

AGENDA

Meeting: Eastern Area Planning Committee
Place: The Wyvern Club, 51 Church Walk, Devizes SN10 3AA
Date: Thursday 12 May 2016
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

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

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Membership:

Cllr Charles Howard (Chairman)	Cllr Nick Fogg MBE
Cllr Mark Connolly (Vice Chairman)	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr Jerry Kunkler
Cllr Peter Evans	Cllr Paul Oatway

Substitutes:

Cllr Terry Chivers	Cllr James Sheppard
Cllr Ernie Clark	Cllr Philip Whitehead
Cllr Anna Cuthbert	Cllr Christopher Williams
Cllr Dennis Drewett	

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AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 21 April 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 and Councillors' Questions**

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 in person no later than 5.50pm on the day of the meeting.

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. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

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 5 May 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 **Planning Applications**

To consider and determine the following planning applications.

6a **16/01263/FUL: St Mary's School, George Lane, Marlborough, SN8 4BX (Pages 13 - 30)**

Demolition of existing primary school building and associated structures, erection of new primary school building, car parking and external landscaping.

7 **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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 21 APRIL 2016 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler, Cllr Anna Cuthbert (Substitute), Cllr Dennis Drewett (Substitute) and Cllr James Sheppard (Substitute)

Also Present:

Cllr Jemima Milton

17. **Apologies for Absence**

Apologies were received from Councillors Nick Fogg MBE, Mark Connolly and Paul Oatway QPM.

Councillor Fogg was substituted by Councillor Dennis Drewett.

Councillor Connolly was substituted by Councillor James Sheppard.

Councillor Oatway was substituted by Councillor Anna Cuthbert.

18. **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 March 2016 were presented for consideration, and it was,

Resolved:

To APPROVE and sign as a true and correct record.

19. **Declarations of Interest**

During application 16/00736/FUL - The Coach House, High Street, Avebury, Wiltshire, SN8 1 RF - Councillor Drewett declared that on 20 April 2016 he had sat on a Licensing Sub-Committee considering licensing applications from the National Trust. Councillor Drewett also declared he was a member of the National Trust, a nationwide organisation with many members, and his wife had done some volunteer work for the Trust in the past.

20. **Chairman's Announcements**

There were no announcements.

21. **Public Participation and Councillors' Questions**

The procedure on public speaking was noted.

22. **Planning Appeals**

No update was received.

23. **Planning Applications**

24. **15/08373/FUL - Land at Lady Godley Close, Tidworth, Wiltshire**

Public Speaking

Mr Peter Casson-Crook spoke in objection to the application.

Mr Tim Willis spoke in objection to the application.

Mr Richard Cosker, agent, spoke in support of the application.

The Area Development Manager presented the report which recommended that permission be granted for the demolition of the existing garage block to be replaced by two pairs of semi-detached dwellings. Key issues included parking, impact upon amenity and design.

The Committee then had the opportunity to ask technical questions of the officers. Details were sought on drainage issues, ecology and access. In response to queries it was clarified there were too few dwellings proposed to require affordable housing provision, and that no official footpath existed on the site

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee then debated the application, discussing the extent of ecology assessment for the application, along with the increased parking provision resulting from the replacement of mostly unused garages with new spaces elsewhere. The impact upon amenity was noted in respect of the rear wall of the garages currently forming the back wall of several gardens, and members sought details of the scale and nature of any replacement boundary.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission subject to the following 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 Notwithstanding the details shown on the plans submitted no development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 3 Before development (including demolition) commences, details of the boundary treatment of the curtilage of the properties, including where the two garage blocks are being demolished, shall be submitted to and approved in writing by the local planning authority. The details shall, where possible, include the retention of the existing rear walls of the garages. If this is not possible, the replacement boundary features for the rear garage walls shall include the replacement of the rear wall of the smaller garage block with a new wall, the height of which shall be agreed in the details to be submitted, but which shall in any event be no less than 2 metres above ground level. Similarly, any replacement boundary treatment for the rear wall of the larger garage block if this cannot be retained shall be of a minimum height of 2 metres. The approved boundary treatment for the areas where the rear walls of the garages are located shall be provided before the erection of the dwellings is commenced and the remaining boundary treatments shall be erected in accordance with the approved details before any of the dwellings are first occupied.**

REASON: To protect the amenity of residents of adjoining properties and to protect the appearance of the area.

- 4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-**

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- 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);

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 6** No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 7** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 8** No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development

is undertaken in an acceptable manner, in the interests of visual amenity.

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

Block Plan P2 - 1552 plan 2.dwg dated 25/2/16; Location Plan LOC_A-1552 Plan 2.dwg dated 17/8/15; Floor plans and elevations P1_B-1552 Plan 2.dwg dated 9/9/15; Site sections P1_A-1552 Plan 2.dwg; Supporting statement received 21/8/15.

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

- 10 No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not 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.

- 11 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 together with permeability test results to BRE365, 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: To ensure that the development can be adequately drained.

- 12 Prior to commencement of the development of lots 3 and 4 details of the proposed ramp shown at the western end of the site shall be submitted to and approved in writing. The development shall be carried out in accordance with the details submitted and plots 3 and 4 shall not be occupied until completion of the ramp has taken place.

REASON: In the interests of visual amenity.

- 13 Prior to first occupation of any of the houses on the development, details shall be submitted to and agreed in writing by the local planning authority of the method for marking out the five additional parking spaces in Avon Road; the one additional space at the southern end of Lady Godley Road and the four parking spaces and one visitors space at the northern end of Lady Godley Road for use by residents and visitors. The spaces shall then be marked out in accordance with the agreed details prior to first occupation of any of the houses on the development and shall be maintained as such thereafter.

