

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber, County Hall, Trowbridge, BA14 8JN
Date: Wednesday 14 December 2016
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Andrew Davis (Chairman)	Cllr Charles Howard
Cllr Tony Trotman (Vice Chairman)	Cllr David Jenkins
Cllr Glenis Ansell	Cllr Christopher Newbury
Cllr Trevor Carbin	Cllr Fred Westmoreland
Cllr Terry Chivers	Cllr Bridget Wayman
Cllr Stewart Dobson	

Substitutes:

Cllr Ernie Clark	Cllr James Sheppard
Cllr Brian Dalton	Cllr Ian West
Cllr Bill Douglas	Cllr Jerry Wickham
Cllr Dennis Drewett	Cllr Graham Wright
Cllr George Jeans	Cllr Magnus Macdonald
Cllr Paul Oatway QPM	Cllr Christine Crisp

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meetings** (*Pages 5 - 98*)

To approve and sign as a correct record the minutes of the meetings held on 14 & 28 September 2016.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 10.20am on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 7 December 2016** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Friday 9 December 2016**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **15/12351/OUT - Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire, SN15 3LR** (*Pages 99 - 144*)

A report by the Case Officer is attached.

7 **Date of Next Meeting**

To note that the next scheduled meeting of this Committee is due to be held on Wednesday 18 January 2017, starting at 10.30am in the Council Chamber at County Hall, Trowbridge.

8 **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 14 SEPTEMBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bridget Wayman and Cllr Fred Westmoreland

Also Present:

Cllr Chris Caswill, Cllr Toby Sturgis, Cllr Howard Greenman and Cllr Nina Phillips

54 **Apologies for Absence**

Apologies for absence were received from Cllr Terry Chivers and Cllr Christopher Newbury.

55 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the meeting held on 13 July 2016 as a correct record.

56 **Declarations of Interest**

There were no declarations of interest made at the meeting.

57 **Chairman's Announcements**

The Chairman reminded members of the public that whilst they had the opportunity to make representations on the applications under consideration today and to contact and lobby their local member and any other members of the planning committee before today's meeting, he would not allow any last minute lobbying of members once the debate has started, including the circulation of new information, written or photographic which had not been verified by the Council's planning officers. He respectfully asked Members and members of the public to please bear this in mind.

58 **Public Participation and Councillors' Questions**

Cllr Chris Caswill referred to the planning process and considered that engagement with the public needed some attention. He mentioned that some members of the public had experienced difficulties in navigating the Council's website to find the site dealing with planning applications. He also suggested that rather more information be included in reports to committee about representations received.

59 **15/11153/OUT- Land at Forest Farm Chippenham, South of Pewsham Way & West of the A4, London Road, Chippenham, SN15 3RP- Mixed Use Development Including the Construction of up to 200 Dwellings Including Affordable Housing, B1 Employment, Community Building, Creation of New Vehicular Access, Footways, Cycleways and Bus Stop Lay-bys, Ancillary Road Infrastructure, Public Open Space, Children's Play Areas, Landscaping, Pumping Station and Surface Water Attenuation Facilities**

The following person spoke in favour of the proposal

Mr Martin Miller, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. It was noted that the applicant had submitted an appeal in respect of this application on grounds of non-determination and, as a consequence, no formal decision could be made in respect of the application. However, in order to progress with the appeal, officers were seeking the opinion of the Committee in respect of the application had they been in a position to determine it and on what grounds the Committee wished to contest the scheme at appeal, if at all.

The Case Officer also brought to the attention of the Committee late representations from Chippenham Town Council and the agent.

Members then had the opportunity to ask technical questions after which they heard a statement from the agent expressing his views regarding the planning application.

After some discussion,

Resolved:

- (1) To agree that had the Committee been able to determine the application, planning permission be refused.**
- (2) To authorise the officers to contest the appeal for the following reasons (including the delegated authority to negotiate potentially satisfactory outcomes that may address reason for refusal 4 prior to that appeal taking place):**
 - 1. The proposal is unacceptable when having regard to the principles of policies CP1 and CP2 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.**
 - 2. A development of this size and general scale, in this location, would have an unacceptably harmful effect on the landscape character of this rural area of countryside which generates a number of harmful landscape and visual impacts. Despite the site's close proximity to the existing edge of Chippenham large scale urban expansion at this location will undermine the valued countryside transition and setting to the town and breach the existing effective visual containment provided by mature trees and woodland. This development will also reduce the rural separation between individual settlements which is also considered to be harmful. The proposal is therefore contrary to the provisions of policies CP10, CP51 (i), (ii) and (iii) and also CP57 (i), (ii), (iii) and (vi) of the Wiltshire Core Strategy.**
 - 3. The development is considered to harm the setting of a number of heritage assets because the rural character would be eroded, the agricultural land that many of the heritage assets were constructed to be associated with will be lost and the peaceful setting urbanised. The harm caused would be less than substantial but that the harm cannot be outweighed by the public benefit. The proposals would therefore be contrary to Core Policy 58 of the WCS, NPPF section 12, as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.**
 - 4. The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate,**

off-site infrastructure. Such infrastructure shall include (but not be limited to) affordable housing, educational facilities, public open space, play equipment and footpath connections to the town, public transport provision and directly related highways work, waste collection and measures for future maintenance of the site. The application is therefore contrary to Core Policy 3 of the Wiltshire Core Strategy.

60 **14/11556/FUL- Land North of A350, West Cepen Way, Chippenham, SN14 6YG- Storage & Distribution Centre (B8) & Service Yards, Parking, Landscaping & Associated Development. Retail Unit (A1) with Mezzanine Floor & Outside Garden Centre Area, Including Service Yards, Parking, Landscaping, Access & Associated Development**

The following people spoke against the proposal:

Mr Stephen Eades, representing Allington Action Group
Mr Paul Frobisher, representing Cepen Park North Residents' Association
Cllr Howard Ham, representing Chippenham Without Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the application be refused. The Case Officer also brought to the attention of the Committee late representations received.

Members then had the opportunity to ask technical questions after which they received statements from members of the public as detailed above, expressing their views regarding the proposal.

Members then heard the views of Cllr Howard Greenman and Cllr Nina Phillips, local Members, objecting to the proposal.

After some discussion,

Resolved:

To refuse permission for the following reasons:-

1. The proposed development by virtue of scale, form, location, works of construction and inadequate mitigation would result in substantial harm to below ground archaeological remains that are the subject of a Scheduled Ancient Monument designation. The proposals are contrary to CP57 criterion I and CP58 criteria i & iii Wiltshire Core Strategy Jan 2015 and paras 17 & 132 of the NPPF.

2. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the setting of various listed buildings (including Bolehyde Manor (Grade II*), Allington House, The Pitts, Manor Farm, Ivy Cottage and The Cottage). The proposals are contrary to CP57 criteria i and CP58 criteria iii Wiltshire Core Strategy Jan 2015; paras 17, 128, 132, 134 and 137 of the NPPF; and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the setting of the Allington Conservation Area. The proposals are contrary to CP57 criteria i and CP58 criteria iv Wiltshire Core Strategy Jan 2015; paras 17 128, 132, 134 and 137 of the NPPF; and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to protected species of fauna and their habitats. In addition the proposed development is not informed by sufficiently detailed and robust information to fully assess the impact on all protected species of fauna and their habitats. The proposals are contrary to CP50 Wiltshire Core Strategy Jan 2015 and paras 17 & 118 of the NPPF.

5. The proposed development taking direct access from the A350 national primary route outside of a built-up area, and for which no overriding need has been established, would be contrary to adopted Core Strategy Policy 62 Wiltshire Core Strategy Jan 2015.

6. The proposed development would lead to unacceptable traffic conditions, with additional congestion, delays, and hazardous conditions at nearby roundabouts and the proposed site access contrary to policy CP62. The proposed development would be detrimental to road user safety and convenience on the important A350 national primary route. The submitted traffic assessments of nearby roundabouts and the site access have been inadequately validated to reflect current observed traffic conditions and are therefore insufficient to enable the traffic effects of the development to be properly assessed. The development would be contrary to adopted Core Strategy policies CP60, CP61 and CP62 Wiltshire Core Strategy Jan 2015 and to NPPF paras 30 and 32.

7. The proposed development without good, direct, safe and useable pedestrian / cycle links to nearby facilities, the town centre and residential areas, would not accord with policies that development should be sustainable. The proposed development would depend heavily on the private car for access, and would be contrary to policies CP60 & CP61 Wiltshire Core Strategy Jan 2015 and National Planning Framework paras 9, 17, 30, 34 and 35.

8. The proposed development by virtue of its scale, form, location and inadequate supporting information fails to demonstrate application of the sequential test to site selection and will result in harm to the vitality and viability of Chippenham Town Centre through trade diversion. The proposals are contrary to CP38 of the Wiltshire Core Strategy Jan 2015 and paras 28 of the NPPF.

9. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the character, appearance and visual amenity of the landscape and the locality. The proposal conflicts with CP51 criteria i, ii, iii, vi & vii and CP57 criteria i, ii, iii & vi Wiltshire Core Strategy Jan 2015; Saved Policy NE14 of the North Wiltshire Local Plan; and paras 17 & 61 of the NPPF.

10. The proposed development by virtue of its scale, form, location and inadequate and unclear supporting information fails to demonstrate that the development is required to benefit local economic and social needs. Further to reasons for refusal 1 through 9 above the proposals do not meet sustainable development objectives, are not consistent in scale with their location, adversely affect the surrounding area and are not supported by adequate infrastructure. The proposal conflicts with CP34 criterion v, vi, vii and ix Wiltshire Core Strategy Jan 2015 and paras 7, 14 & 17 of the NPPF.

61 **16/03515/OUT- Langley Park, Chippenham, Wiltshire, SN15 1GE- Outline Application for the demolition of existing buildings and redevelopment to provide up to 400 units (C3); a 69 bed hotel (C1) with cafe (A3) up to 199 sqm; a discount foodstore (A1) of up to 1,741 sqm; B1, B2 & B8 floorspace (up to 13,656 sqm) and highway improvements to the Little George and the B4069/Pew Hill junctions with all matters (except access) reserved.**

The following people spoke against the proposal:

Mr Michael Bryant, representing Eagle Retail
Ms Kirsten Wilson, a local resident

The following person spoke in support of the proposal:

Mr Clive Wilding, Property Director, Langley Properties

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission be granted, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

The Case Officer also brought to the attention of the Committee late representations received.

Members then had the opportunity to ask technical questions after which they received statements from members of the public as detailed above, expressing their views regarding the proposal.

Members then heard the views of Cllr Chris Caswill, the local Member, in which he generally welcomed and supported the application but did express some concerns as follows:-

- The need to recognise the costs involved in dealing with a huge amount of contamination at the site.
- Concerns of local residents at the increased amount of traffic resulting from the opening up of Hawthorn Road.
- The need for a residents' parking scheme at Langley Park and to request the developer to make a contribution towards this scheme.
- Disappointment at the failure to secure a contribution towards the provision of a third lift at Chippenham railway station for those members of the public who were unable to access the railway bridge from Langley Park.

After some discussion,

Resolved:

To authorise the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of the following conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the

Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

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 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
- (a) The scale of the development;**
 - (b) The layout of the development;**
 - (c) The external appearance of the development;**
 - (d) The landscaping of the site;**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

- 4 Prior to the commencement of the development a phasing plan shall be submitted to and approved by the local planning authority. The phasing plan shall identify, amongst other things, at what stage during the proposed road alterations at the Langley Road site access, the realignment of Foundry Lane, the provision of the link road (between Langley Road and the realigned Foundry Lane) and the improvement of the Little George junction will be secured, as well as access to individual units of development.**

REASON; In order to ensure that all parts of the development are afforded reasonable access to the local road network, and

that a choice of access is available at an early stage.

- 5 The development hereby permitted shall be carried out in broad accordance with the details shown on the approved plans and documents as listed below:

LP-01 H
MP-01 Z
PMP-01 C
PMP-02 G
PMP-03 F
PMP-04 J
PMP-05 J
PMP-06 C
PMP-07 D
PMP-09 B

Design and Access Statement- July 2016

REASON: to ensure the development is carried out in accordance with the approved plans.

- 6 The internal floor area of the discount food store shall be no greater than 1,741sqm with the net sales area no greater than 1,254 square metres.

There shall be no more than 400 residential units (C3)

There shall be no more than 13,565m² new employment (B1/B2/B8) floor space;

The Café (A3) shall have gross floorspace of not more than 199m²;

The hotel (C1) shall have no more than 69-bedrooms;

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

- 7 The landscaping scheme(s) for each phase of the development , as required by condition 2, the shall include:-

o location and current canopy spread of all existing trees and hedgerows on the land;

o details of any trees or hedgerows to be retained, together with measures for their protection in the course of development;

o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

o finished levels and contours;

o means of enclosure;

o car park layouts;

o all hard and soft surfacing materials;

o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables,

pipelines etc indicating lines, manholes, supports etc);
o retained historic landscape features and proposed restoration, where relevant.

The above details shall be provided prior to the buildings in that phase of the development being brought into use

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

- 8** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

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.

- 9** The detailed landscaping plans to be submitted pursuant to condition no. 4 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

- 10** No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works should be carried out in accordance with BS5837:2005 (Recommendations for Tree Work).

REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development.

- 11** No phase of development shall be occupied or brought into use until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes within that phase, has been submitted to, and approved in writing by, the Local Planning Authority. That phase of development shall not then be occupied or brought into use until the scheme has been implemented.

REASON: To ensure that satisfactory fire fighting facilities are incorporated into the site.

- 12** No phase of development shall commence, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period of that Phase.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel cleaning facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. measures to control noise during construction;
- ix. a signage strategy for construction traffic.

REASON: In the interests of highway safety and the amenity of local residents.

- 13** No phase of development shall commence on site until a scheme for the discharge of foul water from the site, including any on/off site improvements to provide capacity to serve the site and allowing clearances to existing sewers or diversions, has been submitted to and approved in writing by the Local Planning Authority.

No building within the phase of development shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately

drained

- 14 No phase of development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365; full details of attenuation including ownership and maintenance regimes to ensure that not increase (and preferably a decrease) in current storm water flows to public storm sewers and removing current storm to foul connections has been submitted to and approved in writing by the Local Planning Authority.

That phase of development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 15 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater

and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 16 Prior to the commencement of development of the foodstore (A1) a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be 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 before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 17 (i) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.

(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.

REASON: To limit the impact of the development on adjacent residential amenity and prevent undue disturbance

- 18 The foodstore (A1) unit hereby permitted shall not be open to the public except between the hours of 08:00am to 22:00pm on Monday to Saturday, 09:00am to 18:00pm on Sunday & Public Holidays.

REASON: To limit the impact of the development on residential amenity.

- 19 No development of the foodstore (A1) shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 20 The foodstore shall not commence development until details of secure covered cycle parking for both customers and staff have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for

use prior to the first occupation of the development hereby permitted and thereafter retained.

REASON: In the interest of highway safety and to promote alternative and sustainable transport.

- 21 The foodstore (a1) shall not be opened for trade until the car park circulatory aisles, the car parking spaces, the disabled spaces and the parent and child spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained for their designated users.
REASON: In the interest of highway safety and to ensure that sufficient off street parking is provided.
- 22 The Foodstore shall not open for trade until a Green Travel Plan relating to the Foodstore 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: In the interests of road safety and reducing vehicular traffic to the development
- 23 Development of the Foodstore shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Foodstore have been submitted to and approved in writing by the Local Planning Authority. The Foodstore shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.
REASON: To ensure that adequate provision is made for loading/unloading within the site in the interests of highway safety.
- 24 Development of the Foodstore shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients and drive gradients car associated with the Foodstore including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Foodstore shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers,

drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients and drive gradients, associated with the Foodstore have all been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 25 Development of the Foodstore (A1) shall not commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the Foodstore 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 Foodstore brought into use.

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

- 26 Development of the Foodstore shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the foodstore within that phase 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.

- 27 No development of a residential phase shall commence until details and samples of the materials to be used for the external walls and roofs of dwellings within that phase 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.

- 28 Prior to the commencement of development of the residential units details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure within that phase 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 any dwellings within the phase being occupied

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

- 29** Prior to the commencement of the residential phase of development details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, relating to that phase have been submitted to and approved by the Local Planning Authority.
No phase of residential development shall be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture associated with that phase have all been constructed and laid out in accordance with the approved details.
REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.
- 30** No dwelling in a residential phase shall be occupied until a Green Travel Plan addressing that phase of residential development 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: In the interests of road safety and reducing vehicular traffic to the development.
- 31** Development of the Hotel shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the Hotel within that phase 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.
- 32** Development of the Hotel shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Hotel including

the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Hotel shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Hotel have all been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 33 Development of the Hotel shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Hotel have been submitted to and approved in writing by the Local Planning Authority. The Hotel shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 34 The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel 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: In the interests of road safety and reducing vehicular traffic to the development.

- 35 Prior to the commencement of development of the Hotel a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be 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 before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 36** No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.
REASON: To limit the impact of the development on residential amenity.
- 37** The Hotel shall not be opened for trade until the car park circulatory aisles and the car parking spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained
Reason: In the interest of Highway Safety.
- 38** The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel 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: In the interests of road safety and reducing vehicular traffic to the development.
- 39** Development of the B1, B2 & B8 floorspace shall not commence on site until details and samples of the materials to be used for the external walls and roofs of buildings within that phase 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: To ensure the satisfactory appearance of the development
- 40** Development of the B1, B2 & B8 floorspace shall not commence until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the of the B1, B2 & B8 floorspace 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.

- 41** Development of the Development of the B1, B2 & B8 floorspace shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Development of the B1, B2 & B8 floorspace shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 42** Prior to the commencement of development of the B1, B2 & B8 floor space a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be 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 before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity.

- 43** Development of the Development of the B1, B2 & B8 floorspace shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority.

The Development of the B1, B2 & B8 floorspace shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 44 Development of the B1, B2 & B8 floorspace shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the B1, B2 & B8 floorspace have been submitted to and approved in writing by the Local Planning Authority. The B1, B2 & B8 floorspace shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 45 Only B1(b) and (c) (Research & Development and light industry), B2 & B8 land uses as defined by the Town and Country Planning (Use Classes) Order 1987 shall be permitted.

REASON: To ensure trip generation levels are within the realm of those identified in the TA and considered for SRN traffic impact

- 46 Prior to the occupation of any dwellings on the site, access for pedestrian and cycle users between the site and Tugela Road and Hawthorn Road shall be provided in accordance with details which shall first have been submitted to and approved by the local planning authority. The details for Hawthorn Road shall include for the provision of a vehicle turning facility at the end of the existing road, and shall show measures to restrict movement of motorised vehicles to or from the development site. The works shall be undertaken in accordance with the approved details.

REASON: In the interests of sustainable transport, and to secure direct links to the site from adjacent land.

- 47 The detailed layout shall make provision to accommodate a landing ramp for a bridge for non motorised users crossing between the site and the south side of the railway. The design shall identify the route which potential future users of the bridge may use as a right of way between the prospectively

maintainable highway and the bridge.

REASON: In order to secure a future sustainable transport route via the site to the south side of the railway.

- 48** Except where otherwise agreed by the local planning authority, car parking provision shall be in accordance with the minimum standards set out in Wiltshire Council's Car Parking Strategy for all new dwellings provided on the site, and in accordance with the Strategy's maximum car parking standards, adjusted in accordance with the provisions of the Strategy, for all other land uses on the site hereby permitted

REASON: To ensure adequate provision of car parking space is made for residential development on the site, and to ensure that over-provision is not made for traffic attracting land uses other than residential.

