that the planning history and marketing evidence summarised above establishes the principle acceptability for the proposals. This principle acceptability is however subject to the detail in terms of how the current proposals address the previous reason for refusal and its implications for the character of the area; highway safety; and neighbouring amenities. These matters will therefore be addressed in more detail below.

9.2 Character of the Area & Design:

The NPPF sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles which include that planning should be genuinely planned, and should always seek to secure high quality design. The new National Design Guidance also puts more emphasis on design and the creation of 'beautiful and safe places'.

WCS policy CP57 (Ensuring High Quality Design & Place Shaping) further requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and 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. Development is expected to meet a number of related place shaping and design criteria in the policy and new development should enhance/bring a sense of character to the area as a whole.

Following the approval of the outline planning permission in 2002, a detailed design code and master plan was adopted that established an overall design concept and set a clear framework and benchmark of quality for subsequent applications within this phase of King's Gate to be appraised against. This document is intended to provide a guide to the development with regards to the scale and form of design, the creation of particular character areas and key buildings/groupings, the use of detailed building components that reflect the local context, and the design approach to hard and soft landscaping and the design of the public realm to deliver a scheme of high quality and one that is locally relevant to the context of Amesbury. The approved design code

subdivides the overall development area into three distinct neighbourhood character areas including a high density urban core centred around the local centre.

In relation to the design of the local centre, the approved design code sets out general design criteria concerning the form of development and architectural detail. The design code stipulates that as a central community space the local centre should reflect a 'civic scale' to set it apart from the surrounding development which can be achieved through the use of 2½ and 3 storey built form; and with regard to architectural detail, the code acknowledged that the local centre is a location within the overall development where the design approach can be a modern interpretation of the local vernacular.

The existing community building (The Bowman Centre) is a dominant feature building and was designed with influence of a tithe barn built mainly of brick under a dominant slate roof (which is considered to be the main feature of the building with its long overhanging eaves). The single storey convenience retail unit in the local centre is also considered to be reflective of this general former farm building character of buildings within the local centre and being designed with a raised eaves height, the visual scale and massing of the building is increased.

The previous reasons for refusal of the 2019 scheme essentially concerned the design, bulk and appearance of the building as it was considered to be out of keeping with the traditionally styled buildings on other parcels in this centre. The current scheme has therefore tried to revert back to the more agrarian style and form of architecture found elsewhere in the local centre and which was supported on this parcel in 2016.

As can be seen in PLAN D above and PLAN E below, the low slung eaves; the use of brick and timber boarding as well as slate and plain tiles; and the more simplistic roof forms and removal of the tower features all mean that the building will be less confrontational in the street scene and far more in keeping with the design and scale of existing, civic, vernacular of surrounding buildings. As a result of the lower eaves and smaller footprint, the overall bulk has also been reduced. It is also considered that the proposed design scheme is a vast improvement to the scheme approved in 2016 in terms of bulky forms and design detailing.



PLAN E: Context Street Scenes

The overall footprint of the proposed building has also reduced by over 100 square metres (a 65 square metre reduction at ground floor alone); and more space has been afforded on the plot for additional onsite parking (the scheme now proposes 17 spaces, compared with the 13 proposed in 2019). Overall therefore it is considered that the proposals have adequately addressed the first previous reason for refusal and will now involve an attractively designed building that will complement the other uses and vernacular already in existence in the remainder of the local centre. The scheme also continues to accord with the design ideology for this local centre that was set out in the agreed design code (summarised above).

9.4 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Place Shaping) also requires new development to have *'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'*. The NPPF also confirms that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Much local concern has also been raised about the potential noise; shadow; and dominance that the proposals will cause for neighbouring amenities. However, the building has been designed with the main entrances on the northern and north eastern elevations of the building, fronting onto the local centre/car park and on the opposite side of Archer's Way to the residential dwellings to the west. Openings have also been kept to a minimum to the south.

In addition, the application has been accompanied by a noise assessment which has been updated during the course of the application. Whilst the Public Protection Team have not commented on the revised Noise Survey yet, this has set out design measures such as glazing and carpets that can be internally fitted to reduce reverberation and noise spill. In addition, it should be noted that the site is situated within a busy local centre on a busy junction/main road into the residential estate and is already in the vicinity of an existing children's nursery and primary school. It is not considered that any noise potential is going to be significantly greater or different to the existing ambient noise of this centre. Hours of operation for the uses can also be conditioned to limit its impact for neighbouring amenities during unsociable hours; and generally, it is considered that the potential for harm, in terms of noise or disturbance, will be little different to that which was accepted in 2016 as part of that previous permission. This recommendation is therefore provided on the basis that the Public Protection Team raise no objection to the proposals. An update will be provided at committee accordingly.

9.5 Highway Safety:

Parcel D is accessed through the local centre off Archer's Way. The scheme also identifies 17 on site car parking spaces on this parcel with the congregation also having access to the existing parking provision within the local centre, as was envisaged both by the S106 for the outline permission for the local centre in 2002; but also by the application proposing the development of the first parcels and the car parking areas in this centre in 2010. It should also be noted that the original outline permission that secured the local centre and its communal parking area, envisaged a total of 2,100 square metres of mixed A, B, C and D uses within the whole centre and accepted that 79 parking spaces would be sufficient to serve this level of land use. As is identified above whilst the proportion of non A1 uses is greater than originally envisaged in 2002; if the church/nursery is allowed to be developed on parcel D, the total level of floor area that will be built at the local centre is 1,497.28 square metres,

which is well below this original allowance. The application is also accompanied by a Transport Statement and TRICS data which establishes the existing needs and travel patterns of the congregation.