REASON: In the interests of providing adequate parking spaces for the

proposed development.

- 14 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) 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 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 amenities of neighbouring properties, during the construction phase.

25. **16/00736/FUL - The Coach House, High Street, Avebury, Wiltshire, SN8 1RF**

Public Speaking

Christopher Spratt spoke in objection to the application.

Dianne Reynell spoke in objection to the application.

Mary Beale spoke in objection to the application.

Janet Tomlin for the applicants spoke in support of the application.

Eva Stuetzenberger for the applicants spoke in support of the application.

Cllr Andrew Williamson, Chairman of Avebury Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended permission be granted for proposed outdoor seating for use by a food outlet, extended opening hours and erection of a screened refuse area. It was highlighted that the food outlet already had planning permission to operate at the site 365 days a year, and that it had been determined additional signage applied for did not require planning consent from the Committee.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought about the refuse area proposed for the site.

The Local Unitary Member, Councillor Jemima Milton then spoke in objection to the application, noting concerns raised by members of the community, in particular around the use of parasols, littering, the need to preserve the world heritage site, and extent of consultation.

The Committee then debated the application, discussing the existing permission on the site and the additional impact of the application upon the character and appearance of the area of the new application.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission subject to the following 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 The development hereby permitted shall be carried out in accordance with the application form and the following approved plans and documents:
Design and access statement, statement of operation, PA1-205-2 Rev A "Proposed cafe outlet external seating elevations" received on 3 March 2016 PA1-205-1 Rev C "Proposed cafe outlet external seating" received on 14 March 2016**

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

- 3 The opening hours shall be no earlier than 10 am in the morning and the sale of food from the premises shall end no later than 5pm in the evening.**

REASON: To protect the amenity of nearby residents.

- 4 The seating hereby approved shall only be located in the areas indicated on the approved plan PA1-205-1 Rev B and not within the grassed area and orchard to the rear.**

REASON: To preserve the amenities of the surrounding neighbours.

26. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Date of Meeting	12 May 2016
Application Number	16/01263/FUL
Site Address	St Marys School, George Lane, Marlborough SN8 4BX
Proposal	Demolition of existing primary school building and associated structures, erection of new primary school building, car parking and external landscaping.
Applicant	Education Funding Agency
Town/Parish Council	MARLBOROUGH
Electoral Division	MARLBOROUGH WEST – Councillor Nick Fogg
Grid Ref	418991 168735
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

1. Purpose of Report

The application has been referred to the planning committee at the request of Councillor Fogg to allow the committee opportunity particularly to consider traffic concerns raised by local residents and Marlborough Town Council.

2. Report Summary

The application proposes amalgamation of the St Mary's Infant and St Peter's Junior schools onto the St Mary's site in a single building to replace the existing infant school building.

The application follows approval in 2010 for a building for the same number of pupils which was not implemented due to funding issues. The current application similarly proposes a single storey building, but differs in the design and layout of the building and grounds.

The proposal is widely supported by the local community and planning policies alike, and does not raise any significant concerns in respect of the principle of development, visual impact, neighbouring amenities or issues other than the traffic concerns that have resulted in the application being referred to the committee.

There would be more than double the number of pupils at the school, and the traffic impacts have been the subject of a number of neighbour objections and concerns as well as objection from Marlborough Town Council. The report concludes that there are likely to be ongoing traffic impacts, but that these will not be so 'severe' in highway

terms as to warrant refusal of the application, and that the impacts can be mitigated by ongoing monitoring and management through the School Travel Plan together with the enforcement of parking restrictions if required.

3. Site Description

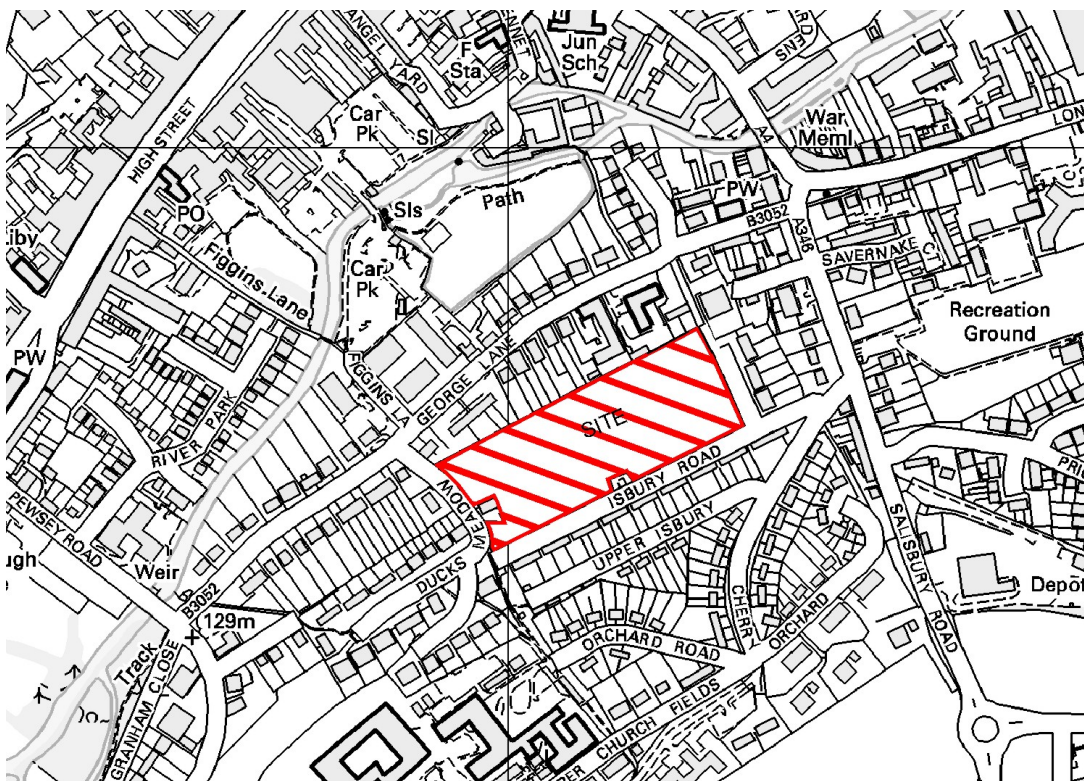
The c.2.2 hectare site comprises the existing St Mary's Infant School and adjoining rough grassland of the former allotments. The site is located centrally to the south of Marlborough town centre, surrounded predominantly by housing, and bounded on three sides by residential cul-de-sacs.