- 62 **16/04273/FUL- Langley Park, Foundry Lane, Chippenham, Wiltshire, SN15 1GE- The Demolition of Existing Buildings and Redevelopment to Provide a 69 Bed Hotel with Cafe (A3) of 199sqm and 22 Residential Units (Class C3), Car Parking, Foundry Lane Access Works and Other Associated Works.**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation to delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

Members then had the opportunity to ask technical questions after which they heard the views of Cllr Chris Caswill, the local Member in which he generally welcomed and supported the application.

After some discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

- 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 Prior to the commencement of the development a phasing plan shall be submitted to and approved by the local planning authority. The phasing plan shall identify, amongst other things, at what stage the improvement of the Little George junction will be secured, as well as access to individual units of development.**

REASON; In order to ensure that all parts of the development are afforded reasonable access to the local road network, and that a choice of access is available at an early stage.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:**

**SL02 P2
LP02 A
ML02 P2
RL02 P1
SE_SV-01 B
G-APT.e1 P3
G-APT.e2 P3
G-APT.p1 P1**

G-APT.p2 P1
G-APT.p3 P1
G-APT.p4 P1
G-APT.p5 P1
G-APT.p6 P2
TL.e1 E
TL.e2 E
TL.p1 J
TL.p2 E
TL.p3 E
TL.p4 E
TL.p5 E

**DESIGN AND ACCESS STATEMENT ADDENDUM DOCUMENT
July 2016**

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

- 4** Prior to any phase of development being brought into use the access roads and parking and servicing areas for that phase shall have been completed in accordance with details.
REASON: To ensure proper provision is made for access and parking.

- 5** Visibility for drivers emerging from site access for each phase of development shall be provided from a set-back distance of 2.4m from the nearside carriageway edge to points 43m distant on the nearside kerbline in both directions. The visibility envelope shall not be obstructed at a height more than 600mm above the footway level.
REASON: In the interests of highway safety

- 6** The landscaping scheme(s) for each phase of the development shall include:-
 - o location and current canopy spread of all existing trees and hedgerows on the land;
 - o details of any trees or hedgerows to be retained, together with measures for their protection in the course of development;
 - o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - o finished levels and contours;
 - o means of enclosure including gates and barriers to car parks, railings, fences, gates, walls & bollards;
 - o car park layouts;
 - o all hard and soft surfacing materials;
 - o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

o retained historic landscape features and proposed restoration, where relevant.

The above details shall be provided prior to the buildings in that phase of the development being brought into use

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

- 7** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

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.

- 8** 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.

- 9** No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works should be carried out in accordance with BS5837:2005 (Recommendations for Tree Work).
REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development.
- 10** No phase of development shall commence, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout then construction period of that Phase.
The Statement shall provide for:
i. the parking of vehicles of site operatives and visitors;
ii. loading and unloading of plant and materials;
iii. storage of plant and materials used in constructing the development;
iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
v. wheel cleaning facilities;
vi. measures to control the emission of dust and dirt during construction;
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
viii. measures to control noise during construction;
ix. a signage strategy for construction traffic.
REASON: In the interests of highway safety and the amenity of local residents.
- 11** No phase of development shall commence on site until a scheme for the discharge of foul water from the site, including any on/off site improvements to provide capacity to serve the site and allowing clearances to existing sewers or diversions, has been submitted to and approved in writing by the Local Planning Authority.
No building within the phase of development shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme.
REASON: To ensure that the development can be adequately drained.
- 12** No phase of development shall commence on site until a scheme for the discharge of surface water from the site

(including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365; full details of attenuation including ownership and maintenance regimes to ensure no increase (and preferably a decrease) in current storm water flows to public storm sewers and removing current storm to foul connections has been submitted to and approved in writing by the Local Planning Authority.

That phase of development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 13 No phase of development shall be occupied or brought into use until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes within that phase, has been submitted to, and approved in writing by, the Local Planning Authority. That phase of development shall not then be occupied or brought into use until the scheme has been implemented.

REASON: To ensure that satisfactory fire fighting facilities are incorporated into the site.

- 14 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk

assessment of all the likely pollutant linkages;

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to:

- human health,**
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
- adjoining land,**
- groundwater and surface waters,**
- ecological systems,**
- archaeological sites and ancient monuments;**

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a

remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other offsite receptors.

- 15 No part of the development shall be occupied or first brought into use until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting therefrom has been removed from the site.
REASON: In the interests of the character and appearance of the area and neighbouring amenities.
- 16 (i) No deliveries shall be made to or collections made from the Hotel hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.
(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.
REASON: To limit the impact of the development on adjacent residential amenity and prevent undue disturbance.
- 17 Development of the Hotel shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Hotel have been submitted to and approved in writing by the Local Planning Authority. The Hotel shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.
REASON: To ensure that adequate provision is made for loading/unloading within the site in the interests of highway safety.
- 18 No works on the hotel phase of development shall commence on site until details of all external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels. The works 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 preserving the character and appearance of the area.

- 19** Development of the Hotel shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the Hotel within that phase 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.
- 20** Development of the Hotel shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Hotel including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Hotel shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Hotel have all been constructed and laid out in accordance with the approved details.
REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.
- 21** The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel 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: In the interests of road safety and reducing vehicular traffic to the development.
- 22** Prior to the commencement of development of the Hotel a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be 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 before the development is first brought into use and shall be maintained in effective working order at all

times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity.

- 23** No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.
- REASON:** To limit the impact of the development on residential amenity.

- 24** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.
- REASON:** To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

- 25** No development of a residential phase shall commence until details and samples of the materials to be used for the external walls and roofs of dwellings within that phase 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.

- 26** Prior to the commencement of the residential phase of development details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, relating to that phase have been submitted to and approved by the Local Planning Authority.
- No phase of residential development shall be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments,

visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture associated with that phase have all been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 27 No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 28 No works on the residential phase of development shall commence on site until details of all external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels. The works 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 preserving the character and appearance of the area.

(The Committee adjourned from 13:15 until 14:00)

- 63 15/12351/OUT- Land at Rawlings Farm, Cocklebury Lane, Chippenham, SN15 3LR- Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater / Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only).

The following people spoke against the proposal:

Mr Patrick Moss, representing Messrs Moss Naylor Young
Mr Nick Murray, a local resident
Mr Fionn Pilbrow, a local resident
Cllr Ian James, representing Bremhill Parish Council

The following person spoke in support of the proposal:

Mr Peter Frampton, Planning Director, Messrs Framptons

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation to delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

The Case Officer also brought to the attention of the Committee late representations received.

Members then had the opportunity to ask technical questions after which they received statements from members of the public as detailed above, expressing their views regarding the proposal.

Members then heard the views of Cllr Chris Caswill and Cllr Howard Greenman, local Members, in which they both objected to the proposal. Cllr Caswill considered that:

- The application site lay outside the existing settlement which should be preserved.
- The residents of Rawlings Farm Cottage, situated in the midst of the proposed development site, had not been notified of the receipt of the application and had been informed by neighbours.
- The impact of the proposed development on Cocklebury Lane and Station Road had not been sufficiently considered.
- An application for a new bridge over the railway line at Rawlings Green had not been received and might not be approved. The bridge needed to be completed after the first 200 houses had been built and occupied.
- The Air Quality and Landscape and Visual Impacts of the proposed development had not been sufficiently considered.

Cllr Greenman explained that although he had no issue in principle with the proposed development, he was firmly of the opinion that a bridge over the railway at Rawlings Green should be provided before further houses, after the first 200, could be built and occupied.

The Case Officer explained that the application was for outline permission and that all detailed matters were reserved and would follow in due course. He stated that many of the issues raised had been covered in his report but drew attention to the highway issues, which had been fully assessed and approved by the Council's Highways Officer.

After discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

- 1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) of each relevant phase of development pursuant to condition 7 below have been submitted to, and approved in writing by, the Local Planning Authority:**
 - (a) The scale of the development;**
 - (b) The layout of the development;**
 - (c) The external appearance of the development;**
 - (d) The landscaping of the site;**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

4. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and identified in the Design and Access Statement and approved Parameter Plans. A statement shall be submitted with each reserved matters application which demonstrates that the application proposals comply with the Design and Access Statement or, where relevant, explaining why they do not.

REASON: So as to provide certainty and clarify the expectations for the form of development to take place on the site.

Limits of Permission

5. The residential element of the development hereby granted planning permission shall not exceed 700 dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site.

6. The total gross retail floorspace available for use by customers (excluding toilets and other ancillary facilities) of all premises falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 200 sqm.

REASON: To define the limits of development and to ensure retail development on the site does not adversely impact upon the town centre.

Phasing

7. As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing.

The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, community facilities, Local Centre, commercial uses and access for pedestrians, cyclists, buses and vehicles. Development shall take place in complete accordance with the phasing plan so agreed.

REASON: So as to ensure a balanced development for the benefit of future residents and Chippenham town as a whole.

Ecology

8. No later than the submission of a reserved matters application, an Ecological Mitigation and Enhancement Framework shall be submitted to an approved by the Local Planning Authority. The approved Framework shall:
 - Include up to date ecological survey information on habitats and protected species including bats, badger, reptiles and invertebrates;
 - Identify features of nature conservation value to be protected during the construction phase and retained within the detailed layout;
 - Establish minimum parameters, general location and acceptable land uses / landscaping of ecological buffers to be incorporated into the detailed layout;
 - Clearly show dark corridors to be retained within the scheme including general locations, minimum widths, and maximum light levels to be achieved through the detailed layout and lighting plans;
 - Identify minimum areas, locations types of habitat to be created and enhanced as part of the soft landscaping scheme and long-term management of the site; and
 - Establish the minimum number, distribution and type of bat / bird boxes to be incorporated into the buildings on the site.

The approved Framework should demonstrate that the development will achieve an overall net gain for biodiversity. All reserved matters applications shall be in accordance with the approved Framework.

REASON: To satisfactorily mitigate the ecological impact of the development.

9. Applications for approval of reserved matters application shall be accompanied by detailed lighting plans (where necessary) to demonstrate how dark corridors identified in the approved Ecological Mitigation and Enhancement Framework shall be achieved within the proposed detailed

layout. The lighting plans shall include details of luminaires, heights and positions of fittings, and modelled lux plots to show the effects of light spill on the dark corridors.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved lighting plans, and these shall be maintained thereafter in accordance with the plans. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To satisfactorily mitigate the ecological impact of the development

10. No development within any individually approved phase of the development shall commence on site until A Landscape and Ecological Management Plan (LEMP) for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following detailed information:
- a) Description and evaluation of features to be managed;
 - b) Landscape and ecological trends and constraints that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule;
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) A schedule of ongoing monitoring, reporting, and remedial measures;
 - i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.
- The LEMP shall also demonstrably have regard to the principles and approach set out in the approved Ecological Mitigation Framework, and demonstrate a net gain in the overall biodiversity of the site in the long-term.
- The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.
- The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Details of monitoring and any remedial action taken shall be reported to the Local Planning Authority as set out in the approved monitoring schedule, or on request.
- Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: To satisfactorily mitigate the landscape and ecological impact of the development.

11. No development within any individually approved phase of the development shall commence on site, until details of a wildlife sensitive lighting scheme for roads and footpaths within that phase of development, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

REASON: To satisfactorily mitigate the ecological impact of the development.

Landscape

12. The landscaping details to be submitted pursuant to condition 1 above shall include, but are not confined to, the following:

- i) a written specification clearly describing the species, plant sizes, proposed numbers/densities and giving details of cultivation and other operations associated with plant and grass establishment;**
- ii) finished levels and contours;**
- iii) the position, design and materials of all means of enclosure;**
- iv) vehicle and pedestrian circulation areas;**
- v) all hard and soft surfacing materials;**
- vi) minor artefacts and structures (eg play equipment, street furniture, refuse storage areas, signage etc).**

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.

13. No development within any individually approved phase of the development shall commence on site development, including any works of site clearance shall begin unless and until a scheme for the ongoing management and maintenance of that landscaped area, other than private domestic gardens and open space covered by the planning obligation, including long term design objectives, management responsibilities and maintenance schedules has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.

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

14. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until a plan showing all trees and hedges to be retained shall be submitted to and approved in writing by the local planning authority. No tree or hedgerow identified as being retained in the approved details shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped

other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998:2010 Tree Work – Recommendations, or other arboricultural techniques where such have been demonstrated to be in the interest of good arboricultural practice. If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

15. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until an Arboricultural Method Statement specifying the measures to be put in place during the construction period of that phase of development, for the protection of those trees and hedgerows to be retained, shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in accordance with the principles set out in BS5837:2012 – Trees in relation to design, demolition and construction: Recommendations. Development shall be carried out in accordance with approved Method Statement.

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

Contamination

16. No development within any individually approved phase of the development shall commence on site until (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

A survey of the extent, nature and scale of contamination on site;
The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; If the preliminary risk assessment identifies any potentially

significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; An assessment of the potential risks to

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

- human health,
- property (existing or proposed) including buildings, crops,
- livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements

of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Archaeology

17. No development within any individually approved phase of the development shall commence on site until until a written programme of archaeological investigation, which should include details of on-site work as well as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in complete accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Drainage

18. No development within any individually approved phase of the development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling or unit shall be first occupied within that phase of development until the approved sewerage details have been fully implemented in accordance with the approved plans.

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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

19. No development within any individually approved phase of the development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. That phase of development shall not be first brought into use or occupied until surface water drainage has been constructed in accordance with the approved scheme.

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 that the development can be adequately drained.

20. Prior to any reserved matters approval a site masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2015, Ref: K113, dated 17.12.2015) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000 year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Highways

21. No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of (a) a junction improvement at Station Hill and New Road, (b) a new road link into the site through an alteration and extension of Darcy Close, including a junction

alteration on Cocklebury Road, (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site, (d) the completion of an internal distributor road to allow for future extension, via a bridge to the east of the river and (e) off-site junction improvements at Birch Grove and The Little George junction (if not already undertaken by others), (f) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes. For the avoidance of doubt, the phasing plan shall include provision for the road connection by bridge over the GWR mainline to Parsonage Way shall be completed, and connected to Cocklebury Road, and available for use prior to the occupation of more than 200 dwellings on the site. Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

22. No development within any individually approved phase of the development shall commence on site until (including any works of demolition), until a Construction Method Statement for that phase of development, which shall include the following details:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) detailed measures for the protection of semi-natural habitats and priority / protected species (as identified in the approved Ecological Mitigation and Enhancement Framework); and
- i) hours of construction, including deliveries.
- j) details as to routeing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site
- k) A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full

throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To mitigate the impact of the construction work on the amenities of nearby residents and those using nearby public rights of way.

23. No development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works for that phase of development, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width.

Each Phase of the development shall not be first brought into use or occupied for trading until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for that phase of development have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and to allow for adequate width for large goods vehicles and buses.

24. No development within any individually approved phase of the development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

25. No development within any individually approved phase of the development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have 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: In the interests of road safety and reducing vehicular traffic to the development.

26. Car parking provision for all phases of development shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

64 **Urgent Items**

There were no urgent items.

(Duration of meeting: 11.00 am - 3.50 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 28 SEPTEMBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Christopher Newbury, Cllr Bridget Wayman and Cllr Fred Westmoreland

Also Present:

Cllr Toby Sturgis and Cllr Roy While

65 Apologies

An apology for absence was received from Cllr Glenis Ansell.

66 Declarations of Interest

There were no declarations of interest made at the meeting.

67 Chairman's Announcements

It was reported that this meeting had been originally scheduled to be held the previous Wednesday at 10:30am in Trowbridge.

Unfortunately, the meeting had to be postponed as it was discovered the day before that the notification letters and e-mails that are sent to advise those who have made representations on the applications of the date and time of the meeting had inadvertently not been sent. Whilst the meeting had been publicised in the local press, it was not certain that all those who had commented on the applications were aware of the meeting. The difficult decision was therefore taken to postpone the meeting at short notice to ensure

that everyone who should have been was notified of the meeting and been given the opportunity to attend.

The meeting had been re-arranged at the earliest possible date which was only fair to the applicants who were expecting their proposals to be discussed the previous week and who submitted their applications many months ago. It was appreciated that the timing of the meeting was not ideal for some, being aware of the clash with the Chippenham Town Council meeting, although this was not apparent at the time of rescheduling the meeting. It was likely that whatever day was chosen would have been difficult for some parties.

The Chairman and Committee apologised for the inconvenience that this had caused, and they were grateful to those who had made the extra effort to turn out to be present at this meeting. As to be expected, the Council's procedures for notification of committee meetings had been reviewed in order to avoid any re-occurrence of such an event in the future.

68 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed everyone to the meeting. He then explained the rules of public participation and procedure to be followed at the meeting.

69 **N/13/00308/OUT - Land at Showell Farm, Patterdown Road, Chippenham - Outline Application for Employment Development Comprising 50,000sqm, Incorporating Class B1(b), Class B1 (c), B2 with Ancillary B1 (a), B8 and Ancillary B1 (a) Uses Including Means of Access, Car Parking, Servicing, Associated Landscaping and Works**

The following person spoke against the proposal:

Mr Tony Peacock, Showell Protection Group Coordinator

The following person spoke in favour of the proposal:

Mr Des Dunlop, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission be granted subject to the signing of a Section 106 legal agreement within six months of the date of this meeting and to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as detailed above, expressing

their views regarding the planning application.

After some discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to conditions listed below and the completion of a S106 legal agreement covering the highway matters, within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission on the grounds that the proposal fails to secure the necessary highway mitigation works required to make the development acceptable.

Conditions

1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (e) The scale of the development;**
- (f) The layout of the development;**
- (g) The external appearance of the development;**
- (h) The landscaping of the site;**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3 All access to the site for clearance, construction or other works in connection with this permission shall be from the proposed roundabout unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highways safety.

4 The development shall be carried out in accordance with the parameters plan submitted on 26th August 2016 and the written addendum dated 25th February 2013 with a maximum height of 8.5m in plot 300; 12m on plot 400 and 15m on plots 100 and 200.

Reason: To protect the setting of the heritage assets nearby and the landscape character of the area

5 No development shall commence within the site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

6 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

a) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out.

Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

7 Prior to the commencement of the development hereby permitted a full lighting scheme for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the visual amenity of the countryside and local residents.

8 All fixed plant and machinery shall be so sited and designed in order to achieve a rating level of -5dB below the lowest measured background noise level, determined at each of the nearest noise sensitive receptors ie Holywell Guest House, Showell Cottages and Showell Farm.

Reason: To protect residential amenity.

9 The parking provision for all individual units on the site shall be in accordance with the requirements of the Wiltshire local Transport plan (LTP3) Car Parking Strategy, with quantum of parking not below the minimum standard for the appropriate planning use class, and areas of parking used for no other purpose.

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

10 No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first use of the approved access. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

11 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the

timetable for the provision of such works, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until these details have been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

Reason: In the interests of highway safety and convenience.

12 No development shall commence on site until details of the provision for the loading, unloading and parking of goods vehicles within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be first brought into use until provision has been made. this space shall be maintained for such purpose at all times thereafter.

Reason: To ensure adequate provision is made for loading/unloading and lorry/van parking within the site in the interests of highway safety.

13 The buildings hereby permitted shall not be greater in height than the following parameters: Plot 300 8.5m; plot 400 10m and plots 100 & 200 12m as indicated on drawing DR-411-102 Rev 01.