As is summarised above in the consultation section, the Highway Authority has weighed up the evidence; third party comments; site history and existing uses; and the proposals now before us, and has on balance raised no objection. It has confirmed that the means of access to the site is established and is acceptable. It is also content that the traffic generated by the proposed development is unlikely to create any severe capacity issues at nearby junctions within the surrounding highway network.

The primary highway consideration with regards to the acceptability of this proposed development is in respect of the available car parking to serve the development. The Highway Authority acknowledges that the latest proposals do represent a significant increase in the intensification of the site and it is noted that only 17 on site spaces are identified to provide for a church with potentially a 150 strong congregation as well as a 25 space children's nursery and associated staff.

It is also noted that the management company for the local centre, whilst acknowledging that parcel D will have access to the communal local centre parking provision, has raised doubt about the capacity of the existing parking area to accommodate parking by church or nursery users especially on Sundays. However as is identified above, the original planning permissions for the local centre always envisaged the development of this last parcel as part of the local centre. The amount of parking secured in the existing car park took on board and catered for the ultimate development of this last parcel with an A, B or D use and an overall development of the local centre with 2,100 square metres of commercial floor space. It should also be noted that the Council's adopted parking standards are maximum standards, not minimum standards and the Highway Authority has considered the application on that basis.

Considering all of the evidence submitted, the Highway Authority has confirmed that on occasions the use of the proposed building will result in overspill parking on the adjacent highway (Archer's Way etc). However, it is considered that with the trip evidence; existing characteristics and travel patterns of the existing congregation; the timings of all uses proposed; likely popularity of each service; and the location of the proposed church in a far more sustainable and accessible location than the existing church, the occurrences and thus impact resulting from this overspill parking will be infrequent. Bearing this in mind, the NPPF states that "*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". The Highway Authority is satisfied that there would not be a severe capacity issue caused by the proposals, so their judgement is based upon whether a small amount of occasional overspill on street car parking would result in an unacceptable highway safety issue.

On balance, the Highway Authority has confirmed that the Sunday service period is the most critical period and there may, on busy church occasions such as Christmas and Easter, be an overspill of a small amount of car parking on to the adjacent highway. This however would have also been possible with the 2016 permission at busy times and there is a finite amount of on-street provision. Overall it is not therefore considered that the proposals would represent a significant or thus unacceptable impact for highway safety in this local vicinity. The local concerns on this matter cannot therefore be sustained or warrant a reason for refusal in this instance.

9.6 Archaeology:

The Council's Archaeologist has advised that the site has been the subject of archaeological mitigation in the earlier stages of development and considers that the site has been fully mitigated with regard to archaeological remains. No further archaeological works are therefore unnecessary and no objection has been raised in this regard.

10. Conclusion

It is considered that comparative to the previously refused scheme on this site, the proposals represent an improved and reduced, less bulky design which will create an attractive focal landmark in this prominent local centre setting. The development will be far more in keeping with the existing vernacular in this local centre and more akin to the scheme that was allowed on this parcel in 2016. It is not considered that the proposals will result in any significant implications for neighbouring amenities; archaeology; or waste management. It is also considered that on balance, the implications for highway safety would not be significant or so severe as to warrant a defensible reason for refusal of the scheme. Subject to no objection being received from Public Protection; and a variation to the S106 being secured to update the situation in the local centre, the proposals are recommended for permission accordingly.

RECOMMENDATION

APPROVE subject to no objection being received from Public Protection; a Deed of Variation to Part IV of the existing S106 Legal Agreement governing this local centre; and then subject to the following conditions and notes

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 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 the following approved plans:

Application Forms & Certificate

Ref: D300 – Location Plan. Received – 25.06.2021

Ref: D302 – Ground Floor Plan. Received – 25.06.2021

Ref: D303 – First Floor Plan. Received – 25.06.2021

Ref: D304 – Roof Plan. Received – 25.06.2021

Ref: D305 Rev A – Elevations. Received – 25.06.2021

Ref: D306 – Elevations. Received – 25.06.2021

Ref: D307 – Site Sections A-A and B-B. Received – 25.06.2021

Ref: D308 – Site Sections C-C and D-D. Received – 25.06.2021

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

3. No development shall commence above slab level until the exact details and samples of the materials to be used for the external walls and roofs 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities
 - finished levels and contours;
 - means of enclosure & boundary treatments;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. 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.

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. 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:
 - i. The movement of construction vehicles;
 - ii. The cutting or other processing of building materials on site;

- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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

9. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

10. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of road safety and reducing vehicular traffic to the development.

11. No construction or demolition work shall take place on Sundays or Bank and Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of neighbouring amenities

12. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interests of neighbouring amenities

13. The use of the Church/Worship part of the building hereby permitted shall only take place between the hours of 08:00 and 21:30 Monday to Friday and between the hours of 10:30 and 14:00 on Saturdays and Sundays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

14. The use of the children's nursery part of the building hereby permitted shall only take place between the hours of 08:00 and 18:00 Mondays to Friday and not at all on Saturday and Sundays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

15. Except for access and egress doors and windows to the room labelled 'Main Hall' on the approved plans shall remain closed when live or recorded music is taking place.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

16. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the amenity of the area.

INFORMATIVES

- 1) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.
- 2) This permission shall be read in conjunction with The Deed of Variation Legal Agreement dated ***.