Land through the site rises north to south by c. 7.5 metres. Housing to the south along Isbury Road is thus set at a height that overlooks the site. Van Diemen's Close is a residential spur from Isbury Road along the eastern side of the site that also carries a public footpath connecting northwards towards George Lane and the town centre.

The existing school building is towards the western side of the site where it is accessed from Ducks Meadow; an otherwise residential cul-de-sac.

George Lane to the north is principally residential and backs onto the site.

The former allotment land has not been used as allotments for c. 15 years+ and is currently unused and largely unmanaged, comprising rough grassland.



4. Planning History

K/78/0405/DP	Erect a single Pratten classroom without toilets
K/85/0002/DP	Mobile classroom with toilets
K/10824	PROVISION OF PARKING BAY AND TURNING HEAD (Isbury Rd)
K/15544	RENEWAL OF PERMISSION (K/85/0002/DP) FOR ERECTION OF A SINGLE MOBILE CLASSROOM WITHOUT TOILETS.
K/20204	ERECT SPECIAL NURSERY UNIT AND ASSOCIATED WORKS
K/30735	The retention of a single mobile classroom without toilets.
K/34279	The erection of a single extendable mobile classroom with toilets together with the provision of an additional car parking space. Change of use of part of existing allotment
K/34790	The construction of a new junior school
K/35889	Permission for the siting of a single classroom extension to an existing mobile unit and provision of pitched roof to whole structure.
K/38867	Creation of temporary playing field.
K/43613	New Pergola.
K/45824	The extension of existing foyer and demolition of existing Pratten hut.
K/54695/F	Development of learning facilities incorporating a) an outdoor classroom - an open wooden structure with seating round inside edge. b) a timber trail for climbing with a timber shade adjoining c) an entrance arch for growing/supporting parts, d) a rose a
E/10/0158/DP3	Erection of 420 place Primary School with 2 classroom special learning centre.
E/2011/1446/FUL	Installation of a wall mounted canopy.

5. The Proposal

The application proposes a new school building located more centrally within the site, allowing the existing school building to remain in use whilst the development takes place. In the final phase (intended for summer 2017), the existing building would be demolished to make way for improved parking and access for the new building.

St Peter's School currently has c. 180 pupils.

St Mary's School currently has c.145 pupils.

The new school will accommodate up to 440 pupils (inc. 20 SEN). It is expected that there will be 30 full-time and 36 part-time staff.

The building would be single storey with a floor area of 2380m².

The development would include:

- Outdoor grass and all-weather sports pitches
- Highly accessible internal and external environment;
- An energy efficient building with reduced operational costs;
- 44 car parking spaces, 44 cycle spaces and 3 accessible car parking spaces
- Retention of existing vehicular access arrangements from Ducks Meadow
- Pedestrian link from Van Diemen's Close during school hours;

6. Local Planning Policy

The development plan so far as it is relevant to the proposal comprises the Wiltshire Core Strategy (2015), the Wiltshire and Swindon Waste Core Strategy (2009) and saved policies of the Kennet Local Plan. The following policies are of relevance to the proposal:

Wiltshire Core Strategy

CP1	Settlement strategy
CP2	Delivery strategy
CP3	Infrastructure requirements
CP14	Marlborough Area Strategy
CP41	Sustainable construction and low carbon energy
CP50	Biodiversity and geodiversity
CP51	Landscape
CP52	Green infrastructure
CP55	Air quality
CP56	Contaminated land
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP62	Development impacts on the transport network
CP64	Demand management
CP67	Flood risk

Wiltshire and Swindon Waste Core Strategy

WCS6	Waste Reduction and Auditing
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Kennet Local Plan – saved policies

TR17	Existing Outdoor Sport & Recreation Facilities
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7. National Planning Policy

The National Planning Policy Framework advises (para. 72) that the government attaches great importance to ensuring a sufficient choice of school places to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Planning authorities should thus give great weight to the need to create, expand or alter schools; and work with school promoters to identify and resolve key planning issues before applications are submitted.

In terms of the key issue of traffic impacts, section 4 of the National Planning Policy Framework seeks to maximise sustainable transport, towards which Travel Plans are supported. The government advises that planning permission should only be refused where transport impacts are 'severe'.