Reason: To protect the setting of the nearby listed buildings and the open character of the surrounding landscape.

14 Prior to the first occupation of any of the development hereby permitted, the cycle/path along Patterdown Road as indicated on the approved plans, shall be provided in accordance with details to have first been submitted to and approved in writing by the local planning authority, unless and until the cycleway/footway linking to the town centre, through the remainder of the South West of Chippenham Strategic Allocation in the Wiltshire Core Strategy, is provided.

Reason: To ensure that sustainable routes to the town centre are provided.

15 Prior to submission of a reserved matters application for the site, an Ecological Monitoring and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Monitoring and Management Plan shall include the following elements:

- A framework demonstrating how and where the 'Ecological Management and Enhancement Measures', as set out in Table 4-1 of the submitted 'Ecological Summary Report' (Ref. eg12459TP), shall be implemented across the site

- A scheme for the translocation of the existing species-rich hedgerow (where this cannot be retained) to landscaped areas within the site

- A programme for monitoring the ecological effects of the development

The approved Ecological Monitoring and Management Plan shall set a framework for all reserved matters applications, which shall only be permitted where in accordance with the approved Ecological Monitoring and Management Plan, and will include timescales for implementing the approved measures. The site shall be managed in accordance with the approved Ecological Monitoring and Management Plan in perpetuity unless agreed in writing by the Local Planning Authority, and monitoring reports shall be submitted to the Local Planning Authority in accordance with the monitoring programme therein.

Reason: To maintain and enhance biodiversity and protected species in accordance with NE10, NE11, NE14 and Circular 06/2005

16 Any reserved matter application shall be supported by a lighting plan for that phase of development (including a lux plot). Any approved lighting plan shall demonstrate that light spill will be minimised through sensitive lighting design and timers, and that light levels shall be maintained at current lux levels or below 1 lux in the following parts of the site, as identified in the Ecological Monitoring and Management Plan or through any subsequent ecological survey reports:

- Confirmed bat roosts / flight lines / foraging areas;
- Bat boxes; and
- Darkened corridors to be maintained through the site.

Lighting levels shall be maintained across the site in accordance with the approved lighting plan(s), unless otherwise agreed in writing with the Local Planning Authority.

Reason: Circular 06/2005 and the Habitats Regulations (2010).

17. No more than 6000sqm gross floor area of the land use class B1(b)/B1(c)/B2 industrial , 930sqm of B8 distribution and 5,100sqm of B8 warehousing (or a variation on these levels of development so as not to exceed 78 two-way vehicle movements in the AM peak (0800-0900) and 84 two way vehicle movements in the PM peak (1700-1800) based on trip rates set out in the Peter Brett Associates Transport Assessment (December 2012) in table 6.1 (B1(b)/B1(c)/B2) , table 6.2 (B8 distribution) and table 6.3 (B8 warehousing) shall be occupied until the M4 J17 Improvement scheme as shown on Atkins drawing numbers WHCC_OS-ATK-HGN-T07178-DR-D-001Revision P01.5 dated 14/01/16 and WHCC_OS-ATK-HGN-T07178-DR-D-0002 Revision P01.4 dated 14/01/16 is completed and open to traffic.

Reason: To ensure the safe and effective operation of the strategic road network.

70 **14/12118/OUT - Rowden Park, Patterdown Road, Chippenham, Wiltshire - Mixed Use Urban Extension Comprising Residential (Class C3), Local Centre (Classes A1-A5) and (Classes D1 and D2), Primary School, Public Open Space Including Riverside Park and Allotments, Landscaping, 4 Vehicular Accesses, Site Roads and Associated Infrastructure**

The following person spoke against the proposal:

Mr Tony Peacock, Showell Protection Group Coordinator
Ms Helen Stride, a local resident
Mr Peter Fennell, a local resident

The following person spoke in favour of the proposal:

Mr Des Dunlop, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that authority be delegated to the Head of Development Management to grant planning permission subject to the signing of a Section 106 legal agreement within six months of the date of this meeting and to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as detailed above, expressing their views regarding the planning application.

After some discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to conditions listed below and the completion of a S106 legal agreement covering the following heads of terms, within six months of the date of this meeting:

- **Minimum 30% Affordable Housing.**
- **Contribution of £385,000 to improvements to cycle and pedestrian routes.**
- **Contribution of £438k for bus service for years.**
- **Contribution to access works including roundabouts and right turning lanes; securing SLR route; £35k for link between north and south areas across Pudding Brook; 50k for Rights of Way**

improvements to Lackham College; monies for RoW conversions and diversions; monies for Bridge Centre Gyrotory, A420 Marshfield Rd and New Rd/Station Hill.

- £4,788,078 (plus indexation) for primary school places. Land for building of primary school. Early Years contribution.
- Playing pitch and indoor sports provision contribution £823,304 for off-site improvements.
- Provision of Riverside Park.
- Public Art Contribution of £300 per dwelling and £3 per square metre of commercial development with no more than 10% being spent on a public art plan.
- Provision of 0.71 ha of allotment land.
- provision of waste and recycling containers for each residential unit.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission on the grounds that the proposal fails to secure the necessary highway mitigation works required to make the development acceptable.

Conditions

1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

3. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, relevant infiltration tests carried out in accordance with BRE365 and full justification to support results of flood risk calculations given in the FRA, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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 that the development can be adequately drained.

4. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] 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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

5. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

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 that the proposal is provided with a

satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

6. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved. Prior to the commencement of the non-residential development hereby permitted details of how the developer will achieve BREEAM Very Good shall be submitted to and approved in writing by, the Local Planning authority. The development shall be carried out in the agreed methodology.

REASON: To ensure the proposals comply with relevant guidance and CP41 of the Wiltshire Core Strategy.

7. No development shall commence within the all areas except fields 4, 6, 7 and 8 until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority;
- b) A detailed archaeological mitigation strategy is required for these areas; and
- c) The approved programme of archaeological work has been 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, to enable the recording of any matters of archaeological interest.

8. No more than 140 dwellings shall be occupied unless, and until the M4 J17 improvement scheme as shown on Atkins drawing numbers WHCC_OS_ATK-HGN-T07178-DR-D-0001 revision P01.5 dated 14/01/16 and WHCC_OS-ATK-HGN-T07178-DR-D-0002 revision P01.4 dated 14/01/16 are completed and open to traffic.

REASON:

To ensure the safe and effective operation of the strategic road network.

9. No development shall commence until a scheme to demonstrate that all finished floor levels are set at least 300mm above the typical adjacent modelled 1 in 100 annual probability flood level to take into account a 30% allowance for climate change, has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried in accordance with the approved scheme.

REASON: To reduce the impact of flooding on the proposed development and future occupants.

10. No development shall commence until a scheme to ensure adequate floodplain compensation provision has been submitted to and agreed in writing by the local planning authority. The construction of the part of the northern access road which encroaches into flood zone 3 must not commence until the floodplain compensation scheme has been completed. The development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

REASON: To minimise the impact of the development on the floodplain.

11. No development shall commence until a surface water management scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is complete.

REASON:

To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

12. Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan, incorporating pollution prevention measures has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment.

13. Prior to the commencement of the development hereby permitted a scheme for water efficiency shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented

concurrently with the occupation of the development and permanently maintained thereafter.

REASON:

In the interests of sustainable development and climate change adaptation.

INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency on 22nd January 2015..

14. Prior to the commencement of the development hereby permitted details of the following shall be submitted to and approved in writing by the local planning authority:

1. Tree retention and removal plan.
2. A plan showing the retained trees and Root Protection Areas (RPAs) on the proposed layout.
3. A plan showing strategic hard and soft landscape design, including species and location of new tree planting.
4. An arboricultural Impact Assessment.
5. A detailed Arboricultural Method Statement.
6. Details of all engineering within the RPAs and other relevant construction details.
7. Alignment of all utility apparatus.
8. A dimensioned tree protection plan.
9. Schedule of works to retained trees eg Access facilitation for pruning.

The development shall be carried out in accordance with the approved details.

REASON: To protect the trees on site and ensure their health and vitality.

15. 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.

16. No dwelling shall be occupied, until details of screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the screen walls and/or fences in respect of each dwelling have been erected in accordance approved details. The approved screen walls and/or fences shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

17. 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 occupied / brought into use.

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

18. All plans submitted for approval as part of the reserved matters (as set out in Condition 1), shall be in accordance with the ecological mitigation measures set out in:

1)Chapter 5 of the Environmental Statement and relevant appendices (specifically 5.1 - 5.3)

2)Green Infrastructure Strategy (DRG No. 2513-090)

3)Lighting Strategy (Peter Brett, Project Ref: 20399/3003 | Rev: Final | Date: December 2014)

All development shall be carried out in strict accordance with the approved plans.

REASON: To ensure that ecological impacts are avoided and mitigated as far as possible through detailed design, in accordance with CP50

19. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the ecological mitigation measures set out in Chapter 5 of the Environmental Statement (and associated appendices), including the following detailed information:

a) Description and evaluation of features to be managed;

b) Landscape and ecological trends and constraints on site that might influence management;

c) Aims and objectives of management;

d) Appropriate management options for achieving aims and objectives;

e) Prescriptions for management actions;

- f) Preparation of a work schedule;**
- g) Details of the body or organisation responsible for implementation of the plan;**
- h) Ongoing monitoring and remedial measures;**
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.**

The LEMP shall also demonstrably have regard to the principles and approach set out in the submitted 'Providing Net Biodiversity Gain' document (Engain, December 2015), and that it should demonstrate a net gain in the overall biodiversity of the site.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to be fully implemented by landscaping management and maintenance staff or enforced by the Local Planning Authority in order to ensure that that the development is undertaken in an acceptable manner, to ensure adequate ongoing protection, mitigation and compensation for protected species, priority species and priority habitats throughout the lifetime of the development.

20. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;**
- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- e) wheel washing facilities;**
- f) measures to control the emission of dust and dirt during construction;**
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;**
- h) detailed measures for the protection of semi-natural habitats and sensitive species (as broadly set out in Chapter 5 of the Environmental Statement and associated appendices); and**
- i) hours of construction, including deliveries.**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried

out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be implemented by construction staff or enforced by the Local Planning Authority in order to ensure that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

21. The applicant must undertake an Air Quality Assessment (AQA) to be approved by the LPA prior to commencement of construction. This must quantify the effect of the development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. It must also identify and make adjustments for all core strategy based development in the Rowden Park locality. The effect of any proposed mitigation must be quantified in terms of its contribution to the reduction of oxides of nitrogen and PM 2.5 in the Calne locality. Use of CURED data in the AQA is expected along with any other currently accepted approaches to AQA.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

22. Prior to the first occupation of any dwelling on site full details must be submitted to and approved in writing by the Local Planning Authority specifying a scheme of air quality mitigation measures that will contribute to the reduction of oxides of nitrogen and PM 2.5 in the Rowden Park locality or at least an air quality neutral outcome. This must include but not be limited to the provision of Electric Vehicle (EV) charging infrastructure. Within 6 months of the occupation of 90% of the dwellings, monitoring of air quality within the site and immediate locality (as identified in Chapter 9 of the submitted Environmental Statement) must be undertaken and the results submitted to, and approved in writing by the LPA, demonstrating that the above mitigation has made a contribution to air quality improvement. Should the submitted reports not demonstrate an air quality neutral outcome a programme of mitigation must be submitted to and approved in writing by the LPA and the actions carried out in accordance with that plan.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively

mitigate emission levels in order to protect public health, environmental quality and amenity

23. The development hereby permitted shall not commence until a Construction Management Plan providing details of the management of heavy goods vehicle construction traffic, including their routes approaching and leaving the site, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing highway links that serve the site from damage by large goods vehicles, to assist in the environmental protection of the interests of nearby residents, and to ensure that provisions are in place to address any problems associated with highway damage caused by such vehicles.

24. Prior to occupation of any of the dwellings taking access from Coppice Close the access to Coppice Close shall be provided and shall thereafter remain open and available for use.

Reason: In the interests of safe and convenient access to the development.

25. Prior to first occupation of any dwelling served by the access to Coppice Close, the access to Coppice Close shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to a point on the nearside carriageway edge 36 metres to the west.

Reason: In the interests of highway safety.

26. No development shall commence until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No residential part of the development shall be occupied prior to the implementation of the Residential Travel Plan, (or implementation of those parts capable of being implemented prior to occupation). Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of reducing the amount of private car movements to and from the development.

27. The primary school shall not be brought into use until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The School 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 these results.

Reason: In the interests of highway safety and reducing private car movements to and from the development.

28. Prior to occupation of any dwelling details shall be submitted to the Local Planning Authority of between 2 and 6 bus stops and shelters within the development, and a programme for their implementation. (The number to depend on whether buses route 1 or 2 way and on agreement with the Public Transport Team). On approval of the submitted details the bus stops and shelters shall be constructed and made available for use in accordance with the approved programme.

Reason: In the interests of safe and convenient travel by public transport.

29. Prior to occupation of any part of the development south of the rifle range a 3 metre wide shared use cycleway shall have been constructed and made permanently available for use by pedestrians and cyclists, between the Central Northern access and the end of the existing footway on Patterdown Road just north of the highway layby, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

30. Prior to occupation of any part of the development areas 1-5 (Proving Layout plan 3787/300/D) a footway connection between the development and the eastern side of Queens Bridge as outlined on plan 20399/042/009, plus footway markings through the bridge and a short footway connection at the western side of the bridge to enable safe pedestrian access into Saltersford Lane shall have been constructed and made permanently available for use by pedestrians in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian access to the development.

31. Prior to occupation of any part of the development areas 1-6 (Proving Layout plan 3787/300/D) a 3m wide shared use cycleway shall have been constructed and made permanently available for use by pedestrians and cyclists between the development and the entrance to the Showell Farm development as outlined on plan 20399/042/005, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

32. Prior to first occupation of any dwelling hereby permitted, the relevant parts of the shared use pedestrian and cycle route known as Rowden Mile (which will include the spur to Avenue La Fleche and the spur to Gypsy Lane), shall have been constructed to a width of 3 metres including street lighting, and made permanently available for use by pedestrians and cyclists, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

The applicants should be informed of the following:-

Any application for approval of reserved matters should include for the design of all roads within the estate as a 20 mph zone, other than the bus route which runs from the primary access roundabout to the northern junction, but with only minimal amounts of vertical traffic calming. Traffic calming will generally be by horizontal alignment changes and use of surface texture changes.

Number of rights of way cross the development. The rights of rights of way users must be safeguarded and the paths must be incorporated into the layout or suitable diversion or closure orders arranged.

33. Prior to the commencement of the development hereby permitted details of the a 'Riverside Park Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the occupation of the 150th dwelling. The Management Plan shall set out a clear vision for how the Riverside Park land holding will be used by people and community groups, and how the land (individual fields / land parcels) will be managed in perpetuity by the designated management body. The Management Plan shall clearly define and prescribe how management objectives and maintenance operations will protect and enhance the existing heritage, ecology and landscape value and character of the site, within the context of wider green infrastructure links and functions of this land.

REASON: In the interests of securing the long term maintenance of the Riverside Park.

34. The development hereby permitted shall be carried out in broad accordance with the Masterplan, parameters plans and design ethos as set out in the ES Addendum received by the Local Planning Authority on 20th July 2016.

REASON: In the interests of clarity and to ensure protection of the setting of the heritage assets nearby and the landscape character of the area.

35. Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority, and the development shall be undertaken in

accordance with the approved plan. The construction traffic management plan shall include inter alia, details as to routing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site, details of wheel cleaning facilities, details of parking and manoeuvring space within the site for lorries and construction workers vehicles, and measures to prevent site construction traffic parking on nearby residential streets.

REASON: In the interests of highway safety and the amenity of local residents.

36. No more than 1000 dwellings shall be constructed on the site.

REASON: For the avoidance of doubt and as the mitigation impacts of the proposal have been assessed against this number of dwellings.

37. Prior to commencement of development, details of a wildlife sensitive lighting scheme for roads and footpaths within the site, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

REASON: To satisfactorily mitigate the ecological impact of the development.

38. No dwelling shall be occupied until arrangements to facilitate broadband and/or high speed internet connection to that dwelling has been implemented in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.

REASON: To ensure digital connectivity.

39. The following information should accompany any reserved matters application:-

- **Tree retention/removal plan (finalised);**
- **Retained trees and RPAs shown on proposed layout**
- **Strategic hard and soft landscape design, including species and location of new tree planting;**
- **Arboricultural Impact Assessment;**
- **Arboricultural Method Statement - detailed**
- **Details for all special engineering within the RPA and other relevant construction details;**
- **Alignment of utility apparatus (including drainage), where outside the RPA or where installed using a trenchless method;**
- **Dimensioned tree protection plan;**
- **Schedule of works to retained trees, e.g. access facilitation pruning**

REASON: To protect the site trees and ensure suitable landscaping.

40. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

41. No development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

42. No development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have 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: In the interests of road safety and reducing vehicular traffic to the development.

43. Car parking provision for the site shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid.

44. The noise levels in all parts of all private amenity space shall not exceed an SNL of 55dB

REASON: In the interests of residential amenity

71 **16/01123/OUT - Land South of Western Way, Bowerhill, Melksham, Wiltshire, SN12 6TJ - Outline application for residential development of up to 235 dwellings, primary school with early years nursery, open space provision and vehicular access off Pathfinder Way.(Outline application to determine access - resubmission of 14/04846/OUT)**

The following person spoke against the proposal:

Mr Mike Mills, representing Bowerhill Residents' Action Group
Mr Colin Chapman, representing residents of Elm Close and Birch Grove
Mr Nick Westbrook, representing the Health & Wellbeing Steering Group
Cllr Paul Carter, representing Melksham Without Parish Council

The following person spoke in favour of the proposal:

Ms Vanessa Clipstone, representing RPS Planning & Development

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that authority be delegated to the Head of Development Management to grant planning permission subject to the signing of a Section 106 legal agreement within six months of the date of this meeting and to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Roy While who explained that he had called in the application due to the concerns of the Melksham Without Parish Council & the local residents and the impact of the development on Road A365.

During discussion, Members questioned under the Heads of Terms of the Section 106 legal agreement if a figure had been agreed as a contribution from the developer for the expansion project at Melksham Oak Secondary School. Furthermore, they enquired as to whether land available for the proposed new primary school would be sufficient for its eventual expansion into a two form entry school. The Head of Development Management explained that much would depend on the number of houses which were eventually built, bearing in mind that this was an outline application.

After further discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to conditions listed below and the completion of a S106 legal agreement covering the areas set out below in the Heads of Terms. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; waste; highway works ;

education provision and open space and is therefore contrary to the policies of the Wiltshire Core Strategy adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Heads of Terms for Section 106 legal agreement to secure the following:

- **30% affordable housing;**
- **Provision of 1.4 hectares of land for a 1FE primary school and nursery facility;**
- **Conditional provision of a further 0.6 hectares of land for a 1FE expansion to the above;**
- **Commutated sum, to be based on the number of dwellings (less any exemptions), the number of places required, and the relevant capital cost multiplier at the time of determination, towards construction of 1FE primary school;**
- **Commutated sum, to be based on the number of dwellings (less any exemptions), the number of places required, and the relevant capital cost multiplier at the time of determination, towards expansion project at Melksham Oak Secondary School;**
- **Commutated sum of £120,000 towards pedestrian and cycle improvements;**
- **Payments for legal orders related to cycleways, and 2 traffic regulation orders regarding speed restrictions;**
- **Off site highways works to include 5 toucan crossings, capacity improvements to north and south arms of The Spa roundabout, and provision of a footway linking Spa Road and Western Way;**
- **Provision of at least 8624sqm of public open space of which 415sqm to be equipped play to and the setting up of a management company to maintain the space or transfer to Melksham Without Parish Council; and**
- **Commutated sum of £21,385 towards bin provision.**

Conditions

1.