8. Summary of consultation responses

WC Education department	Statement issued in support of the proposal
WC Highway Officer:	No objection subject to: <ul style="list-style-type: none">• Footway widening in Ducks Meadow• Adherence to Construction Management Plan• Repair of road damage caused by construction• Provision of access and parking as proposed• Implementation of the School Travel Plan
WC Drainage Engineer:	No objection
WC Public Protection Officer:	No objection
WC Ecologist:	No objection subject to conditions to ensure mitigation against impacts on bats and slow worms.
WC Archaeologist:	No objection subject to archaeological investigations
Marlborough Town Council:	Objection : <ul style="list-style-type: none">• Inadequate and contradictory 2010 Travel Plan• Problems faced by residents of Ducks Meadow have not been properly recognised• Serious consideration must be given to drop off points and other access issues• Assurance needed that the current parking permit scheme will continue.
Environment Agency:	No comments received
Wiltshire Fire & Rescue:	No objection. Recommend use of a sprinkler system
Other	69 responses received from nearby residents. General support for the proposals. 17 of the letters raise objections or concerns in respect of the need to address traffic impacts on surrounding residential roads.

Other concerns raised:

- Need to replace fencing
 - Construction management
 - Need for improved landscaping and wildlife areas
 - Neighbour privacy
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9. Publicity

Notice of the application was published in the Wiltshire Gazette & Herald on 25th February 2016. Green notices were also posted on the south, east and west sides of the site. Neighbours of the site along George Lane, Isbury Road, Van Diemen's Close and Ducks Meadow were directly consulted.

10. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

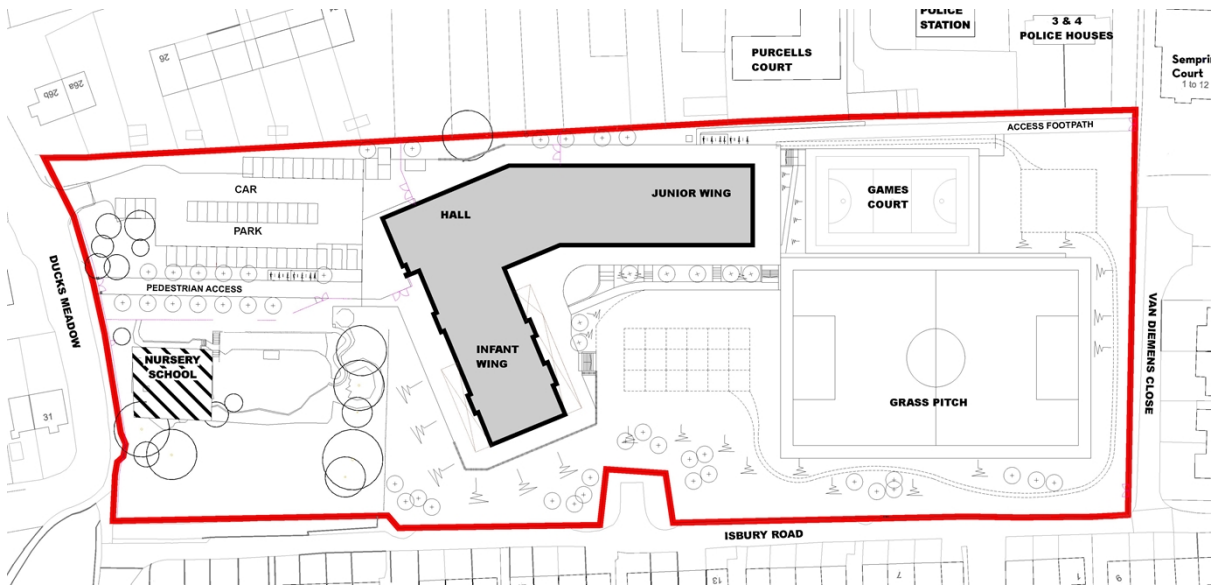
The provision and improvement of educational facilities is a priority under Core Policy 3 of the Wiltshire Core Strategy. The site was also allocated under former policies of the Kennet Local Plan for schools development, and permission was also granted in 2010 for a similar proposal for a school of the same size.

The principle of the development has thus been supported historically and continues to be supported by the Spatial Vision and policies of the Wiltshire Core Strategy.

Design, landscape and visual impact

The design and visual impact of the building is broadly supported by the local community and has not given rise to any objections.

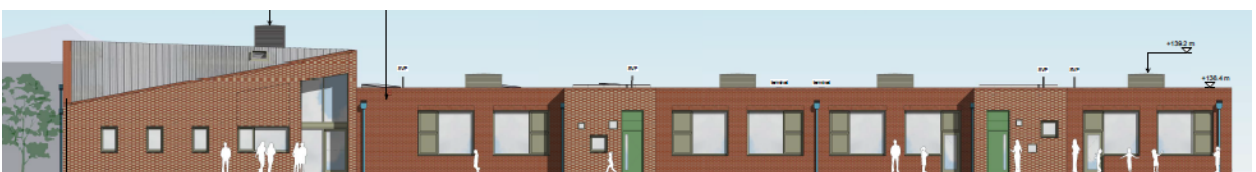
The building has a low-level, flat-roofed and contemporary design (with a slightly raised central hall with low-pitched roofing) and combines traditional brickwork (both plain and patterned) with modern materials and efficiency features such as ventilation roof turrets.



Site Plan



Aerial impression viewed from the north west



West elevation

The layout and design of the building addresses Ducks Meadow in terms of the vehicular and pedestrian accesses and the main front entrance to the building, with additional landscaping proposed to the front and between the car park and pedestrian access.

The building would be no higher than the existing school building, and being located centrally within the site, would sit comfortably within the largely residential surroundings. Within the varied styles of surrounding development, the form, materials and design of the building would be appropriate to the context of the site, and not result in any harm to the character of the area.

In terms of the wider grounds, the application includes a number of CGI and 3D impressions of the development and views from outside the site. As with the previous approval, there would be changes to the levels across the site. The grounds would include a grass sports pitch as well as an all-games court (enclosed by a 3m chain link fence) as well as various play and educational areas. There would be improved landscape planting around the site and retention of existing planting where appropriate. There would be revised parking and access arrangements from Ducks Meadow as well as the new footpath link from Van Diemen's Close.

Some respondents suggest a need for additional landscape planting and/ or replacement of existing fencing. The replacement of existing fencing is outside the scope of the current project funding, however, and would be a matter for the ongoing management of the school. Some additional planting has been included in revised plans, but generally the level of planting proposed is considered to be appropriate to balance the function of the site as a school with the visual impact of the development. This would not preclude the possibility of further planting by the school at a later date if considered appropriate.

Neighbouring amenities

Housing along Isbury Road is elevated above the site, with the front of the properties facing across Isbury Road towards the site. The school building and grounds would be directly faced also by the front of properties in Van Diemen's Close.

The building and school activities, including the use of the outdoor play and games areas, would be audible and visible from these properties, but the limited hours of use of the school and the separation distances are such that they would not result in any material impact on the use of the properties.

A number of residential properties in George Lane back onto the northern boundary of the site. The school building and outdoor facilities would be located closer to the north boundary than the building previously approved. Most of the George Lane properties are sufficiently distanced from the boundary, however, to avoid potential impacts. Exceptions are the retirement apartments in Purcell Court and the semi-detached 3 & 4 Police Houses.

Purcell Court is located 9.5m from the site boundary at a slightly lower level. The dwellings at 3 & 4 Police Houses are located 14.5m from the boundary (10m to the conservatory extension at No. 3).

The all-weather games court and pedestrian access from Van Diemen's Close would be located opposite the facing windows at Purcell Court. There is established planting along the boundary within the communal grounds of Purcell Court however, and 2 additional trees would be planted within the school grounds to fill a gap in the vegetation screening. The games court and footpath are only proposed to be used for school purposes and during school hours however, and with the screening by boundary vegetation there would not be a material loss of privacy or disturbance.

The footpath from Van Diemen's Close would pass to the rear of 3 & 4 Police Houses. Revised plans show a 2m close-board fence to be erected along the boundary to the rear of the properties, with existing established vegetation to be retained. Subject also to the use of the footpath being restricted to school hours, there would be no material loss of privacy to the rear gardens of the properties.

There is no potential for material impacts on properties in Ducks Meadow other than traffic and parking issues. These could potentially also impact on Isbury Road and Van Diemen's Close and are considered separately below in the section on traffic impacts.

Traffic impacts

Traffic concerns are the main consideration, giving rise to the objection raised by Marlborough Town Council and neighbours, who raise concerns both in respect of the construction and operational phases of the development.

Construction-phase traffic

A temporary access is proposed at the south east corner of the site from Isbury Road. This is as previously approved for the 2010 consent and is the preferred approach to ensure separation between the construction traffic and the existing school whilst it remains open.

There will be considerable vehicle movements in terms of the delivery of materials and plant, and daily contractor movements, as well as a 4 week period where there will be c. 10 muck-away lorry movements out of the site each day.

The 2010 consent required approval of and adherence to a Construction Management Plan (CMP). A Construction Management Plan has been submitted with the current application.

The plan sets out measures for:

- Hours of working – 07:30-18:00 Mon-Fri & 09:00-13:00 Sat
- Deliveries only 07:30-18:00 Mon-Fri but aiming to avoid peak hours
- A vehicle holding area on the site to avoid waiting in Isbury Road
- A temporary construction-phase parking area within the site
- No personnel permitted to park outside the site
- Entrance gateman employed to marshall vehicle movements
- Wheel washing facilities if needed, but trafficked areas to be hardcored to prevent mud on wheels

Some disruption and disturbance is unavoidable in a large development within a built up area. A balance always needs to be achieved between allowing development to go ahead and minimising temporary disruption and disturbance, and minimising the duration of the

construction phase. The aim of a CMP is thus to reduce impacts to a reasonable level when balancing these interests.

The hours of working proposed are standard for development in a residential setting and the measures proposed to control parking and waiting vehicles outside the site are considered to be reasonable and necessary to minimise impacts on the local road network and neighbour amenities. The Highway Officer raises no concerns with the CMP, other than concerns in respect of possible highway damage caused by vehicles.

A condition is thus recommended to require 'before and after' surveys of the access roads in order to secure repairs for any damage caused. A further condition is recommended to secure adherence to the measures contained in the Construction Management Plan. Whilst this will not completely eliminate traffic problems associated with the construction works, it is concluded that the measures proposed are reasonable in guarding against such problems and that any residual problems would not be sufficient to warrant refusal of the application.

School traffic

The main concerns expressed relate to the ongoing use of the school once completed. Existing problems of inconsiderate behaviour by parents dropping off and collecting children by car are reported by neighbours, and are also referred to in the submitted School Travel Plan (April 2016). The larger school on the site would in time see an increase from 154 to 440 pupils, and thus potentially more than double the number of car movements to the site or nearby.