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The means of access to the site.**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3.

An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans:

drwg: M.0347_03A - Site Location Plan received on 4 February 2016

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

5.

No more than 213 dwellings shall be erected on the site, unless the 0.6 hectares of land allocated for a single form entry expansion to the hereby approved 1 form entry primary school and nursery facility is also developed for housing; in which case no more than 235 dwellings shall be erected on the site.

REASON: To define the terms of the permission.

6.

There shall be no development of 3-storeys or greater. To the southern boundary on the eastern parcel of land adjoining existing housing, development shall be garden to garden.

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

7.

There must be no new buildings, structures (including gates, walls, fences or other means of enclosure) or raised ground levels within 5 metres of the top of any bank (or edge of culvert) of the watercourse(s) fronting or crossing the site.

REASON: To maintain an appropriate access to the watercourse for maintenance and/or possible future improvements.

8.

No development shall commence on site until a programme of phasing for the development (including off-site highway improvement works) in the context of an up to date masterplan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In order to define the terms of the permission.

9.

No development (above ground level) shall commence on each phase until the details of the materials to be used for the external walls and roofs (including samples) for that phase of the development has 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.

10.

No development shall commence on the residential phase(s) until a scheme of hard and soft landscaping for the application site (except the school) have been submitted to and approved in writing by the Local Planning Authority, the details of which shall include

- * location and current canopy spread of all existing trees and hedgerows on the land;**
- * full details of any to be retained, together with measures for their protection in the course of development;**
- * a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- * finished levels and contours;**
- * means of enclosure and boundary treatments;**
- * car park layouts;**
- * other vehicle and pedestrian access and circulation areas;**
- * all hard and soft surfacing materials;**
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
- * proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
- * arboricultural method statement;**

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.

11.

No development shall commence on the school and nursery phase(s) until a scheme of hard and soft landscaping for that phase of the development

has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include

- * location and current canopy spread of all existing trees and hedgerows on the land;
- * full details of any to be retained, together with measures for their protection in the course of development;
- * a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- * finished levels and contours;
- * means of enclosure and boundary treatments;
- * car park layouts;
- * other vehicle and pedestrian access and circulation areas;
- * all hard and soft surfacing materials;
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- * proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- * arboricultural method statement;

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.

12.

All soft landscaping comprised in the approved details of landscaping shall be carried out in accordance with a detailed phasing scheme. 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.

13.

No development shall commence until a foul water drainage strategy and scheme, including details of phasing, is submitted to and approved in writing by the Local Planning Authority. The submission shall include appropriate arrangements for the agreed points of connection and the capacity improvements (including any works which may lie in third party land) required to serve the proposed development. The development shall be carried out in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

14.

No development shall commence until a storm water drainage strategy and scheme, including details of phasing, is submitted to and approved in writing by the Local Planning Authority. The submission shall include appropriate arrangements for the agreed points of connection and any

capacity improvements (including any offsite works) to the downstream system (including any works which may lie in third party land). The development shall be carried out in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that proper provision is made for storm drainage of the site and that the development does not increase the risk of flooding to downstream property/catchment.

15.

No development shall commence on the residential and education developments respectively until schemes for water efficiency for each element have been submitted to and approved in writing by the Local Planning Authority. The schemes shall be implemented in accordance with the agreed 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 and to prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.

16.

The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

17.

No development shall commence on the school and nursery phase(s) until evidence that that phase of the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the “very good” BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme). No phase of the development shall be occupied until a final Certificate has been issued certifying that the “very good” BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for that phase of the development.

REASON: To ensure that the objectives of sustainable development set out in policy CP41 of the Wiltshire Core Strategy are achieved.

18.

The construction of dwellings hereby permitted shall not commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials have been submitted to and approved in writing by the Local Planning Authority. A dwelling shall not be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the approved details 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 for the interests of public health and safety.

19.

No development shall commence within the area indicated (proposed development site) until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
- The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: To enable the recording of any matters of archaeological interest.

20.

No development shall commence until a final noise mitigation strategy, including full scaled plans of any necessary features and any associated phasing plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first brought into use or occupied until the relevant mitigation has been provided to serve each phase of the development. The approved mitigation shall be maintained in accordance with the approved details at all times thereafter.

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

21.

No external lighting shall be installed on site until plans, showing the type of light appliance, the height direction and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)" have been submitted to and approved in writing by the Local Planning Authority. The submission shall:

- a) Identify those areas/features on the whole site that are particularly sensitive for foraging/commuting bats;**
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications, including a Lux plot) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and**
- c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles**

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and to protect wildlife interests.

22.

No development shall commence on each phase (including demolition, ground works, vegetation clearance) until a Construction Method Statement (CMP) for that phase has been submitted to and approved in

writing by the local planning authority. The CMP shall include, but not necessarily be limited to, the following:

- a) the parking of vehicles of site operatives and visitors;**
- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- e) wheel washing facilities;**
- f) measures to control the emission of dust and dirt during construction;**
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;**
- h) measures for the protection of the natural environment including from pollution; and**
- i) hours of construction, including deliveries.**

The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

23.

No development shall commence on each phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities;**
- b) Identification of 'biodiversity protection zones' (where required);**
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including detailed mitigation measures for badgers, breeding birds and reptiles (precautionary site clearance), and the protection of trees and hedgerows;**
- d) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);**
- e) The times during construction when specialists ecologists need to be present on site to oversee works;**
- f) Responsible persons and lines of communication;**
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);**
- h) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and**
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a professional ecologist or the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

24.

No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species - this shall include a detailed specification for the attenuation features, ponds (permanent water features), hibernacula for amphibians, woodland planting, hedgerow reinforcement planting, bird boxes and bat boxes within dwellings and the new school, and the creation of a wildlife garden, forest school and/or orchard within the school grounds;**
- b) Description and evaluation of features to be managed; including locations shown on a site map;**
- c) Landscape and ecological trends and constraints on site that might influence management;**

- d) Aims and objectives of management, including access for hedgehogs into gardens;**
- e) Appropriate management options for achieving aims and objectives;**
- f) Prescriptions for management actions;**
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);**
- h) Details of the body or organisation responsible for implementation of the plan;**
- i) Ongoing monitoring and remedial measures;**
- j) Timeframe for reviewing the plan; and**
- k) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.**

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

25.

No residential unit shall be occupied until those parts of the Residential Travel Plan (by Peter Evans Partnership and dated January 2016) capable of being implemented prior to occupation have been implemented. Those

parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Residential Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Residential Travel Plan for a period of at least 2 years following occupation of the last residential unit.

REASON: In the interests of reducing the amount of private car movements to and from the development.

26.

The primary school shall not be brought into use until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The School 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 these results.

REASON: In the interests of road safety and in the interests of reducing the amount of private car movements to and from the development.

27.

Prior to occupation of the 20th dwelling two bus stops including shelters, perch seating and high access kerbs shall have been provided on Pathfinder Way in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of encouraging sustainable travel to and from the development.

28.

Prior to first occupation a pedestrian refuge shall have been provided on Pathfinder Way in association with the required toucan crossing of Pathfinder Way, in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of encouraging sustainable travel to and from the development and highway safety.

29.

Prior to first occupation a 2 metre wide footway shall have been provided along the western side of Pathfinder Way over the entire frontage of the site.

REASON: In the interests of encouraging sustainable travel to and from the development and providing safe and convenient pedestrian access to the development.

30.

Prior to first occupation a lowered kerb informal pedestrian crossing of Pathfinder Way, including tactile paving shall have been provided at the A365 / Pathfinder Way roundabout splitter island, in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of encouraging sustainable travel to and from the development and providing safe and convenient pedestrian access to the development.

31.

Prior to any development on the western side of Pathfinder Way part of the development, the existing field gate access to A365 Western Way shall

have been properly and permanently closed to vehicles with the existing lowered kerbs replaced by high kerbs, and the grass verge reinstated.

REASON: In the interests of preventing inappropriate points of access to the development.

32.

Notwithstanding the details submitted, no development shall commence on each phase of the site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. No part of development shall be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture that serve that part of the development have all been constructed and laid out in accordance with the approved details, unless an alternative programming arrangement is agreed in the approved details.

REASON: In the interests of highway safety.

33.

The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: In the interests of highway safety.

34.

No dwelling hereby approved shall be occupied until a public art scheme for the site and a timetable for installation has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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, to ensure the proposal complies with the relevant public art policies.

INFORMATIVE: This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.

INFORMATIVE: 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

INFORMATIVE: The applicant is advised that the reserved matters application should include low-rise development to reflect the adjacent development to the south east, and be sympathetic to the heritage and fringe of urban context.

INFORMATIVE: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE: The developer is advised, in accordance with the Dorset and Wiltshire Fire and Rescue Service advise to consider the use of sprinkler protection in all domestic properties and in particular any public buildings such as the hereby approved school and nursery facilities. Furthermore consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of the Dorset and Wiltshire Fire and Rescue Service on the location of fire hydrants.

INFORMATIVE: The developer is advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency and/or the Lead Local Flood Authority may be required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the Bowerhill Watercourse, designated a 'main' river. The EA advise that a minimum 5 metre clear strip be provided to allow the riparian owner(s) responsible for the maintenance of the

watercourse appropriate access to carry out routine maintenance and/or possible future improvement works. The need for any consent is over and above the need for planning consent. The applicant is advised to contact the Environment Agency on 01258 483421 for further information.

INFORMATIVE: The developer is advised that safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery**
- oils/chemicals and materials**
- the use and routing of heavy plant and vehicles**
- the location and form of work and storage areas and compounds**
- the control and removal of spoil and wastes.**

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

INFORMATIVE: The developer is advised that the council will only operate its refuse and recycling services on private land where an indemnity is signed by the landowner. The council will also require an indemnity to operate on any roads prior to their adoption.

INFORMATIVE: The developer is advised that any archaeological work required by condition should be conducted by a professional archaeological contractor and there will be a financial implication for the applicant.

INFORMATIVE: The developer is advised that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) 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 visit the following websites for more information:

- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
- <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

INFORMATIVE: The developer is advised that the Protection of Badgers Act 1992 protects badgers from cruel ill-treatment, including damage or destruction of their setts, or disturbance whilst a sett is in occupation. This Act makes it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while a professional ecologist is contacted for advice. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about badgers and licensing can be found at <https://www.gov.uk/badgers-protection-surveys-and-licences>

INFORMATIVE: The developer is advised that the Great crested newt is protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if great crested newts are discovered, all works

should stop immediately and a professional ecologist should be contacted for advice on any special precautions before continuing, as a derogation licence may be required from Natural England.

INFORMATIVE: The developer is advised that all reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution.

INFORMATIVE: The developer is advised that under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or to destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Hedgerows, trees and woodland are present on the application site and should be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain, within six months of the date of this meeting:

72 Urgent Items

There were no items of urgent business.

(Duration of meeting: 7.00 - 9.45 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 December 2016
Application Number	15/12351/OUT
Site Address	Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire, SN15 3LR
Proposal	Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater / Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only).
Applicant	KBC Developments LLP
Town/Parish Council	CHIPPENHAM
Electoral Division	CHIPPENHAM MONKTON
Grid Ref	393297 173929
Type of application	Full Planning
Case Officer	Mark Staincliffe/Mike Wilmott

Reason for the application being considered by Committee

At the Strategic Planning Committee (SPC) Meeting held on 14 September 2016 members resolved to delegate authority to the Head of Development Management to GRANT planning permission, subject to conditions and completion of a S106 legal agreement. The legal agreement is progressing, but has not yet been completed and the permission has therefore not yet been granted. In these circumstances, the Council has a duty to consider any changes to the planning considerations that may arise between a resolution and a grant of permission where these may be material to the decision. In this case, since the above resolution was agreed by the SPC, the Council is consulting on proposed further modifications to the draft CSAP and in addition the Council has published its 2016 Housing Land Supply Statement. This application is now referred back to the SPC so as to update the Committee in light of these changing circumstances.

1. Purpose of Report

The purpose of the report is to consider whether the change in circumstances outlined above and described in greater detail below are 'material' to the extent that the weight to be attached to them would affect the original consideration of the application. The merits of the proposal were considered against the policies of the development plan and other material considerations at the time of SPC in September 2016 at which time it was recommended and accepted that authority be delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions and the completion of a S106 legal agreement within six months of the date of the resolution of the Committee.

2. Report Summary

This addendum to the report sets out the changes in circumstances since the original report was considered by the committee and assesses whether this changes the planning balance and the officer recommendation on the application. The changes are identified as;

- Proposed further modifications to the draft Chippenham Site Allocations Plan (CSAP);
- 2016 Housing Land Supply Statement.

The conclusion reached is that changes do not alter the outcome of the planning balance exercise and that the original recommendation for approval should still stand.

The original report to the September SPC and the approved conditions is attached after this addendum.

3. The Proposal

The development proposed remains the same as that considered in the report presented to and approved by the Strategic Planning Committee on 14 September 2016:

Outline planning permission for up to 700 dwellings, including 4.5Ha mixed use employment space; a new primary school; new open space, landscaping, small local centre to accommodate up to 600m² of new retail space, care home for the elderly up 3000m², bridge access the railway from Parsonage Way, site access at Darcy Close and other associated works with all matters (except access) reserved.

4. Additional Information

The changes that have occurred since the SPC meeting in December are two-fold:

1. Chippenham Site Allocations Plan (CSAP)

The draft Chippenham Site Allocations Plan was submitted to the Secretary of State for Communities and Local Government on 31 July 2015 for Examination. A number of changes to the draft Chippenham Site Allocations Plan were consulted on in Summer 2016 and put before the Inspector to inform hearings held as part of the Plan's examination between 27 September and 4 October 2016. As a consequence of the re-opened hearing sessions and the Inspector's letter of 12 October 2016, further changes are proposed to the draft Chippenham Site Allocations Plan. Consultation on the proposed modifications closes on 12th December 2016.

The draft Chippenham Sites Allocation Plan remains an emerging Plan submitted to the Secretary of State for examination. Weight can be afforded to this document in accordance with Annex 1 of the NPPF, which states that weight to be given is proportionate to the stage of preparation, the extent of unresolved objections and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework. At the time of the SPC in September 2016 it was recommended that little weight could be attached to CSAP because there were still objections to the Plan and the examination was reconvening.

The hearings are now completed and Proposed Modifications to the Plan published for consultation. This represents a change in circumstance since the application was originally considered. Nevertheless the Examination of the Plan is not completed and there remain outstanding objections to the Plan which will not be resolved until receipt of the Inspector's report and the close of the Examination. As such, although the Plan has progressed since the meeting in September 2016 and greater weight could be attached to this document,

because there are still significant objections to the plan (some of which relate directly to this allocation), the weight that can be afforded to the Plan is still only limited.

In conclusion, CSAP still cannot be afforded full weight in the planning balance as the examination of the document has not yet concluded; there are still objections to the plan and it is still unclear if the proposed modifications will be accepted. Moreover, as is made clear in the "Planning Balance" section below, the proposal brings forward a series of planning benefits which make the proposal acceptable in its own terms and justify approval of this application now

Some concern is still being raised by local residents that the proposal is premature. There is no rule of law that a development control decision cannot pre-empt a decision by an Inspector charged with a Local Plan examination. It is acknowledged that there are elements of the proposal that could be in conflict with draft CSAP Policy CH2 as proposed to be modified. However, that conflict has always been the case. At the time of the SPC in September the draft proposals in the Plan for Rawlings Green were for 650 homes and no development in the country park area to the east of the proposed Cocklebury Link Road. The same position applies as a consequence of the Proposed Modifications. Despite these elements of the proposal being in conflict with the emerging policy it was considered that the application in general did not conflict with the CSAP given the delivery of homes, jobs, school, supporting infrastructure and the protection of landscape and heritage assets also required by the draft Policy.

2. 2016 Housing Land Supply Statement

In November 2016 the Council, as required by the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG), published its update from the previous Housing Land Supply Statement (September 2015) for the three Housing Market Areas in Wiltshire.

Chippenham falls with the North and West Wiltshire Housing Market Area (HMA) and the document confirms that this HMA has 5.13 years of deliverable supply. In accordance with the National Planning Policy Framework, the Council is required to apply the appropriate buffer to its 5-year supply (either 5% or 20%). As the Council considers it requires a 5% buffer, this equates to needing to show a 5.25 year supply of land to meet 5 years worth of requirement. At the time the SPC considered the application in September there was a 4.76 years supply.

Though the Council's position has improved it still cannot currently demonstrate a 5 year housing land supply in the North & West HMA as required by the NPPF. The November 2016 HLS indicates the minimum residual requirement in Chippenham as 1661 homes, the overall conclusion reached in section 9.4 of the original report is still applicable when the 2016 figures are used -

Chippenham is not performing in line with Development Plan expectations. Of the minimum level of 4,510 houses to be provided in Chippenham over the Plan period, 1,661 are still required as of April 2016.

...while limited weight only can apply to the fact of breach of settlement boundaries given the shortfall in the housing land supply and the clear need to meet a significant amount of future housing and employment need beyond existing settlement boundaries, the fact that

Chippenham is to be a focus for development should carry significant weight in the decision-making process’.

The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA with the required buffer. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date.

5. Conclusion and Planning Balance

Whilst there have been changes in the background circumstances in which the application has to be considered since the September meeting of the SPC, as outlined above, the reality is that these changes are not significant enough to change the planning balance.

In relation to the CSAP, at the time of the SPC in September the draft proposals in the Plan for Rawlings Green were for 650 homes and no development in the country park area to the east of the proposed Cocklebury Link Road. The same position applies as a consequence of the Proposed Modifications. The weight to be given to the CSAP is still, as it was in September, only limited, given the depth and range of outstanding objections and the fact that the Council still awaits receipt of the Inspector’s report.

In relation to the five year land supply, whilst the shortfall has been reduced, the fact is that the overall situation still remains as it was in September – the Council still cannot demonstrate a 5 year supply of deliverable sites with buffer, which means that the policies relating to the supply of housing in the Core Strategy, including the limits of development are still to be considered out of date.

The September report highlighted that whilst these housing policies have to be considered out of date, it does not mean that they carry no weight. Nothing has changed in the fact that the policy and thrust of the Development Plan is that Chippenham is to be a main focus of development and that this should carry significant weight. Chippenham is not performing in line with Development Plan expectations and even with the revised 2016 Housing Land Supply figures, 1661 dwellings are still required over the plan period as at April 2016.

The benefits of the scheme outlined in September remain as considered by the committee then. It would bring forward much needed market and affordable housing and it would further bring forward employment provision. These matters are consistent with Chippenham being a focus for development. The fact that Chippenham is not delivering development as envisaged by the Core Strategy emphasises these benefits to which significant weight should attach. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy. Similarly, the provision of the ‘Cocklebury Link Road’ to unlock the existing extended cul-de-sac at Monkton Park and the ability to contribute to the delivery in the longer term to the Eastern Link Road offer both public and private transport benefits that weigh in favour of the proposal.

The September report outlined the negative impacts of the proposal that had to be weighed in the balance, including the harm to the landscape and the significant weight to be attached to the less than substantial harm to the setting of the designated heritage asset of Rawlings Farm House. None of these impacts are changed as a result of the changes since September.