There has been no change in this respect since the 2010 approval however, other than that car movements and dropping off for the nearby St John's secondary academy (which opened on its current site late in 2009) are now also said to affect Ducks Meadow, although this may have also been the case to an extent at the time of the 2010 approval.

Concerns have thus been raised by residents in Ducks Meadow, but also some residents in Van Diemen's Close and Isbury Road, who are concerned that problems may spread to those roads, facilitated by the new footpath link into the school from Van Diemen's Close.

The Highway Officer raises no objection to the traffic impacts. In terms of traffic in the wider town centre area, the impact would be neutral – as there would no longer be school vehicle movements to the St Peter's School site. There would also be some benefit in terms of parents with children at both schools having only to journey to the single site. The main potential for impact is thus seen as being upon the local surroundings of the school site rather than upon the wider town centre area.

In terms of localised impacts around the school, the application proposes a new footpath link into the school from Van Diemen's Close which will facilitate pedestrian journeys to the school from the east of the town and thus help to reduce car-reliance. The school would also provide 44 cycle parking spaces and 20 scooter parking spaces. The application is also accompanied by an updated School Travel Plan that includes measures for encouraging the use of alternatives to cars, and which provides for more active management of an existing

parking permit scheme that allow parents to use the nearby public car park on the north side of George Lane. The Plan also provides for monitoring of traffic and parking problems and regular review of measures needed to address any problems.

The proposals included in the submitted Travel Plan are accepted by the School Travel Plan Advisor and the access and parking arrangements are supported by the Highway Officer.

Residents in Ducks Meadow point to existing problems, with parents often ignoring parking restrictions. The Highway Officer is satisfied however, that parking restrictions should avoid any significant additional impacts as a result of the development. If problems dictate then traffic wardens could be directed to the site to take action where necessary, and the Travel Plan provisions provide for monitoring of problems and measures to address them.

The Highway Officer is thus satisfied that highway problems would be unlikely to be 'severe' in highway terms so as to warrant the refusal of planning permission.

Whilst not severe in highway terms, it is unrealistic to suggest that there is no likelihood of an exacerbation of the problems reported by residents. The extent of problems however will be mitigated, monitored and managed by the various measures proposed, and whilst some residual problems are likely, these need to be balanced against the benefit to the community of the improved school facility proposed. Further material considerations are the approval of a substantially identical scheme (in traffic terms) in 2010, as well as the long-standing allocation of the site for schools development in the Kennet Local Plan. Weighing these considerations, the officer conclusion is that the development is likely to result in some localised increase in traffic problems around the site, but that these would not be of a level or nature that would warrant refusal of the application.

Ecology

Core Policy 50 requires development to protect valued species and provide for ecological enhancements.

The rough grassland on the site supports a population of slow worms. The school building hosts a pipistrelle bat roost. There are smooth newts in the school pond.

The rough grassland, pond and building will be lost to the development. Bats and slow worms are protected species. Smooth newts are only protected against sale.

A licence from Natural England will be required in respect of the demolition of the existing building. Before granting planning permission, the Council must be satisfied that:

- i) There is an overriding public interest in support of the demolition
- ii) There is not a satisfactory alternative to demolition
- iii) Adequate mitigation is proposed.

Tests (i) & (ii) are considered to be met by the educational need for a modern efficient school building and demolition of the old, and the site allocation and funding process that has considered alternative options. Test (iii) is accepted by the Council's Ecologist as being

met by the proposals for five bat boxes, both surface-mounted and built into the brickwork of the new school building in three separate locations. These will be in-situ for use by bats before the demolition works commence, and the works will also be subject to licensing by Natural England.

Slow worms cannot be accommodated within the developed site. A programme of capturing and relocating the slow worms to one of the Council's country parks is thus proposed. The Ecologist is satisfied by proposals for the capturing and relocation of the worms. A condition is recommended to ensure the satisfactory translocation of the worms before the development commences.

The ecologist is also satisfied that the dispersal of smooth newts from the site can be satisfactorily achieved by draining the pond over a period of three days.

Some additional measures are proposed to enhance the site's ecological value, including the provision of log piles, bird boxes and native species planting.

The development is thus considered to be in accordance with Core Policy 50 of the Wiltshire Core Strategy.

Archaeology

Archaeological evaluation has previously identified a number of features on the eastern part of the site dating to the Neolithic period, thus warranting further investigation.

The County Archaeologist is satisfied that the submitted Written Scheme of Investigation will provide for thorough investigation of the site. A condition is recommended to secure compliance with this scheme.

Contamination

The Council's Public Protection Officer is satisfied that the submitted contamination assessment demonstrates no risk to the occupation of the development from contamination. The 2010 consent was subject to a condition requiring further assessment of contamination in the vicinity of a former heating oil tank. This condition was in response to Environment Agency concerns regarding the disturbance of potentially contaminated ground around the oil tank, in proximity to the River Kennet. A similar condition is again recommended to address this issue.

Drainage

The submitted Drainage Strategy sets out measures for sustainable drainage of the developed site. This is based principally on various soakaways and permeable surface treatments to allow surface water drainage to ground.

The Council's Drainage Engineer is satisfied by the methodology and findings of the ground investigations that the proposed drainage measures will result in no additional surface water flow from the site. A planning condition is recommended to secure drainage measures in accordance with the strategy.