It is not considered that the changes since September materially alter the position of the planning balance. The benefits of approving the scheme remain as set out in September and are considered to still outweigh the negative impacts identified then.

RECOMMENDATION

It is recommended that authority be delegated to the Head of Development Management to **GRANT** planning permission, subject to the conditions listed in the original report set out below and completion of a S106 legal agreement covering the areas outlined in that report within the three months remaining of the original six months agreed by the Committee in September (ie by 14th March 2017).

In the event of failure to complete, sign and seal the required section 106 agreement within the originally defined timeframe to then delegate authority to the Area Development Manager to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

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REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 September 2016
Application Number	15/12351/OUT
Site Address	Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire, SN15 3LR
Proposal	Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater/Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only).
Applicant	KBC Developments LLP
Town/Parish Council	LANGLEY BURRELL
Electoral Division	LANGLEY BURRELL WITHOUT
Grid Ref	393297 173929
Type of application	Outline Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

Under the Scheme of Delegation Specific to Planning, this application falls to be considered by the Strategic Planning Committee by reason of it being a large-scale major application which, by its nature would raise issues of more than local importance.

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 authority is delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.

- Conformity to the local plan
- Impact on Conservation Area and setting of listed buildings
- Whether the development constitutes over development of the site.
- Impact on residential amenities of adjoining neighbours.
- Impact on character and appearance of the area
- Prematurity

Chippenham Town Council objected to the proposed development and 150 letters of objection and 1 letter of support have been received.

3. Site Description

The development site is located on approximately 51Ha of mixed farmland between the Great Western railway line and the River Avon to the north east of Chippenham. The eastern boundary of the site is defined by the former Calne - Chippenham railway line and is presently a Sustrans Cycle route set into a cutting. More apparent as a boundary to the western side of the site is the Monkton Park housing estate which sits adjacent to the cycle path. The eastern boundary is a mature hedgerow that runs roughly north-south close to an existing cattle bridge over the railway line. A High Tension (132KV) power line crosses the site towards the western side while a smaller branch of 32KV overhead lines provides power to an adjacent communications mast.

The site is largely square in shape. The only two means of access that presently exist are at Cocklebury Lane (with a narrow Victorian bridge over the railway) and a narrow footbridge at Eastern Avenue. The site generally slopes towards the River Avon but also falls away in the north western edge, towards Chippenham Town Centre. A distinctive valley exists towards the centre-west of the site, which is made more attractive by several mature trees including oaks. Roughly 20% of the site is within the floodplain. A brick and concrete World War II (WWII) pillbox is located close to the river within the flood plain, which will be unaffected by the proposals. Aside from the access boundaries, the remaining boundaries are easily defined and identified both from a map and on-the-ground. Rawlings Farmhouse and structures within its curtilage are included in the application site. An existing dwelling (Rawlings Farm Cottage) is enclosed by the site but does not fall with the application site.

4. Planning History

15/11886/FUL	Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green – under consideration
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5. The Proposal

Outline planning permission for up to 700 dwellings, including 4.5Ha mixed use employment space; a new primary school; new open space, landscaping, small local centre to accommodate up to 600m² of new retail space, care home for the elderly up 3000m², bridge access the railway from Parsonage Way, site access at Darcy Close and other associated works with all matters (except access) reserved.

6. Planning Policy

Wiltshire Core Strategy Jan 2015:

Core Policy 1-	Settlement Strategy
Core Policy 2-	Delivery Strategy
Core Policy 3-	Infrastructure Requirements
Core Policy 10-	Spatial Strategy: Chippenham Community Area
Core Policy 34-	Additional Employment Land
Core Policy 41-	Sustainable Construction and Low Carbon Construction
Core Policy 43-	Providing Affordable Homes

Core Policy 51-	Landscape
Core Policy 43-	Providing affordable homes
Core Policy 45-	Meeting Wiltshire's housing needs
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 64-	Demand Management
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

H4- Residential development in the open countryside

CF2- Leisure facilities and open space

CF3- Provisions of open space

The Draft Chippenham Site Allocations DPD

The emerging Langley Burrell Neighbourhood Plan

National Planning Policy Framework 2012:

Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 8- Promoting healthy communities (Paragraph 75)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

Chippenham Town Council - Object with particular concerns relating to traffic and transport, air pollution, flora and fauna, loss of agricultural land, flood risk and drainage, landscape impact & public consultation.

Bremhill Parish Council - Object. Concerns relating to prematurity, highway infrastructure, flooding both downstream of this site at Chippenham Town and upstream at Kellaways, cumulative effect of traffic arising from all these proposed developments will cause a road safety issue on the M4 slip roads, landscape impact, the access from the railway crossing into the Wavin distribution centre

Langley Burrell Parish Council- Object. Considerable underestimation of the traffic generation at the proposed site. Traffic generation and subsequent assessment of the peak hours has been underestimated by over 150 vehicles in the AM peak hour and over 200 vehicles in the PM peak hour.

The proposal fails to make any allowance for the potential for the Barrow Farm development to be permitted at appeal. Neither of these developments has modelled the potential increase in traffic through Langley Burrell, Kingston Langley and other local villages during the period before the Northern and Eastern Bypass is complete.

Development must avoid adversely affecting the rural and remote character immediately around the site and increasing the visual prominence and urban influence of Chippenham over a much wider area.

Highly unsatisfactory that in the proposals by the developers, the northernmost part of the site is now occupied by employment space and housing. The positioning of employment especially (but also the housing) flagrantly undermines the objectives of preserving the remote rural character and creating a soft rural/urban transition which respects the setting of the Peckingell listed building.

Wiltshire Council Landscape Officer- The amount of proposed residential development within the application exceeds the requirement identified or envisaged within the emerging Chippenham Site Allocations Development Plan Document (DPD) for 'Strategic area B'. While the retention and strengthening of the majority of existing hedgerows within the site is welcomed, the landscape strategy and development parameters fall short of the bold new landscape structure considered necessary to maintain a characteristic well wooded eastern settlement edge.

The land to the north of the disused railway/ cycle track sloping east towards the River Avon is visually exposed within the landscape. The well wooded embankment and cutting slopes of the disused railway and the woodland belt growing along the top of the active GWR railway line provide important landscape structure which helps to contain the urban influences of the existing town from extending across the River Avon Floodplain and outlying isolated rural settlements north and east.

Major urban development within this strategic area will breach this existing urban containment currently provided by this woodland for near and middle distance receptors, and adversely affect the character of the existing eastern settlement transition with countryside, hence the policy requirement (CH2) for a strong new landscape structure to mitigate this urban extension onto these exposed farmland slopes. Planned development in this strategic area must maintain and enhance the town's characteristic wooded transition to countryside along its eastern edge.

The current outline illustrative Masterplan along with its associated development parameters do not represent a sensitive solution for the introduction of a major new mixed use urban extension within Strategic Area B. The illustrative proposals and development parameters pay only minor reference and limited regard to the site specific sensitivities and main landscape and visual issues highlighted within the local landscape character assessments and the TEP Study.

The introduction of urban development encroaching into the River Avon's east facing valley side is likely to generate permanent adverse cumulative landscape and visual effects for numerous receptors. This has the potential to cumulatively undermine the existing wider panoramic wooded setting of this eastern side of the town. Existing levels of tranquillity will be disturbed and reduced and harmful urban influences will encroach into countryside, overlooking the wide flood plain of the River Avon, extending into the River Marden Valley and towards Tytherton Lucas Conservation Area, and Upper Peckingell Farm. The greatest landscape and visual effects will result from the introduction of the scale and form of urban development currently being promoted across the eastern slopes within the site without adequate landscape structure to contain and filter resulting effects.

Within the riverside park areas there is potential for a change of landscape character to result from the existing pastoral farmland character to something quite different, if or when the existing grazing /management regime of this floodplain land associated with Rawlings Farm ceases or changes. If the LPA is minded to grant outline planning consent for this development, until a Management Plan is submitted to the LPA for the proposed 'Riverside Park' land, the resulting landscape effects of taking this large area of land out of agricultural use remains uncertain. There is also a degree of uncertainty about the long-term economic viability of maintaining such a large area of open space in perpetuity.

This outline development proposal does not demonstrate that appropriate or sensitive urban development parameters, or mitigating landscape design measures could appropriately or successfully assimilate new development of this proposed nature into the receiving landscape without generating permanent harm to landscape character and visual amenity. Much of this harm could be better mitigated by the inclusion of an improved landscape framework and by reducing the height of proposed urban development parameters without subsequently increasing the scale of built massing throughout the site.

Wiltshire Council Air Quality- No objection subject to conditions and the payment of a financial contribution.

Wiltshire Council Waste & Recycling- The on-site infrastructure required by the proposal is the provision of waste and recycling containers for each residential unit. The estimated s106 contribution is required for the provision of this essential infrastructure to make the application acceptable. The requirement is subject to change dependent on the confirmed mix of flats and houses, in accordance with section 10 of the councils SPD.

Wiltshire Council Tree Officer- No objection subject to conditions

Wiltshire Council Ecology- Objection but planning permission can be granted subject to conditions.

Wiltshire Council Public Protection- No objection subject to conditions

Wiltshire Council Archaeology- No objection subject to conditions

Wiltshire Council Affordable Housing - There is demonstrable affordable housing need in the Chippenham Community Area and a 40% on-site affordable housing contribution at nil subsidy should, therefore, be sought from these proposals in line with policy approaches - with a tenure split of 60% affordable rented homes and 40% intermediate (shared ownership) housing in order to meet current demonstrable need.

Wiltshire Council Contaminated Land - No objection subject to conditions.

Wiltshire Council Drainage - No objection subject to conditions.

Wiltshire Council Highways - No objection subject to planning conditions and planning obligations.

Wiltshire Council Conservation - The proposed development will result in harm to the setting of the Listed Building known as Rawlings Farm House. This harm is less than substantial in terms of the NPPF.

Wiltshire Council Secondary Education- Secondary Summary – a financial contribution towards the expansion of Abbeyfield School by 135 places at £21,747 each = £2,935,845.

The Council intends to pursue the funding for this secondary infrastructure expansion via the CIL mechanism. Primary Education- A financial contribution of 175 places required at £16,979 each = £2,971,325 (to be index linked) along with a 2ha site for a new primary school. Site location and suitability to be approved by the Council. Early Years Education- A financial contribution of 648,432.00 is required.

Wiltshire Council Public Art- Public art should be incorporated within the application site.

Environment Agency- No objection subject to conditions.

Wessex Water- No objection subject to conditions.

Historic England - We would recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Crime Prevention Officer- No Comment

Highways England- No objection subject to the imposition of a planning condition

Sport England- It is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport.

Natural England - No objection

National Planning Casework Unit - No comments

Network Rail- No objection

Canal and River Trust - No comment

Wiltshire Fire and Rescue - No objection subject to a planning condition

8. Publicity

The application was advertised by neighbour letter, site notices and press advert.

The application has generated over 150 letters of objection and 1 letter of support. A summary of the comments is set out below:

- Inadequate Access and Highway Infrastructure/ Congestion
- Vehicular Access at Darcy Close would create a rat run
- Highway Safety Issues
- No need for Eastern Link Road & Concern for delivery
- Against Eastern Link Road
- Parsonage Way Link Road necessary for any development to take place
- Concern over Construction Traffic Route and Darcy Close
- Loss of Parking on Darcy Close
- Noise Impact
- Air Quality/Pollution
- Ecological Impact
- Flood Risk

- Loss of/Impact on Public Amenity
- Loss of Hedgerow and Trees
- Prematurity (Ahead of DPD Adoption)
- Housing not needed
- Scale/Concentration of Development
- Need for Employment in this location?
- Insufficient employment land provided
- Brownfield sites should be used first
- Alternative sites preferable
- Impact on PROW/ Cycle Routes
- Crime impacts
- Pressure on Local Services/ Provision of Infrastructure
- Robustness of traffic assessment
- Loss of BMV Land
- Coalescence concerns rural villages/ urban sprawl
- Light Pollution
- Impact on heritage assets
- Impact on Landscape
- Viability of the scheme
- Pollution of River
- Housing Needed in Chippenham
- Development to the north of the relief road is contrary to the belief that the road would form the limit of development for Chippenham
- The Bridge access should not open until the link road is complete
- Air pollution
- Necessary improvements to J 17 of the M4 not in place
- Bridge is not deliverable as third parties own land for the bridge on Parsonage Way
- Adverse impact on businesses in Parsonage Way.
- Bridge costing is not accurate

Objection letters and statements have also been received from Langley Burrell Residents Association, Tytherton Lucas Residents Association, Wavin & Campaign against Urban Sprawl in the East. Their concerns and objections are summarised above.

9. Planning Considerations

9.1 Principle of Development

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.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Chippenham Area. The emerging Langley Burrell Neighbourhood Plan underwent informal consultation in March 2016 and formal submission is intended to take place in the summer. Due to its limited progress to date, this document can only be afforded very little weight.

Important material considerations in this case include the requirement in the National Planning Policy Framework (NPPF) to assess whether the Council has a five year housing supply for the north and west housing market area that includes Chippenham.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

9.2 Chippenham Sites Allocation DPD

The Draft Chippenham Site Allocations Plan was submitted to the Secretary of State for independent examination in July 2015. Hearings into the soundness of this plan were suspended in November that year in order to allow the Council to undertake further work. As a result of this work a set of proposed modifications were consulted on in May-July. Hearings are programmed to resume on 27 September 2016. The current proposals in the emerging Chippenham Sites Allocation Plan (CSAP) include strategic allocations at South West Chippenham (CH1) and Rawlings Green (CH2).

The Chippenham Sites Allocation DPD remains an emerging Plan submitted to the secretary of state for examination. Weight can be afforded to this document in accordance with Annex 1 of the NPPF, which states that weight to be given is proportionate to the stage of preparation, the extent of unresolved objections and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework. Given that there are still objections to the plan, and the examination is due to reconvene shortly, little weight can be attached to it at this stage.

9.3 Wiltshire Core Strategy CP1, CP2 and CP10 and Saved Policy H4

CP1, CP2 and CP10 deal with the broad issues of settlement strategy and delivery. Other relevant policies of the Development Plan are otherwise discussed later in the Report under topic heads.

Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

Chippenham is identified within the WCS as one of the three Principal Settlements which act as a strategically important employment and service centres for a number of villages in the immediate area and beyond. Chippenham is to be a focus for development (Core Policy 1). The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.

Core Policy 2 sets out the delivery strategy for Wiltshire in the period 2006 - 2026. This is to be delivered in a sustainable pattern, in a way that prioritises the release of employment land and previously developed land. At least 42,000 homes are to be delivered in Wiltshire, with 24,740 of those distributed to the North and West Housing Market Area.

Core Policy CP2 states that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy. In this case, the site lies outside of the limits of development for Chippenham and while it is a draft allocation in the Sites Allocations Document only limited weight can attach to that. The proposal does not meet any of the exceptional circumstances identified in WCS paragraph 4.25 where development outside limits of development is acceptable. Similarly, as it lies beyond the limits of development, it does not comply with save policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect.

Core Policy 10 of the WCS identifies the level of housing growth appropriate for Chippenham. The housing requirement for the town is identified as at least 4510 homes supported by 26.5 ha of employment. CP10 also sets out the intention to prepare a Chippenham Site Allocations Development Plan Document (DPD), which seeks to identify land for employment and 'at least 2625 dwellings' (once existing completions and commitments have been taken into account). The DPD will also set out a range of facilities and infrastructure necessary to support growth.

Criteria are included in CP10 to guide development, in addition to the other provisions contained within the Core Strategy. The criteria are based on the key issues identified for Chippenham in paragraphs 5.46 – 5.48 of the WCS. They have been included to give direction to the preparation of the Chippenham Site Allocation DPD. However, the criteria could also provide a useful set of benchmarks against which planning applications may also be measured. The criteria relate to:

- Economic led growth
- Town centre resilience and accessibility
- Mixed use development and mix of housing
- Major infrastructure and traffic impact
- Environmental constraints

The context provided through the core strategy specifically for Chippenham is that the town should be a focus for growth which will be delivered through planned strategic allocations which deliver the requirements set out in Core Policy 10.”

9.4 Housing Land Supply

Housing land supply has to be regularly assessed. The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA, and the current calculation is that the Council has a 4.76 years supply. The supply does not include the proposed site allocations in the Chippenham Site Allocations DPD. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as set out at Paragraph 14 of the Framework is engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

It can be seen therefore that CP1, CP2, CP10 and Saved Policy H4 are all relevant for the supply of housing and are to be considered out-of-date. This does not mean, however, that these policies carry no weight or even only limited weight. It is clear Development Plan policy that Chippenham is to be a main focus for development and that this should carry significant weight. It is moreover clear that Chippenham is not performing in line with Development Plan expectations. Of the minimum level of 4,510 houses to be provided in Chippenham over the Plan period, 1,780 are still required as of April 2015.

In summary, it is concluded that while limited weight only can apply to the fact of breach of settlement boundaries given the shortfall in the housing land supply and the clear need to meet a significant amount of future housing and employment need beyond existing settlement boundaries, the fact that Chippenham is to be a focus for development should carry significant weight in the decision-making process.

9.5 Whether a Sustainable Location

The 50.75 hectare site, which comprises undeveloped agricultural land, Grade II Listed Farm House and associated farm buildings, lies on the eastern edge of Chippenham, approximately 2 kilometres from the town centre. The Council's strategy for housing and employment is to focus growth in the principal settlements of Chippenham, Trowbridge and Salisbury. As such, Chippenham is a location that is expected to accommodate new housing development.

Whilst the loss of countryside would cause some environmental harm, the Council is unable to meet the full housing requirement for Chippenham without development taking place on greenfield land.

In terms of accessibility, a Primary School will be located within the site and this will be secured by way of s106 agreement and will offer easy access by foot for the residents of the proposed development. Abbeyfield & Hardenhuish Secondary Schools are both within 3km walk of the site, though this is greater than maximum walking distances suggested in Institution of Highways & Transportation 'Guidelines for Providing Journeys on Foot' it is not so far away that the site would be deemed inherently unsustainable. Hardenhuish Secondary school is the closest secondary school to the site, however, the Council's projections suggest that this is full and demand generated by this development will be met by Abbeyfield.

The site incorporates a local centre and various convenience stores/small supermarkets are located within Chippenham Town centre which is less than 2km walk. The weekly shopping trip would be difficult on foot or cycle and would generally be undertaken by car in any event, often in conjunction with other activities. Employment opportunities in Chippenham include the employment generating uses on site, town centre employment and Langley Park Industrial Estate all of which are within walking distance. Other employment opportunities in Chippenham include Bumpers Farm & Methuen Park industrial estates.

The nearest bus stops are located in Monkton Park and Chippenham Train Station which are within 1 kilometre walk of the site. Further bus stops are located within Langley Burrell and at the entrance of Langley Park. Furthermore, the s106 agreement will see funding for bus routes to be diverted within the site thus improving connectivity with Chippenham. Whilst some of the existing transport public transport links are further than the 'acceptable' walking distance to a bus stop, majority of the frequent services depart from Chippenham Railway Station with the 55, 55A, 33, 35, 91, 92, 231, 635, X31 & X33 stopping here. These buses offer access to other settlements such as Royal Wootton Bassett, Calne and Devizes where facilities and employment opportunities are available.

Whilst the bus stops and train station are located further from parts of the site than is ideal, that is balanced, to some extent, by the good frequency of service, the nature of the destinations & the employment opportunities possibly established on site. All in all, given the accessibility of a number of services and facilities by foot /bicycle, combined with a good frequency of public transport service to nearby towns, albeit that from some locations within the site the nearest bus stops are just over a kilometre away, it is considered that future residents would have a realistic alternative to the private car to access services and facilities required on an everyday basis.