Loss of allotment land

The open space of the former allotment site falls within the definition of Green Infrastructure, which Core Policy 52 in the Wiltshire Core Strategy seeks to protect. Apart from the biodiversity issues considered above, the principal value of the site as Green Infrastructure is in terms of the openness that it provides to the urban environment of the town. The school grounds would remain largely open in character however, and considering also the overarching policy imperative for improved education facilities and the long-term allocation of the site for school development, any conflict with Core Policy 52 would not warrant the withholding of planning permission.

Outdoor sport & recreation site

The south western corner of the site also has a long-standing designation in the Kennet Local Plan as an Outdoor Sport & Recreation Site, which is effectively part of the school grounds. This area would not be affected by the development.

School capacity

Some respondents question the adequacy of the capacity of the school, particularly in view of the recent outline approval of 175 dwellings off Salisbury Road. The Salisbury Road development will generate a need for 48 primary school places and considering this and the available birth data for the town, the Council's Education Department is satisfied that there is no need for primary school capacity beyond the 440 spaces for the foreseeable future.

Sustainable Design & Construction

The building has been designed to a high standard of energy efficiency and is expected to exceed the policy requirement for a 'Very Good' BREEAM rating. A condition is nonetheless recommended to ensure that this rating is met.

Air quality

The Construction Management Plan identifies that during construction, efforts will be made to reduce any dust from the site, including the screening and dampening of work areas.

In terms of operation, the building has been designed to high standards of efficiency and raises no concerns in respect of the town's Air Quality Management Area.

11. Conclusion (the planning balance)

As an infrastructure project for improved education delivery within Wiltshire, the development is in accordance with the Spatial Vision of the Wiltshire Core Strategy. The development raises no concerns in respect of visual impacts, ecology, archaeology or other issues, other than localised traffic impacts in the vicinity of the school site. Whilst there are likely to be ongoing traffic issues when the school is in operation, the impacts will be monitored and managed through implementation of the School Travel Plan, with the option for reinforcement through deployment of traffic wardens. This is unlikely to eliminate problems altogether, but it is concluded that the impact of any residual problems will be outweighed by the benefit to the community of improved school provision, such that traffic concerns would not warrant refusal of the application.

RECOMMENDATION

Approve subject to the following 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 The development hereby permitted shall be carried out in accordance with the following submitted plans and documents as hereby approved:

Site Location	32499_AP(00)01
Site plan (existing)	044-005 A
Site plan (proposed)	044-001 A
Landscape plan (proposed)	044-001 P3
Site access & security	044-002 P2
Landscape levels	044-003 B
Tree and vegetation retention and removal	044-007 A
Landscape sections	044-015 D
Planting plan west	044-201 P2
Planting plan east	044-202 P2
Tree pit details	044-401 A
Games court fence details	044-410 B
Typical cycle shelter	044-411 A
Floor plan (proposed)	32499_AP(00)04
Roof plan (proposed)	32499_AP(00)05
Construction phasing	32499_AP(00)07
Proposed street elevations	32499_AP(01)31
Proposed public elevations	32499_AP(01)32
Proposed playground elevations	32499_AP(01)33
Proposed detail elevations	32499_AP(01)34
Detailed section through roof turrets	32499_AP(02)41
Vehicle tracking - fire engine	X152040 300 P1
Reptile Mitigation Strategy - revision A	KIER20330_RMS
School Travel Plan	version 2.1
Drainage strategy	X152040
Drainage layout - sheets 1 & 2	92001 P4 & 92002 P4
SUDS details	92037 P2
Elemental landscape specification	revision C
Environmental Strategy Report v.1	7418/003A11/cms
Construction Management Plan	05/02/2016
Planning Design Access and Heritage Statement	32499
BREEAM tracker report	28413_005
Ecological Walkover and Mitigation proposals	32499
Archaeological Written Scheme of Investigation	770362

REASON: For the avoidance of doubt (given some revisions made during the course of consideration) and in accordance with sound development management practice.

- 3 Prior to the commencement of any works of construction of the new school building above ground level there shall have been submitted to and approved in writing by the local planning authority full details (including product literature provided by the manufacturer and photographic samples) of the external brickwork, wall and roofing materials to be used in the construction.

REASON: Insufficient detail on external materials have been provided in the application, and details are required to be approved in the interests of visual amenity and the character and appearance of the area.

- 4 The development hereby permitted shall be carried out in full accordance with the approved Construction Management Plan.

REASON: To ensure appropriate provision for the management of the construction in the interests of neighbour amenities and the safety and convenience of use of the local highway network.

- 5 i) Prior to the commencement of the development a pre-commencement photographic survey of Isbury Road and Orchard Close (from the school site to its junction with Salisbury Road) and Ducks Meadow (in the vicinity of the school access) shall be carried out.

ii) Within 1 month of cessation of use for construction purposes of the respective access routes, post -construction survey of the roads shall be carried out in the same locations.

iii) Within 3 months of the completion of the development, details and results of both the before and after surveys together with a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development (including details for implementation and funding of the repairs - first to have been agreed with the highway authority), shall have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that any damage to the highway resulting from the development is identified and to ensure provision for a mechanism for necessary repairs to be put in-hand.

- 6 i) No development shall commence until the archaeological investigation and recording has been completed in full accordance with the approved Written Scheme of Investigation.

ii) Within 6 months of the commencement of development the results of the archaeological fieldwork will be published and deposited at a depository first to have been approved by the local planning authority.

REASON: The site is of known archaeological potential and further investigation is required to ensure the protection and recording of any archaeological heritage present on the site.