To conclude on this issue, the development would not prejudice the fulfilment of sustainable development objectives as set out in local and national planning policy. It is therefore considered to be a sustainable location for new housing development, as is recognised by

the Core Strategy and in particular policies CP1, CP2, CP10 & CP34. This matter weighs in favour of the proposal.

9.6 Employment Land

The application seeks to provide up to 4.5ha of land for employment generating uses. It is estimated that the overall development could accommodate premises for approximately 530 new jobs, excluding jobs in schools and shops serving the site. It is accepted that there is no truly meaningful difference between the level of job opportunities anticipated between the proposals of policy CH2 of the CSAP and this application.

The proposals fulfil the strategic role of providing land for economic growth, though possibly half a hectare less than specified in draft policy CH2 it does provide employment land in accordance with CP1, CP2 and CP34 *iv, v, vi, vii, viii & ix of the Core Strategy*.

As identified within the report there is some harm to the character and appearance of the area and this has, in part, been mitigated through the retention of important landscape features and additional structural landscaping. Any further refinement of the master plan to accommodate further employment is likely to reduce this landscaping buffer and 'Country Park' and is not encouraged.

The illustrative master plan shows two areas for employment uses. One area is located by the proposed road bridge and nearer to the A350. A second area is proposed alongside a local centre. This location seems well positioned for the railway station and town centre. A split into two areas uses the flexibility provided by draft policy CH2 and seems based on a reasonable rationale. The treatment of employment offers a choice to prospective business but to ensure the proposal does not provide duplication of planned investment at Chippenham Railway Station or conflict with the objective of enhancing the viability and vitality of the town centre appropriately worded planning conditions will be required. The provision of employment land to help fulfil the plans desire to allow self containment and reduce out commuting is a matter which weighs in favour of the proposal.

9.7 Affordable Housing

Core Policy 43 states the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments of 5 or more dwellings. The applicant has agreed to provide 40% onsite affordable housing with a 60% affordable rent and 40% shared ownership tenure split. The provision secured by the planning obligation accords with the policy and meets the relevant tests set out in the CIL regulations. The proposed development therefore accords with Core Policy 43 and this is a matter which weighs in favour of the proposal.

9.8 Highway Matters

This proposal provides for two of the crucial transport links required to support development to the north and east sides of Chippenham, namely the Cocklebury link Road and part of the Eastern Link Road, including the essential new crossing of the GWR mainline.

The TA sets out a proposed access strategy for the site, which generally aligns with that envisaged in the transport modelling work undertaken by Atkins on behalf of the Council. The principal links to serve the site are therefore acceptable in principle. Planning obligations will be required to ensure appropriate triggers are applied to the delivery of the Cocklebury Link and the Parsonage Way railway bridge and to secure the provision of the ELR to the eastern-most part of the site to allow connection to this road if required at a later date by others.

Furthermore, access facilities for pedestrians and cyclists will be enhanced along Cocklebury Lane. Arrangements will be sought to deliver an alternative private access to

Rawlings Cottage, with a view to downgrading the status of the byway and the need to cross the railway bridge with vehicular traffic.

The general design principles for these two roads is set out in the D&A Statement at chapter 10. Both roads are proposed to have frontage development. It is proposed that the ELR frontage property would be provided with rear parking facilities to minimise the prospect of reversing manoeuvres onto this road from private drives. The Cocklebury Link, however, is proposed to be provided with direct drives onto the road with no turning facilities, this is not an acceptable arrangement on this potentially busy route connecting Monkton Park with the wider highway network, but can be controlled at reserved matters stage and is not an insurmountable matter.

The travel planning proposals for the residential element of the site are acceptable in principle, but some further detail will be required, particularly in relation to the submission of monitoring reports and the use of personalised travel planning as an intervention tool. The targets away from single occupancy car travel are modest, as is the proposed increased use of buses, where little incentive is offered; such issues will be dealt with by way of a planning obligation. There will also be a requirement for a framework workplace and school travel plan.

The focus of pedestrian and cycle activity to the south of the site will involve existing routes such as the North Wilts River Route. Local improvements will be sought to upgrade surface finishes on the former railway route where it fronts the site, as well as the link west of the History Centre and Great Mead (CHIP12), which is not suitable for an area within a newly built environment. Routes within the site will be addressed through use of appropriate conditions.

Car and cycle parking provision within the site will be conditioned to accord with the adopted standards (Car Parking Strategy and Cycle Strategy) of the Council.

The assessment of local junctions has been based on 4 different development scenarios agreed with the Council. The analysis demonstrates that the Station Hill/New Road junction will be overloaded in all scenarios, but the situation will be least worst if and when an ELR is delivered and available. In the interim period it will be necessary to alter the arrangements at this junction, through the introduction of traffic signals control.

The analysis also identifies capacity issues at the Birch Grove junction, in the absence of the North Chippenham part of the ELR; a contingency arrangement will be required to improve this junction linked to provision of the NCC ELR. The proposal for modifying the Darcy Close/Cocklebury Road junction are accepted in principle, in order to acknowledge the changed local traffic priorities and to assure adequate capacities for all arms of the junction. Stage 1 RSA's should be submitted for all three junctions, as well as the link road along existing Darcy Close.

The delivery of transport infrastructure is addressed by way of identified thresholds of occupied dwellings on the site; however, in order to protect the town against potential default, it will be required to establish a time related trigger in relation to the provision of the GWR mainline crossing connecting with Parsonage Way.

The application's proposals include for a primary school. It will be necessary to ensure that adequate pedestrian/cycle routes are provided to the school at an appropriate time in the development; of particular concern is access from the west, where the available routes will be Parsonage Way and Cocklebury Lane. It is a normal requirement for an NMU audit to be submitted to demonstrate the effectiveness and adequacy of existing routes leading to and from the site, likely to be used by occupiers of the development; an NMU should be

prepared, with particular emphasis on routes to schools, and submitted prior to any final transport recommendation on the application.

Whilst the development proposal provides for a secondary access to the Monkton Park area, which is welcome, it will be necessary, for environmental and school safety reasons to preclude access to the route for lorry traffic. A planning obligation will be sought to preclude the through use of the route by heavy goods vehicles, potentially allowing access from the north and south only, and not permitting use on an 'except for loading' basis. There will also be a requirement for on-street parking orders, both within and beyond the site, to ensure that through traffic is not unduly inconvenienced, and that bus access is not obstructed.

The NPPF at Paragraph 32 states that Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The proposal would not result in a severe impact in these terms.

Having considered the submitted information and the updated statements including the NMU route audits and Bus strategy it is considered that, subject to s106 and conditions, the proposed development is in accordance with policies CP3, CP10, CP60, CP61, CP62, CP64 & CP66 of the Core Strategy and NPPF

9.9 Impact on Landscape

The site comprises approx. 50.75 hectares of sloping pastoral agricultural land (largely Grade 2 in the ALC) located between the active Great Western Railway and the River Avon. The site falls from the railway at approx 65m AOD in the west to the river Avon in the east at approx. 45m AOD and is largely contained within the current landholding associated with Rawlings Green Farm. The site comprises a number of small and medium sized fields enclosed by field hedgerows, with occasional hedgerow trees. In the northern part of the application site a distinctive dry valley is evident, which once contained a small tributary watercourse of the River Avon. This watercourse is believed to have been diverted during the construction of the Railway. A tall thinning hedgerow borders the northern boundary of the site, providing some filtering of the site from Peckinggell, which includes grade II listed farm buildings.

The proposed site lies to the east of Parsonage Way Industrial Estate, separated by the busy Great Western Railway line which is located in deep cutting (soon to be electrified) along the sites western boundary. The historic urban core of Chippenham's town centre lies approx. 1.4km to the south of the site. To the immediate south of the site, Monkton Park housing estate occupies slightly lower land and is separated from the application site by the heavily wooded disused railway line which is now utilised as a cycleway linking Chippenham to Calne. The site is fairly isolated with the only vehicle access currently provided by Cocklebury Lane a narrow Byway (CHIP45) accessed from the north, off Maud Heath's Causeway (B4069). Access into the site is via a bridge crossing the railway.

The disused railway/cycleway is in deep cutting along most of its length with the exception of a short section constructed on steep embankment (approx. 10-15 metres above the river and floodplain) which elevates the route to cross the River Avon via a cycleway/footbridge (Black Bridge), which also incorporates a purpose built viewing platform for the public to enjoy the views of the River Avon corridor and associated floodplain areas. East of the river, the cycleway continues on embankment to New Leaze Farm access track where the embankment finally runs into adjoining ground levels level with adjoining agricultural land on both sides. Mature trees and woodland extend up these embankment and cutting slopes on both sides of the river on both north and south slopes, which channels views from the bridge and viewing platform along the river and adjacent sections of floodplain meadow. This woodland thins out at Eastern Avenue and Darcy Close at the south western corner of the application site.

The small rural outlying settlement of Tytherton Lucas and its associated Conservation Area is located approx. 800 metres (east) from the planning application site boundary at its closest point. Upper Peckingell Farm (Grade II listed) lies approximately 100m to the north of the site boundary, with Langley Burrell located on the western side of the railway approximately 600m north of the north west corner of the application site.

This is a settled farmed landscape with scattered farmsteads, listed buildings and small outlying historic villages with a strong use of natural stone contributing to the characteristic rural vernacular. The Rivers, tributary watercourses and associated riparian vegetation, valley slopes, floodplain meadows and the elevated limestone ridge all contribute to the value and quality of the local landscape. The overhead electricity transmission lines and their supporting pylons extend eastwards from Rawlings Farm, across the river towards New Leaze Farm and the cycleway. At New Leaze Farm they abruptly change direction to cross the cycleway in a south-east direction towards Stanley Lane. This urbanising infrastructure is visually prominent and detracts from the quality of the local area.

The existing vehicular access into the site is from Cocklebury Lane, a narrow single width road/track which passes through Parsonage Way Industrial Estate from the north west at Maud Heath's Causeway (B4069). This farm access road also doubles along much of its length as a Public Right of Way (Byway CHIP45 north of Rawlings Farm Cottage and footpath CHIP44 south of the cottage) providing a southern link to Eastern Avenue and an onward eastern connection onto National Cycleway Route 403/North Wiltshire Rivers Route which runs along the disused railway and provides an important link to the wider rural PRow network further east towards New Leaze Farm and Stanley. Public footpath CHIP12 provides a link from Cocklebury Road close to Chippenham Railway Station Car Park and runs along the edge of the railway to enter the application site at its south western corner before joining Cocklebury Lane (CHIP45) close to the railway bridge.

Footpath CHIP43 extends from the southern end of CHIP44 close to the bridge crossing the disused railway at the end of Eastern Avenue to join footpath LBUR1 and LBUR3 in a north east direction. These footpaths provide a route from the south west of the site to cross the sites east facing slopes towards Peckingell and Tytherton Lucas. Views from the upper parts of the sloping site offer elevated panoramic rural views eastwards across the expansive River Avon Valley and floodplain below, with the elevated limestone ridge forming the backdrop to the east. The River Marden Valley cuts through the limestone ridge, allowing a distant view towards the North Wessex Downs AONB scarp and the impressive Cherhill Monument, located south east of Calne. Bencroft Hill is a notable natural landform and feature viewed from these footpaths and Maud Heath's Monument at Wick Hill is a local landmark in this same rural view.

Footpath LBUR5 runs from Maud Heath's Causeway, south of Kilvert's Parsonage to enter the site via a farm accommodation bridge (Green Bridge) which crosses the active main line railway close to the northwest corner of the site. The route passes only for a few metres through the site before heading east to join LBUR3 which runs from Peckingell southwards into the site to join LBUR1. Views are elevated, rural and sometimes partially screened and filtered by hedgerows looking across the site at contour. The land form levels out north of Peckingell.

The site does not form part of any national landscape, heritage or open space designations but lies within Landscape Type; '12: *Open Clay Vale*' in Landscape Character Area '12B: *Avon Open Clay Vale*', within the 'Wiltshire County Landscape Character Assessment' (2005), and at the district level within Landscape Type; '11: *Lowland River Farmland*' in Landscape Character Area '11: *Avon Valley Lowland*', within the 'North Wiltshire Landscape Character Assessment' (2004).

A Landscape and Visual Impact Assessment (LVIA) has been prepared by 'Barton Willmore' (December 2015) ES, Volume II, Appendix 4.10. The predicted Landscape and Visual effects are included at ES, Volume I, Chapter 4 of the submitted Environmental Statement (ES). The LVIA considers and assesses the development proposals contained within the Illustrative Masterplan prepared by Barton Willmore (Dwg. No. 9405/Rev E & Appendix 1.6 of the ES). The ES makes clear at Section 1, Paragraph 1.1.6 that this Illustrative Masterplan incorporates the Parameter Plans, access plans, building heights plan and other master planning outputs and further clarifies that the 'Parameter Plan' (Volume II, Appendix 1.2 of the ES, Dwg. No. 9600/Rev G, now understood to be revised to Rev H) is the only layout which is considered to be binding on any subsequent 'Reserved Matters' applications.

An assessment of predicted landscape effects (Landscape Character & Landscape Features) and predicted visual effects (visual amenity) likely to result from implementing the development proposals are included within the ES Volume I, Section 4.4 (pages 78 – 86) and summarised within the 'Landscape Effects Table' (ES Volume II, Appendix 4.7) and within the 'Visual Effects Table', (ES Volume II, Appendix 4.8). Potential 'cumulative' landscape and visual effects are considered at Section 4.6 (pages 90-91).

Landscape Impacts - The LVIA includes assessment of predicted landscape effects 'During Construction (temporary)', 'At Completion year 1' and 'Residual at year 15' for landscape character and for landscape features as follows;

Landscape Character- For National Character Area (NCA) 117-Avon Vales, the report assesses low and very low adverse change effects which are likely to generate a Neutral Significant Effect during construction, at year 1, and at year 15. This is due to the small scale of the site area in context with the very large size of the national character area.

For the Wiltshire County Landscape Character Area 12b-Avon Open Clay Vale (1:50,000) the report assesses low and very low adverse change effects, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Neutral Significant Effect at year 1 and at year 15.

For the North Wiltshire Landscape Character Area 11-Avon Valley Lowland (1:25,000) the report assesses low and very low adverse change effects, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Neutral Significant Effect at year 1 and year 15.

For the Chippenham Landscape Setting Assessment - Strategic Area B (site and localised 1:10,000 context), the report assesses a medium adverse effect during construction, low beneficial effect at year 1 and a medium beneficial effect at year 15, which are considered likely to generate a Moderate Adverse Significant Effect during construction, changing to a Minor Beneficial Significant Effect at completion, and 15 yrs following completion.

The Council's landscape officer disagrees with the findings contained within the (LVIA) assessment relating to the predicted effects for Landscape Character at the County, District or Site levels. This is due to specific landscape issues highlighted within these published landscape character assessments and the identified sensitivities highlighted within the Chippenham Landscape Setting Assessment relating to the future urban expansion of Chippenham. These highlighted issues and sensitivities are not judged to have been fully considered within the assessment. They highlight the need to minimise any resulting adverse landscape and visual effects connected with the future urban expansion of Chippenham. The Character Assessments point to the need to avoid continued uncharacteristic modern urban expansion up exposed valley slopes and the need to repair

and improve existing harsh urban settlement edges and transport corridors with substantial new areas of planting.

Planned settlement expansion within this strategic area must deliver sympathetic transitions with adjoining countryside to the east and north to conserve the valued rural sense of place and tranquillity, connected with the expansive floodplain of the River Avon and River Marden, and protect the rural separation and tranquil isolated characteristic outlying hinterland village settlements located to the north and east of the site. The Mitigation/Notes within the Landscape Tables and text within the LVIA recognise the importance of providing mitigating strategic planting to filter and screen new development in order to sustain the town's characteristic wooded eastern settlement edge. However, the proposed form and amount of new structural planting, and the scale, density and height of new built development is highly unlikely to achieve the soft well vegetated urban edge with small groups or small clusters of rooflines which are often only glimpsed within woodland offering the limited public views considered to be characteristic and necessary to successfully integrate new urban development at this site. Extensive new landscape structure planting is identified to be necessary within Draft Policy CH2 in order to halt the identified further breakdown of transitions between town and countryside around Chippenham, resulting from the introduction of new urban development and transport corridors in exposed locations at the edge of the town. In this respect the proposed landscape structure planting included in the submitted Parameter Plans and Illustrative Masterplan is not considered to be robust or bold enough to successfully integrate this proposed new urban expansion on these exposed east facing pastoral farmland slopes. This, in combination with the current urban design parameters proposing 2.5 storey and 3 storey development on the upper and middle east facing slopes and the proposed breach of woodland (tree belt) along the top of the railway cutting to enable the rail bridge crossing into strategic area B from Parsonage Way, leads to the conclusion that the predicted 'Neutral' and 'Minor Beneficial' residual effects for local Landscape character will not be achieved. The currently proposed development will be at odds with local landscape character assessment guidelines, generating landscape harm, contrary to CP51 and Draft Policy CH2 requirements.

Landscape Features – The LVIA considers Tree Belts; Hedgerows and Hedgerow Trees; Agricultural fields; River Avon Slopes to be characteristic landscape features within the site. For 'Tree Belt' the report assesses low adverse change effects during construction, low beneficial effects at year 1 and medium beneficial effects at year 15, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Minor Beneficial Significant Effect at year 15. For a longer term residual neutral effect to result for this receptor, the new rail bridge requires some structural planting along the northern edge of the new access road as it turns into strategic area B to help visually close off the new axial view into Parsonage Way Industrial Estate created by the removal of trees to enable the new vehicular access into the site. Some additional structural tree belt planting is also required along the northern edge of the site to maintain and supplement the existing tall hedge / tree belt to better contain new development, maintain rural separation and settings to listed buildings at Peckingell.

Further structural tree planting is required along the mid slope contour of the site. However, it is accepted that some strategic gaps in structural planting would be beneficial to maintain some eastern views from elevated open spaces and existing public rights of way, towards the floodplain and limestone ridge over and through corresponding gaps in development to support positive place making objectives within new development. Some strong groups of new tree planting are also required along the lower eastern edge of development to help filter the urban edge from lower levels and from southern and northern approaches along the riverside and from within the new country park / Riverside park land.

For 'Hedgerow and Hedgerow/field trees' the report assesses medium adverse change effects during construction, low adverse effects at year 1 and low beneficial effects at year 15, which is considered likely to generate a Moderate Adverse Significant Effect during construction, reducing to a Minor Beneficial Significant Effect at year 15. This judgement is accepted with appropriate tree and hedgerow protection measures in place to safeguard these important landscape features and with appropriate supplementary hedgerow and hedgerow tree planting where opportunities exist.

For 'Agricultural fields' the report assesses medium adverse change effects during construction, low adverse effects at year 1 and year 15, which is considered likely to generate a Moderate Adverse Significant Effect during construction, reducing to a Minor Adverse Significant Effect at year 15. It is not unreasonable to consider the permanent loss of agricultural grade 2 land and the permanent cessation of associated farming uses to be replaced with urban development and associated supporting urban and suburban infrastructure to represent a Major or Moderate Adverse change effect. This is not an unexpected effect for this receptor following the permanent loss of farmland to new urban and recreational land uses, given the nature, permanence and prominence of these change effects.

For 'River Avon Slopes' the report assesses Low adverse change effects during construction reducing to Low beneficial effects at year 1 and year 15, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to Minor Beneficial Significant Effect at year 1, and reducing to Moderate Beneficial Significant Effect at year 15. It is unclear if this assessed receptor could actually be described as 'River Avon Slopes' as the area identified as area B within 'Figure 12 : Site Landscape Features and Components' appears to include only the lower parts of the slopes with greater associations with floodplain and immediate river corridor rather than the defining River Avon Slopes. From reading the mitigation / notes within the Landscape Table, the commentary seems to largely relate to watercourses, marginal vegetation and river banks rather than the sloping valley side pasture etc.

The east facing river slopes, overlooking the wide expansive River Avon and River Marden floodplain are largely laid to pasture and are a prominent local feature of the landscape viewed from the floodplain and also from further distances at Wick Hill and Bencroft Hill to the east and edge of settlement at Tytherton Lucas. The introduction of urban development onto these exposed slopes has the potential to result in major or moderate adverse change effects for this receptor due to the magnitude of change and the visual prominence and sensitivity of the receptor identified in local landscape character assessments and the TEP study. The south west corner of the site slopes down from Cocklebury Lane towards the active railway line. The resulting urbanising change effects on these south-west facing slopes are considered to be less sensitive to change due to stronger existing urban influences between these slopes and the electricity substation, railway and town. The introduction of urban development onto these south west facing slopes are likely to generate less harmful change effects to landscape character, and easier to mitigate through new structure planting than the east facing slopes.

It can be reasonably expected that the introduction of new urban development at this prominent Greenfield location, up to 3 storeys in height, including some larger massing of employment buildings, will generate permanent Major or Moderate Adverse Significant Effects for local Landscape Character, and also for some landscape features within the site. It is based on the anticipated resulting magnitude of change effects which are likely to arise from the introduction of the proposed scale, form and height of new urban development proposed onto the sensitive visually exposed east facing pastoral slopes, overlooking the

wide expansive River Avon and River Marden Floodplain, opposite the elevated limestone ridge.

Visual Impacts- It is noted at Section '6 Visual Appraisal' of the Rawlings Green LVIA (appendix 4.10, Volume II of the ES), paragraph 6.3.8 *"The rail bridge is expected to be in place prior to construction of the proposed development and is therefore considered as part of the baseline conditions."* The separate planning application for the rail bridge (15/11886/FUL) is directly linked to this application. The only reason for constructing this new rail bridge is to provide access into Strategic Area B for the purpose of facilitating the mixed use development subject of this application (15/12351/OUT). The resulting landscape and visual effects predicted to arise from tree removals and the removal of existing earth bunds at the top of the railway cutting will remove established valued screening and open up a new viewing corridor into Parsonage Way Industrial Estate from countryside to the east. This effect should be acknowledged as a direct result of this development proposal, assessed within the scope of this LVIA and ES and specific mitigation measures need to be included or controlled by condition.

The visual appraisal establishes a 15km radius 'Predicted Zone of Theoretical Visibility' (Figure 13, ES Appendix 10.4) and assesses the anticipated visual change effects 'During Construction (temporary), at 'Completion Year 1 (with mitigation based on Parameter Plans)', and 'Residual Year 15' for a series of representative public viewpoints illustrated with 16 no. Representative Viewpoint Photographs, and a Viewpoint Location Plan (Figure 14), Section 6, ES Appendix 10.4). The viewpoints represent views experienced by various receptors (people) at varying distances from the site which help to illustrate the potential resulting visual effects for public visual amenity including;

- Cyclists and pedestrians using the North Wiltshire River Route and National Cycle Route 403;
- Users of PRow in the local and wider area;
- Users of Parsonage Way;
- Residents, pedestrians and road users at Chippenham's settlement edge immediately to the south of the site
- Residents, pedestrians and road users at areas of high ground east of the site including Bencroft Hill and Wick Hill.
- Visitors to places of interest such as the Church of St Nicholas, Maud Heath's Causeway and Monument, and Cherhill Monument.

A summary of the visual appraisal is provided at paragraph 6.4.1 (Volume II, ES Appendix 4.10) *"The visual appraisal has been undertaken through a combination of desk based study with the generation of a Zone of Theoretical Visibility (ZTV) and extensive field work. The ZTV and visual appraisal demonstrate that in relation to near and mid-distance receptors the Site is predominantly contained and enclosed due to a combination of : flat landform; surrounding housing, roads, railway line and associated mature vegetation; and hedgerow vegetation. In relation to long distance views, there are wide ranging panoramic views in which Chippenham and the Site sits below the skyline."*

And paragraph 6.4.2 *"The landscape surrounding the northeast edge of Chippenham, has a predominantly rural character with small, scattered settlements and individual dwellings. The landscape is gently undulating with vegetation preventing extensive views. Around Chippenham , the original settlement in the valley bottom has expanded up the valley sides exposing these areas within wider views. Receptors of these views are predominantly users of the extensive network of PRow which link Chippenham to the wider rural landscape and surrounding small settlements."*

The assessment of visual effects concludes that resulting effects on views are mainly adverse and not significant. The report does not assess any Major Adverse Significant Effects for any visual receptors.

However the report does assess that Moderate Adverse Significant Effects will arise during 'construction' (temporary effects) for visual receptors from;

- Viewpoint 01 - North Wiltshire Rivers Route/National Cycle Route 403 (near view, looking north).
- Viewpoint 2 – Darcy Close (near distance view, looking north east).
- Viewpoint 05 – Parsonage Way (near distance view, looking east).
- Viewpoint 06 – Footpath (LBUR3), Upper Peckingell (near distance view, looking south)
- Viewpoint 07 – Church of St. Nicholas, Tytherton Lucas (medium distance view, looking west)
- Viewpoint 08 – Footpath (BREM39), Tytherton Lucas (medium distance view, looking west)
- Viewpoint 12 – Stanley Lane, Bencroft Hill (long distance view, looking west)
- Viewpoint 14 – Wick Hill, Bremhill Wick (long distance view, looking west)

And also at 'Completion' Year 1 for visual receptors from;

- Viewpoint 01 - North Wiltshire Rivers Route/National Cycle Route 403 (near view, looking north).
- Viewpoint 05 – Parsonage Way (near view, looking east).
- Viewpoint 06 – Footpath LBUR3, Upper Peckingell (near view, looking south)
- Viewpoint 08 – Footpath (BREM39), Tytherton Lucas (medium view, looking west)
- Viewpoint 12 – Stanley Lane, Bencroft Hill (long distance view, looking west)
- Viewpoint 14 – Wick Hill, Bremhill Wick (long distance view, looking west)

The report predicts that all of these Moderate Adverse Significant Effects will reduce to Minor Adverse Significant Effects at year 15 except Viewpoint 07 which is predicted to reduce to a Neutral Significant Effect at year 15.

The most obvious and direct visual change effects will result for people using the existing rural footpath network passing through the site. Views from within the site from existing public footpaths looking east (No representative LVIA Viewpoints included within the report) that currently experience elevated long distance rural views across existing farmland and hedgerows, over the River Avon and Marden floodplain areas, and towards the wooded limestone ridge forming the eastern backdrop to views, will notice an obvious change to views experienced from within a new urban setting with views blocked, channelled and viewed over and between new urban development, similar to views currently experienced towards countryside at The Tynings, Monkton Park. These visual change effects are considered to be permanent and Major or Moderate Adverse would be difficult to mitigate.

Existing viewpoint 4, looking east towards the site from Parsonage Way (Viewpoint 4) is considered less sensitive to urban change given the industrial context these views are experienced from. However, for eastern receptors looking west towards Parsonage Way the removal of mature trees from the top of the railway cutting to facilitate the proposed new bridge across the railway will increase the visual exposure to this existing urban employment area. The resulting effects are considered adverse and should be mitigated. Mitigation should be provided through replacement structure planting along the northern edge of the new road entering the site to close this new visual break in vegetation over the longer term for eastern countryside receptors, this could be controlled by condition.

Visual receptors looking back at the site from longer distances from the elevated viewpoints along the limestone ridge, represented by Viewpoints 12, 13, 14 & 15 are likely to view the development proposal as a prominent new urban extension, with the highway lighting clearly evident alongside the proposed 2.5 and 3 storey urban built form including some large building massing in some of the more visually sensitive parts of the site from opposite eastern viewpoints. Increasing the structural planting along the sites mid slope contour is considered necessary to better integrate the proposed urban settlement extension over the longer term.

The amount of proposed residential development within the application exceeds the requirement identified or envisaged within the emerging Chippenham Site Allocations Development Plan Document (DPD) for 'Strategic area B'. While the retention and strengthening of the majority of existing hedgerows within the site is welcomed, the landscape strategy and development parameters fall short of the bold new landscape structure considered necessary to maintain a characteristic well wooded eastern settlement edge.

The land to the north of the disused railway/ cycle track sloping east towards the River Avon is visually exposed within the landscape. The well wooded embankment and cutting slopes of the disused railway and the woodland belt growing along the top of the active GWR railway line provide important landscape structure which helps to contain the urban influences of the existing town from extending across the River Avon Floodplain and outlying isolated rural settlements north and east.

Major urban development within this strategic area will breach this existing urban containment currently provided by this woodland for near and middle distance receptors, and adversely affect the character of the existing eastern settlement transition with countryside, hence the policy requirement (CH2) for a strong new landscape structure to mitigate this urban extension onto these exposed farmland slopes. Planned development in this strategic area must maintain and enhance the town's characteristic wooded transition to countryside along its eastern edge.

The introduction of urban development encroaching into the River Avon's east facing valley side, in combination with the potential mixed use urban development of Strategic Area C on the opposite side of the River Avon (In particular, New Leaze Farm land holding, north of the cycleway) is likely to generate permanent adverse cumulative landscape and visual effects for numerous receptors. This has the potential to cumulatively undermine the existing wider panoramic wooded setting of this eastern side of the town. Existing levels of tranquillity will be disturbed and reduced and harmful urban influences will encroach into countryside.

Within the riverside park areas there is potential for a change of landscape character to result from the existing pastoral farmland character to something quite different, if or when the existing grazing /management regime of this floodplain land associated with Rawlings Farm ceases or changes. Until a Management Plan is submitted to the Council for the proposed 'Riverside Park' land, the resulting landscape effects of taking this large area of land out of agricultural use remains uncertain.

Much of this harm could be better mitigated by the inclusion of an improved landscape framework and by reducing the height of proposed urban development parameters without subsequently increasing the scale of built massing throughout the site.

As outlined earlier in the report, the location of adjacent residential development, Wavin, Langley Park, electricity pylons and the railway line are set in the backdrop to this site as they form the built development limits of Chippenham. As a matter of fact the development

of the application site would extend the boundary of Chippenham beyond its existing built up limits and this will have impacts on the character and appearance of the area.

The information contained within the Environmental Statement and supporting documentation for the application identifies many mature trees, all of which will be retained. The retention of these trees within the site and public realm proposals would help lessen the impact of the development on the character and appearance of the area.

Whilst the two additional entry points to the site will see the removal of some trees, scrub and hedgerow and have an impact on the open nature of the countryside, this could be mitigated and would not be a significant longer term adverse affect. he development

The proposal would inevitably change the character of the site from open fields to one that is developed and some visual and landscape harm would result. Whilst retained trees and hedgerows will mitigate the visual impact of the development to some extent, it will not be until the proposed large swathes of landscaping to the East and North of the site has matured and become fully established that the development would be visually integrated with the town. However in the longer term, the effect of this would be less significant.

Policies 51 & 57 of the NWLP seek high quality design and the provision of landscaping respectively though the illustrative layout plan sets out indicative proposals for substantial planting and landscaping there are still concerns that with regards to landscape impact. Though there is the possibility to control this by way of condition and achieve an acceptable landscape impact there is uncertainty. It is concluded that the proposed development would conflict with Policies 51 & 57 of the NWLP or with the NPPF.

It is acknowledged that the loss of a greenfield site would result in some harm to the character and appearance of the area. There would be adverse visual effects, particularly for nearby residents and people using public footpaths. To this extent the proposed development would not accord with Core Policy 51 which seeks to protect and conserve landscape character. This weighs against the proposed development.

9.10 Education

The development will generate the need for 175 primary places. A financial contribution of 175 primary places is required at £16,979 each = £2,971,325 (to be index linked) along with a 2ha site for a new primary school. The site location and suitability will need to be approved by the Council as part of the reserved matters application.

The need a requirement for the primary school is acknowledged by the applicant and is consistent with the requirements of the DPD. Having considered the proposal and the justification for the school contributions the school and contribution is reasonable and necessary for the development to be acceptable in planning terms. The requirement does meet the tests as set out in the online PPG and paragraph 204 of the NPPF.

Secondary School education contributions will be collected through CIL. The development is therefore in accordance with Core Strategy Policy CP3.

9.11 Flood Risk & Drainage

Both the environment agency and Council's drainage team raise no objection to the proposed scheme, subjection to conditions. It is considered that the development is acceptable with regards to this matter. The development therefore accords with Core Strategy Policy CP67.

9.12 Loss of Agricultural Land

Local residents have raised concerns about the loss of Agricultural Land. Paragraph 112 of the NPPF refers to the best and most versatile agricultural land (BMV) and where significant development is necessary, poorer quality land should be used in preference of higher quality land. Annex 2 of the NPPF classifies best and most versatile agricultural land as being:

“Land in grades 1, 2 and 3a of the Agricultural Land Classification”

The applicant’s Agricultural Land Classification survey, submitted in support of the application, confirms that 84% of the land proposed for development would fall within the category of BMV as defined in the NPPF. The Council has sought to prioritise Brownfield sites for the delivery of housing within the County. This is reflected in CP9 at Chippenham which promotes redevelopment of land in a central area of opportunity and in the proposed modifications to the CSAP which have recognised a relatively recent brownfield opportunity at South West Chippenham. However, such opportunities are limited.

With the large number houses and employment generating uses required in Chippenham during the current plan period it is unfortunate but inevitable that a significant amount of greenfield land will be required to provide for the housing levels required at this principal settlement. Although the proposal is not in accordance with paragraph 112 of the NPPF, the NPPF states that “local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”, there is therefore flexibility in paragraph 112 and the fact that a large proportion of the site is BMV is not fatal to the application, rather it should be a consideration in the planning balance.

In conclusion, the proposed development is in conflict with paragraph 112 of the NPPF as the development would lead to the loss of the BMV land and this matter weighs against the application when considered in the planning balance.

9.13 Ecology

Several features of nature conservation value of relevance to CP50 of the Wiltshire Core Strategy would be impacted by the proposals including, mature and veteran trees, the dismantled railway line, Western woodland and watercourses.

The ES has failed to identify or protect a large number of trees with high bat roosting potential, and a degree of doubt remains about the potential presence of a maternity roost in Rawlings Green Cottage, which would become isolated by urban development. The activity surveys did not include static detectors or a sufficient degree of survey effort to confidently identify commuting routes and foraging areas which are likely to be lost as a result of the development.

Invertebrates – The diversity of habitats present are likely to support a good assemblage of invertebrates, particularly associated with wetland habitats and mature trees, and despite the ES acknowledging this potential value, no surveys were carried out. This information would have helped to identify the more sensitive and valuable habitat features worthy of retention.

Concerns previously raised about birds, dormouse, badger, great crested newt, otter, reptiles and water vole are relatively low risk and / or and could arguably be dealt with at the reserved matters stage or via a condition, therefore no objection remains on these grounds.

The ES does not set out a clear strategy for how mitigation and compensation measures are to be implemented during the construction phase, incorporated into reserved matters such as layout and landscaping, or a commitment to manage features in the long term, as one would expect for an EIA development of this nature and scale.

While the Council may be able secure some of these measures by imposing a series of conditions on any permission granted, the ability to reduce the effects of the development will be limited by the parameters established through the outline permission. There is also a risk that the lack of a clear commitment and agreed mitigation framework could lead to disagreement and delays at the reserved matters stage and applications to discharge conditions.

9.14 Air Quality

Whilst the area is not currently of concern regarding air quality it is recognised that all development is additive of air quality to some degree. Notwithstanding the findings of the air quality assessment that suggests impacts will be negligible, the desired scenario in terms of air quality and development is one that serves to help reduce potential air quality impacts locally. The overriding concern here in Wiltshire is for the satisfaction of the adopted Core Policy, Air Quality Strategy, Air Quality Action Plan and adopted SPD which work towards achieving contributions to the reduction of oxides nitrogen across the county irrespective of the existence of an AQA.

The Council are principally concerned with how developers are going to contribute to the improvement of local air quality, hence the councils adopted core policy seeks positive contributions to the aims of the Air Quality Strategy in Wiltshire; positive contributions may take the form of sustainable travel alternatives and infrastructure, driver training, tree planting, contributing to local air quality action groups. The Council also seek a financial contribution towards Air Quality Action Planning projects. The applicant has agreed to the requested contribution and no objection to the scheme is therefore raised.

9.15 Listed Buildings and Conservation Area

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight must therefore be given to the preservation of the listed building, including its setting.

The House of Lords in *South Lakeland District Council v Secretary of State for the Environment* case decided that the “statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.

Located within the application site is a Grade II listed farm house and various non designated heritage assets (World War II pillbox & former railway line). Beyond the site there are various listed buildings which are visible or partially visible from the application site including a grade II listed Bridge, II* listed house and II* listed church. Though the site is not within a conservation area it is in close proximity to three Conservation Areas (Tytherton Lucas, Langley Burrell & Chippenham), the closest being Chippenham.

The Council’s Conservation Officer and the applicant’s supporting documentation agree that the proposed development is harmful to the setting of the listed farmhouse (Rawlings Farm).

For the purposes of determining the application Core Policy 58 is relevant and states:

Development should protect, conserve and where possible enhance the historic environment.

Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

The wording of core policy 58 and the supporting text to the policy is quite clear that if harm is identified it is in conflict with the policy. As the proposal fails to conserve or enhance the setting of the heritage asset the development is in conflict with CP58. This is a matter that weighs against the scheme in the planning balance.

Failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed development. 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.

The NPPF is a material planning consideration and paragraphs 133 & 134 of the NPPF are relevant to the determination of the application. Paragraph 134 provides: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*

The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must involve taking into account the value of the heritage asset in question. In considering harm it is also important to address the value of the asset, and then the effect of the proposal on that value. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and it is for the decision maker to assess the actual significance of the asset and the actual effects upon it.

It is agreed that the principal adverse effects concerning the historic environment detailed within this application site concern the loss of the existing rural fields associated with the Rawlings Farm Complex and associated visual change that will ensue with the extension of Chippenham into the countryside.

The farm complex comprises the Grade II listed rubble stone farmhouse and a small cluster of buildings of varying ages to the rear. The outbuildings extend around the west and northwest sides of a rectangular yard and the remainder of the yard is enclosed by modern, monolithic agricultural buildings which obscure much of the listed building when viewed from various angles. Only the Farmhouse is listed in its own right and none of the other buildings are referred to in the statutory listing. That is not to say that they do not contribute to the setting of the listed building.

As a Farm Complex the existing fields that surround the listed farm are linked to the special interest of the building and its setting. It is considered that the large modern agricultural buildings have harmed the setting of the building and that the agricultural fields to the South East and North contribute most to its setting. That is not to say that the remaining fields do not contribute to the setting because they do. However, they are less important due to the lie of the land, existing setting and association not being readily apparent in views from the farm complex itself in these directions. However, views in and out of the site from public and private vantage points from the South East and North provide a greater appreciation of the building and farmstead.