- 7 i) No development shall take place until there has been submitted to and approved in writing by the local planning authority details to demonstrate that there is a contractual arrangement in place for translocation of slow worms from the site as set out in the approved Reptile Mitigation Strategy (received April 25th 2016).

ii) No development shall take place until slow worms from the site have been trapped in full accordance with paragraphs 6.8 to 6.13 of the approved Ecological Walkover

and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation)(and appended drawings) and translocated in accordance with the approved Reptile Mitigation Strategy (received April 25th 2016).

REASON: the development would directly impact on a population of slow worms. In the interests of biodiversity, the trapping and translocation of the worms needs to be carried out before works commence, and the local planning authority needs to be satisfied that there is a contractual arrangement in place to secure the ongoing maintenance and monitoring of the receptor site.

- 8
- i) The development shall not be carried out other than in accordance with the Bat Mitigation Strategy set out in paragraphs 6.15 to 6.22 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation), together with the appended drawings numbered KIER20330 66 & KIER20330 67.
 - ii) Reptile fencing shall be erected and maintained during the course of the development in accordance with paragraph 6.13 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation) and the drawing numbered KIER20330 70.
 - iii) Within 2 months of the substantial completion of the development, bird boxes shall be installed as detailed on drawing KIER20330 67 and paragraph 5.4 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).
 - iv) Within 2 months of the completion of the development, reptile hibernacula shall be installed as detailed on drawing KIER20330 67 and paragraph 6.14 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).

REASON: To ensure the protection of bats known to inhabit the site and so as to prevent reptiles entering the site following translocation of the slow worms, and to provide for ecological enhancement of the development in the interests of biodiversity.

- 9
- i) All soft landscaping shown on approved drawings 044-201 P2 & 044-202 P2 shall be carried out no later than the first planting and seeding season following the first occupation of the building or the substantial completion of the development whichever is the sooner.
 - ii) All shrubs, trees and hedge planting so-planted shall be maintained free from weeds and shall be protected from damage by vermin and stock.
 - iii) Any of the planted trees or plants or any of the existing planting shown to be retained on approved drawing 044-007 A, which within a period of five years of the date of this permission, 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.
 - iv) All hard landscaping as detailed in the approved drawings and Elemental Landscape Specification shall be carried out in full accordance with the approved details prior to the occupation of the development.

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

- 10 The development shall not be occupied until surface water drainage has been provided in full accordance with the approved Drainage Strategy and approved drawings numbered 92001 P4, 92002 P4 & 92037 P2.

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

- 11 The building shall not 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 the development.

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

- 12 i) The school building hereby permitted shall not be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans.

ii) The access, parking and turning areas shall thereafter be so-maintained and shall be used for no other purpose.

REASON: To ensure adequate off-street parking in the interests of highway safety.

- 13 i) The school building hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority details of the covered and uncovered cycle parking and scooter parking as shown on the approved plans.

ii) The school building shall not be occupied until the cycle and scooter parking has been provided in accordance with the so-approved details.

iii) The cycle and scooter parking shall thereafter be maintained in accordance with the approved details and shall be used for no other purpose.

REASON: To encourage sustainable methods of travel to and from the school.

- 14 The internal footpath linking the school grounds with Van Diemen's Close as shown on the approved plans shall be made available for parents and children accessing and exiting the school during the morning and evening on days when the school is open, at times deemed appropriate by the school.

REASON: To encourage pedestrian journeys to and from the school.

- 15 Prior to the occupation of the development hereby permitted, there shall be submitted to and approved in writing by the local planning authority an Access Management Plan that sets out measures to prevent out-of-hours use of the outdoor sports and games facilities on the site; such measures to include details of arrangements for the locking of gates and maintenance of boundary fencing around the site, and for the locking of the gate into the hard-surfaced games court and for maintenance of the games court fence.

REASON: In the interests of neighbour amenity.

- 16 i) There shall be no occupation of the development until plans detailing the widening of the footway along the school frontage with Ducks Meadow have been submitted to and approved in writing by the local planning authority, such plans first to have been discussed and agreed with the highway authority.

ii) There shall be no occupation of the development until the footway has been widened in accordance with the so-approved details.

REASON: To reduce pedestrian congestion around the school in the interests of pedestrian safety and convenience, and to encourage non-car related trips to the school.

- 17 No external lighting shall be installed within 5 metres of the bat boxes as shown on drawings KIER20330 66 & 67 and no lighting shall otherwise be installed on the building until plans showing the type of light appliance, the height 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 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 and to minimise unnecessary light spillage above and outside the development site, and in the interests of the local bat population.

- 18 i) The School Travel Plan forming part of the approved plans shall be implemented in accordance with the agreed details as set out in the Plan.

ii) 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 the amenities of the neighbourhood, to minimise vehicular traffic to the school.

- 19 There shall be no development under Phase 6 as set out in drawing 32499_AP(00)07 until:

i) there has been submitted to and approved in writing by the local planning authority an assessment of ground contamination in the vicinity of the 'tank' annotated on drawing PSCAPS22/STPETERS/003 (included in the submitted contamination report), together with measures for remediation in the event of contaminants being found; and

ii) a verification report demonstrating that such remediation as may be necessary and approved under part (i) above has been carried out.

REASON: The site is located on the chalk principle aquifer. Activities such as oil storage may have resulted in contamination that could be disturbed during construction, resulting in contamination of the aquifer. The submitted contamination report and ground investigations do not assess the risk in the vicinity of the former tank. Assessment and any required remediation is thus required to avoid contamination of controlled waters.