The existing residential and commercial developments in Chippenham including the recent Wavin extension along with the large electricity pylons and mainline railway, including the electrification works which will soon be installed, impinge on this setting to some extent. Nonetheless, this is not sufficient to undermine the sense of rural openness that the undeveloped fields still provide.

The indicative layouts provided by the applicant indicate that the modern unsightly agricultural buildings will be removed and no division of the yard will take place, though the 'Cocklebury Link' road will be in close proximity to the side of the building and this will be a change in its character this change is not considered to cause substantial harm as there are large areas of open space to the North East and South of the farmstead.

The indicative layout submitted with the application scheme shows various areas of open space. This is an indicative plan and sets out how the quantum of development proposed could be delivered. Notwithstanding the point above the size of this open space is limited and would not recreate the existing setting. This, combined with the mass and height of the proposed dwellings to the East and South, does water down the connection between the Farmhouse and its rural setting, such an impact is inevitable when developing agricultural land surrounding a listed farm house. However, in NPPF terms, it is considered that the level of harm to the setting of the listed building at Rawlings Farm is less than substantial.

The Court of Appeal in *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137 ("Barnwell") makes clear that the duty imposed by s72 (1) meant that when deciding whether harm to a conservation areas/listed buildings was outweighed by the advantages of a proposed development the decision-maker should give particular weight to the desirability of avoiding such harm. There is a "strong presumption" against the grant of permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to maintaining the conservation area/listed building. For the reasons set out above the proposal is in conflict with both Core Policy 58 of the Core Strategy, it would also be in conflict with the NPPF unless the benefits of the scheme clearly outweigh the harm.

Significant weight must therefore be given to the harm in the planning balance and determining if planning permission should be granted.

It is also necessary to consider the impact on other designated and undesignated heritage assets within and adjacent to the application site. Firstly, the access from Darcey Close will cross the former Chippenham to Calne Railway Line which is considered to be a non-designated heritage asset. Whilst the former railway is no longer in its original use it retains firm evidence of its historic importance as part of transport links that served area in the 19th Century. The railway track has been removed but the stone bridges and railway cutting are retained intact in the vicinity of the application site.

The intervention detailed for the proposed access road would remove a section of the northern bank of the railway cutting and disrupt the former track bed to allow the new road to cross the former railway. These works result in less than substantial harm to the setting of the non designated heritage asset.

The access from Parsonage Way will impact on the setting of the Grade II listed Green Bridge via the creation of vehicular access bridge over the Great Western Railway Line. The existing bridge and its setting are described within the Statutory List entry for the asset. The proposal will have an impact on the setting of this listed bridge via the addition of an additional structure within the existing railway cutting in close visual proximity to it.

However, this new crossing will provide additional public vantage points for members for better appreciation of the heritage asset, the construction of the bridge therefore has a neutral impact on the setting of this heritage asset.

St Paul's spire, located within Chippenham and many kilometres from the site, is currently visible from the application site. These long distance views will be retained though they will be partially obscured in some locations within the application site. This was not a planned

view or vista but readily visible via the gap afforded by Cocklebury Lane Bridge. The development will have a neutral impact on the setting of this listed building.

Within Peckingell there is a cluster of Listed Buildings, these were originally conceived as detached buildings within a rural landscape, the development will therefore cause less than substantial harm to the setting of these buildings as the building will retain their rural setting to the East.

There has been local concern raised in relation to Rawlings Farm Cottage and its setting and a suggestion that it is a heritage asset. There would be an impact on its setting but the building would not meet the requirement identified in the NPPF in order to be considered a non-designated heritage asset.

Moving onto the conservation areas in the locality, it is not possible to identify any harm to the conservation areas or their setting the proposal would therefore conserve the setting of the conservation areas. The development is therefore not in conflict with the NPPF or Core Policy 58.

Less than substantial harm to the setting of listed buildings has been identified, the proposal is therefore in conflict with both Core Policy 58 of the Core Strategy and the NPPF unless the benefits of the scheme clearly outweigh the harm. Significant weight must therefore be given to the harm in the planning balance and determining if planning permission should be granted.

9.16 Prematurity

PPG advice on the issue of prematurity is as follows:

“Arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.” (PPG 21b/14)

Given that the emerging Site Allocations DPD makes two strategic allocations of which the application site is one, ie CH2, and further given the fact of objection to CH2, then it is clear that granting consent on the application may pre-empt the Site Allocations Inspector’s consideration of the merits of the site. It “may pre-empt” because even if Members resolved to approve the application, it is not certain that the necessary legal agreements would be signed to enable a permission to issue in advance of receipt of the EiP Inspector’s Report.

There is, however, no rule of law that a development control decision cannot pre-empt a decision by an Inspector charged with a Local Plan examination. The application is not in conflict with the Site Allocations DPD but rather it is consistent with it. Moreover, as is made clear in the “Planning Balance” section below, the proposals bring forward a series of planning benefits which make the proposal acceptable in its own terms and justify approval of this application now.

9.17 Other Matters

Third parties have raised other matters and these are addressed in turn below:

Crime impacts - The police crime prevention officer was consulted and did not wish to comment on the application. Any reserved matters application would have to consider crime prevention and would look to adopt and implement 'secure by design principles'. This is a matter that would be addressed at reserved matters stage.

Light Pollution- Detailed matters such as lighting, layout and light pollution will be determined at reserved matters stage. Though there will inevitably be some form of light pollution the council is satisfied that an acceptable scheme with appropriate supporting statements can be provided at reserved matters stage.

M4 Junction 17 - Capacity of this motorway junction has been raised by local residents. This issue was raised by Highways England and they have concluded that subject to an appropriately worded condition there is no objection to the proposed development.

Imbalance of Jobs - Concerns have been raised about the potential imbalance between the delivery of new housing on the one hand, and the employment, infrastructure and local facilities to service the increased population on the other. As acknowledged above, the proposed development will provide 4.5 ha of employment land, a local centre & a primary school. Furthermore, the proposal will provide a package of s106 contributions and highway infrastructure improvements including but not limited to new access at Darcey Close, access at Parsonage Way and the possibility to deliver a river crossing if needed in the future. This and other proposed heads of terms for the s106 agreement are covered in more detail below.

The strategy for Chippenham is based on delivering significant job growth:

'As there is currently a shortfall of suitable land for employment growth in the town, a priority of the strategy is to ensure appropriate economic development takes place to prevent existing and prospective employers moving elsewhere. A failure to respond to this issue could lead to a loss of local employment ...' (WCS para 5.45)

Policies CP9 & CP10 identify the need to deliver significant job growth, which will help to improve the self-containment of Chippenham by providing more jobs for local people. The policy background acknowledges that the delivery of this employment land will be in the form of mixed use urban extensions, incorporating housing, that are well integrated with the town. The policy also acknowledges new employment provision in Chippenham is a priority and will help to redress the existing levels of net out-commuting. If the imbalance is wrong the potential imbalance is a risk to the self-containment, and thus the sustainability of Chippenham as a settlement.

Core Policy 10 identifies a need for 26.5 ha of land for employment development on land adjoining the built up area of Chippenham. Once existing employment commitments are taken into consideration at North Chippenham (applications N/12/00560/OUT) and Hunters Moon (N/13/01747/FUL) 21.5 ha of land for employment remains to be identified. The proposal provides 4.5 ha of employment generating uses which equates to 21% of the residual requirement specified in the Core Strategy.

For the purposes of the Core Strategy employment land requirement, the employment land residual calculation does not include 'Showell Farm Employment Site' within this figure. An application has been received for this site and has a site area of 18.6 ha. Should this application be granted planning permission by the Council it would equate to 85% of the

residual employment land requirement for Chippenham. It is considered that extant permissions and applications currently under consideration could fulfil the council's requirement for employment land at Chippenham set out in the core strategy and introduce employment generating uses to increase job opportunities for local residents. It is therefore considered that the proposed development accords with CP10 & CP34 of the CS

The planned total number of residential units has not been met in Chippenham and neither has level of employment land. Taking into consideration current extant permissions and the proposal currently under consideration it is considered that there is not a disproportionate increase in housing that could undermine the Council's desire for self containment.

Deliverability of Development - Concerns have been raised by local residents and Wavin with regards to the deliverability of the bridge over the railway line, with Wavin raising particular concerns over land ownership. Wavin and Local residents have therefore concluded that the deliverability of the scheme as a whole is not possible.

Paragraph 177 of the NPPF states that it is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. The DPD and the submitted Transport Statement requires the development to provide the 'Cocklebury Link Road', which must be open for use before the completion of the 200th dwelling. For the development to provide any further housing the bridge and its link to Parsonage way must be complete and available to pedestrian and vehicular traffic.

The applicants have confirmed that the bridge is deliverable and have submitted a large volume of supporting information to clarify their position. This includes documentary evidence demonstrating land ownership for the land required for the construction of the bridge, costs, methodology for construction and an indicative timescale for phasing of the bridge construction.

The applicants have also submitted a separate full planning application for the bridge including a detailed design and documentary evidence outlining that advanced discussions have taken place with Network Rail with regards to the construction of the bridge. The purpose of submitting this full planning application is to allow early implementation and construction of the bridge, should permission be granted.

For the avoidance of doubt the applicants have served notice under 'Certificate B' on various third parties whom claim they have an interest in the land. Legal advice on this matter has been sought by officers and this advice confirms that the development is deliverable and the issue relating to land ownership is not a barrier to the delivery of the proposed development. Indeed, the legal advice provided confirms that the disputed land is highway verge.

The applicants have also confirmed to the Council both as part of this application and the DPD examination that the scheme is viable with all of the infrastructure required, CIL and s106 contributions. Concern has been raised by members of the public that the cost of the railway bridge would make the scheme unviable and undeliverable. The applicant has provided costings and detailed designs of the bridge. These have been independently verified on behalf of the Council and it has been concluded that the projected costings are accurate. Having considered the above information I am satisfied that the development is deliverable.

9.18 Proposed Heads of Terms

- 40% affordable housing
- Financial contribution to be secured in relation to the provision of improved passenger transport facilities to serve the site, generally in accordance with the provisions of the submitted Bus Strategy, and to include guaranteed financial support until one year following the final dwelling occupation.
- A financial contribution towards off-site measures to improve pedestrian and cycle routes to serve the site, as identified in the NMU audits, and to improve routes adjacent the site.
- The delivery of an internal distributor road towards the eastern boundary of the site on line and level to allow its continuation to serve land on the east side of the River Avon, and the dedication of sufficient land and access to allow the unfettered continuation of the road across the river by bridge, at a later date, by others
- Contribution towards traffic regulation orders to control and manage traffic on the site and within the vicinity of the site
- Provision of waste and recycling containers for each residential unit
- Provision of POS including country park and play space
- Air Quality monitoring contribution £3692.00p
- £2,971,325 (to be index linked) for primary education and a 2ha site for a new primary school. Site location and suitability to be approved by the Council.
- Early Years provision £648,432

10. Conclusion and Planning Balance

It can be seen from the analysis in the body of the report that a number of Development Plan policies are offended by the proposal and that the proposal, not least because it is beyond settlement limits and in an area classed as countryside, is not Development Plan compliant. However, as also noted, various key policies are deemed out-of-date by reason of Paragraph 49 of the NPPF so that Paragraph 14 of the NPPF is engaged so that permission should be granted 'unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed' against the NPPF as a whole.

The benefits of the scheme are clear. It would bring forward much needed market and affordable housing and it would further bring forward employment provision. These matters are consistent with Chippenham being a focus for development. The fact that Chippenham is not delivering development as envisaged by the Core Strategy emphasises these benefits to which significant weight should attach. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy. Similarly, the provision of the 'Cocklebury Link Road' and the ability to contribute to the deliver to the Eastern Link Road offer both public and private transport benefits that weigh in favour of the proposal.

Set against these benefits there is some harm to landscape and visual impact, although the area has no special landscape designation. However, it has to be acknowledged that there

has to be significant development on the edge of Chippenham and there will inevitably be some harm to landscape and visual amenity if development needs are to be met. In this case the harm is not so great as to justify refusal. Similarly, the loss of BMV agricultural land must weigh against the proposal, but given the need to address development needs and given the fact that much of the land around Chippenham is classed as BMV (Grade 1-3 as set out on Natural England Maps) this cannot carry significant weight.

In respect of heritage, harm is acknowledged that falls into the category of less than substantial. Significant weight has to attach to that harm, but it does not outweigh the significant benefits that arise from providing much needed housing and employment in Chippenham. Similarly, the likelihood of pre-empting the Allocations Plan's Inspector's consideration of this site is acknowledged but, as noted, the proposal is consistent with the draft Allocations DPD and the benefits of granting consent are compelling. On balance, the public interest is best met by resolving to approve the application.

RECOMMENDATION

It is recommended that authority be delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions listed below and completion of a S106 legal agreement covering the areas outlined above in the Heads of Terms, within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

4. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and identified in the Design and Access Statement and approved Parameter Plans. A statement shall be submitted with each reserved matters application which demonstrates that the application proposals comply with the Design and Access Statement or, where relevant, explaining why they do not.

REASON: So as to provide certainty and clarify the expectations for the form of development to take place on the site.

Limits of Permission

5. The residential element of the development hereby granted planning permission shall not exceed 700 dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site.

6. The total gross retail floorspace available for use by customers (excluding toilets and other ancillary facilities) of all premises falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 200 sqm.

REASON: To define the limits of development and to ensure retail development on the site does not adversely impact upon the town centre.

Phasing

7. As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, community facilities, Local Centre, commercial uses and access for pedestrians, cyclists, buses and vehicles. Development shall take place in complete accordance with the phasing plan so agreed.

REASON: So as to ensure a balanced development for the benefit of future residents and Chippenham town as a whole.

Ecology

8. No later than the submission of a reserved matters application, an Ecological Mitigation and Enhancement Framework shall be submitted to an approved by the Local Planning Authority. The approved Framework shall:

- Include up to date ecological survey information on habitats and protected species including bats, badger, reptiles and invertebrates;
- Identify features of nature conservation value to be protected during the construction phase and retained within the detailed layout;

- Establish minimum parameters, general location and acceptable land uses / landscaping of ecological buffers to be incorporated into the detailed layout;
- Clearly show dark corridors to be retained within the scheme including general locations, minimum widths, and maximum light levels to be achieved through the detailed layout and lighting plans;
- Identify minimum areas, locations types of habitat to be created and enhanced as part of the soft landscaping scheme and long-term management of the site; and
- Establish the minimum number, distribution and type of bat / bird boxes to be incorporated into the buildings on the site.

The approved Framework should demonstrate that the development will achieve an overall net gain for biodiversity. All reserved matters applications shall be in accordance with the approved Framework.

REASON: To satisfactorily mitigate the ecological impact of the development.

9. Applications for approval of reserved matters application shall be accompanied by detailed lighting plans (where necessary) to demonstrate how dark corridors identified in the approved Ecological Mitigation and Enhancement Framework shall be achieved within the proposed detailed layout. The lighting plans shall include details of luminaires, heights and positions of fittings, and modelled lux plots to show the effects of light spill on the dark corridors.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved lighting plans, and these shall be maintained thereafter in accordance with the plans. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To satisfactorily mitigate the ecological impact of the development.

10. No development within any individually approved phase of the development shall commence on site until A Landscape and Ecological Management Plan (LEMP) for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following detailed information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) A schedule of ongoing monitoring, reporting, and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also demonstrably have regard to the principles and approach set out in the approved Ecological Mitigation Framework, and demonstrate a net gain in the overall biodiversity of the site in the long-term.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Details of monitoring and any remedial action taken shall be reported to the Local Planning Authority as set out in the approved monitoring schedule, or on request.

Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: To satisfactorily mitigate the landscape and ecological impact of the development.

11. No development within any individually approved phase of the development shall commence on site, until details of a wildlife sensitive lighting scheme for roads and footpaths within that phase of development, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

REASON: To satisfactorily mitigate the ecological impact of the development.

Landscape

12. The landscaping details to be submitted pursuant to condition 1 above shall include, but are not confined to, the following:

- i) a written specification clearly describing the species, plant sizes, proposed numbers/densities and giving details of cultivation and other operations associated with plant and grass establishment;
- ii) finished levels and contours;
- iii) the position, design and materials of all means of enclosure;
- iv) vehicle and pedestrian circulation areas;
- v) all hard and soft surfacing materials;
- vi) minor artefacts and structures (eg play equipment, street furniture, refuse storage areas, signage etc).

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.

13. No development within any individually approved phase of the development shall commence on site development, including any works of site clearance shall begin unless and until a scheme for the ongoing management and maintenance of that landscaped area, other than private domestic gardens and open space covered by the planning obligation, including long term design objectives, management responsibilities and maintenance schedules has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.

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

14. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until a plan showing all trees and hedges to be retained shall be submitted to and approved in writing by the local planning authority. No tree or hedgerow identified as being retained in the approved details shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998:2010 Tree Work – Recommendations, or other arboricultural techniques where such have been demonstrated to be in the interest of good arboricultural practice. If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

15. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until an Arboricultural Method Statement specifying the measures to be put in place during the construction period of that phase of development, for the protection of those trees and hedgerows to be retained, shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in accordance with the principles set out in BS5837:2012 – Trees in relation to design, demolition and construction: Recommendations. Development shall be carried out in accordance with approved Method Statement.

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

Contamination

16. No development within any individually approved phase of the development shall commence on site until (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

A survey of the extent, nature and scale of contamination on site;

The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; An assessment of

the potential risks to This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

- human health,
- property (existing or proposed) including buildings, crops,
- livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;
-

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above). The verification report and signed statement should be submitted to and approved in

writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Archaeology

17. No development within any individually approved phase of the development shall commence on site until until a written programme of archaeological investigation, which should include details of on-site work as well as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in complete accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Drainage

18. No development within any individually approved phase of the development shall commence on site until until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling or unit shall be first occupied within that phase of development until the approved sewerage details have been fully implemented in accordance with the approved plans.

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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

19. No development within any individually approved phase of the development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. That phase of development shall not be first brought into use or occupied until surface water drainage has been constructed in accordance with the approved scheme.

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 that the development can be adequately drained.

20. Prior to any reserved matters approval a site masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2015, Ref: K113, dated 17.12.2015) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000 year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Highways

21. No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of (a) a junction improvement at Station Hill and New Road, (b) a new road link into the site through an alteration and extension of Darcy Close, including a junction alteration on Cocklebury Road, (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site, (d) the completion of an internal distributor road to allow for future extension, via a bridge to the east of the river and (e) off-site junction improvements at Birch Grove and The Little George junction (if not already undertaken by others), (f) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes. For the avoidance of doubt, the phasing plan shall include provision for the road connection by bridge over the GWR mainline to Parsonage Way shall be completed, and connected to Cocklebury Road, and available for use prior to the occupation of more than 200 dwellings on the site. Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

22. No development within any individually approved phase of the development shall commence on site until (including any works of demolition), until a Construction Method Statement for that phase of development, which shall include the following details:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) detailed measures for the protection of semi-natural habitats and priority / protected species (as identified in the approved Ecological Mitigation and Enhancement Framework); and
- i) hours of construction, including deliveries.
- j) details as to routing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site

k) A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To mitigate the impact of the construction work on the amenities of nearby residents and those using nearby public rights of way.

23. No development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works for that phase of development, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width.

Each Phase of the development shall not be first brought into use or occupied for trading until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for that phase of development have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

24. No development within any individually approved phase of the development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the nonresidential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

25. No development within any individually approved phase of the development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have 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: In the interests of road safety and reducing vehicular traffic to the development.

26. Car parking provision for all phases of development shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

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