

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham, SN15 1ER
Date: Wednesday 21 March 2018
Time: 3.00 pm

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718221 or email stuart.figini@wiltshire.gov.uk

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

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Mollie Groom
Cllr Peter Hutton (Vice-Chairman)	Cllr Chris Hurst
Cllr Chuck Berry	Cllr Toby Sturgis
Cllr Christine Crisp	Cllr Brian Mathew
Cllr Howard Greenman	Cllr Ashley O'Neill
Cllr Gavin Grant	

Substitutes:

Cllr Ben Anderson	Cllr Bob Jones MBE
Cllr Bill Douglas	Cllr Jacqui Lay
Cllr Ross Henning	Cllr Melody Thompson
Cllr Ruth Hopkinson	Cllr Philip Whalley

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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 Meeting** (*Pages 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 21st February, 2018.

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 2.50pm 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 14th March 2018)** 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 16th March 2018)**. 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 Appeals and Updates** (*Pages 13 - 14*)

To receive details of completed and pending appeals and other updates as appropriate.

7 **Planning Applications**

To consider and determine the following planning applications:

7a **17/05828/FUL - Former Wiltshire College, Cocklebury Road, Chippenham** (*Pages 15 - 36*)

7b **17/09336/FUL - Land at Three Bridges, Ashton Keynes, Swindon** (*Pages 37 - 58*)

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

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

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 21 FEBRUARY 2018 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill and Cllr Jacqui Lay (Substitute)

9 Apologies

Apologies were received from Cllr Christine Crisp

Cllr Christine Crisp was substituted by Cllr Jacqui Lay

10 Minutes of the Previous Meeting

The minutes of the meeting held on 24th January 2018 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

11 Declarations of Interest

There were no declarations of interest.

12 Chairman's Announcements

There were no Chairman's announcements.

13 Public Participation

The Committee noted the rules on public participation.

14 **Planning Appeals and Updates**

The Chair commented on the Planning Appeals decided between 12th January 2018 - 9th February 2018 that had all been dismissed at Appeal and thanked the Planning Officers for the recommendations they had made on the applications, as these had been upheld at the Appeal.

The Committee noted the contents of the appeals update.

15 **Planning Applications**

To consider and determine the following planning applications:

15a 17/11259/VAR - Oak Hill House, Henn Lane, Upper Seagry, Chippenham

Public Participation

Simon Chambers, agent, spoke in support of the application.

Cllr Michael Barber, Chair of Seagry Parish Council, spoke in objection to the application.

The case officer, Mark Staincliffe, introduced a report which recommended planning permission be granted, subject to conditions, for the variation of condition 13 of planning permission 16/04077/FUL (Erection of 2 No dwellings) to allow for repositioning of the proposed dwellings and alterations to the eaves height and ridge height. Key issues highlighted included the principle of development; the impact on residential amenities of adjoining neighbours and impact on character and appearance of the area. Reference was made to late items.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: landscaping plan, potential planning applications for individual plots, change of orientation of plot 2 within the site, alterations to the eaves height and ridge height, the role of building control within the various phases of the build.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Howard Greenman, Division Member, spoke in objection to the application with the main points focusing on: consideration of the application on its merits.

At the start of the debate a proposal was moved by Councillor Howard Greenman and seconded by Councillor Gavin Grant to refuse planning permission based on core policy 57 where the development would not integrate with the surrounding area, in particular subsections 3 and 6. During the debate the main points raised were: concerns about the felling of a Chestnut tree in the vicinity of the site; the compatibility of the planting scheme, within the site, in

relation to the native plant species existing in the village; the need to plant 2 Common Oak; the erection of two new dwellings allowed at appeal;

During debate, as indicated above, a motion to refuse was moved by Cllr Greenman and seconded by Cllr Grant. Following a vote the motion was lost. A motion to grant was then moved by Cllr Trotman and Cllr Sturgis, and it was:

Resolved

To delegate authority to the Head of Development Management Services to grant planning permission, subject to conditions:

- 1. The materials to be used in the development hereby approved shall be constructed in accordance with the details submitted to the Council and approved by the council on 15 March 2017.**

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

- 2. The hard and soft landscaping for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.**

REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development and to respect the character and appearance of the street scene.

- 3. 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.

- 4. No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the**

approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

5. 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

6. 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/extensions or external alterations to 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 external alterations.

7. The bin storage and recycling facilities for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017. These shall be provided prior to first occupation of the property and shall thereafter be retained.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

8. The scheme for the discharge of foul water from the site for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.

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

9. The scheme for the discharge of surface water from the site for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.

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

- 10.** 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.

- 11.** No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The access shall be a minimum of 4.5m width and properly consolidated for the first 7 metres, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The ditch within the access shall be piped accordingly. The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

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

Site Layout Plan
Site Location Plan
001 Plot 1 Elevations
002 Plot 1 Elevations
003 Plot 2 Elevations
004 Plot 2 Elevations
LPC/3074/SD1/5E
LPC/3074/SD1/2B

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

- 13.** To secure additional landscaping within the land owned by the applicant adjacent the site and the highway to secure two additional trees the details of which to be agreed with the Council's Trees officer but Common Oak (*Quercus Robur*).

REASON:

- 1.** To mitigate the visual impact to the character and appearance of the locality caused by the alterations to the bulk, mass and form of the as built dwellings in particular the bale projection of Plot 2.

2. The additional trees are required to mitigate the loss of the Horse Chestnut Tree which was marked for retention on the originally consented landscape plan but was subsequently felled. Had the tree been marked for removal additional landscaping in this area would have been requested when considering the previous application.

14. INFORMATIVE TO APPLICANT:

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

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

15. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

16. INFORMATIVE TO APPLICANT:

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.

17. INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

15b 17/12043/FUL - Methuen Park, Chippenham

Public Participation

Meghan Rossiter, agent, spoke in support of the application;
John Owen, applicant, spoke in support of the application;

Spencer Crowder, applicant, spoke in support of the application.

The case officer, Charmian Eyre-Walker, introduced a report which recommended planning permission be refused for the erection of 66 dwellings with access via Methuen Park. Key issues highlighted included the loss of employment, urban design, affordable housing, trees, landscape, public open space, drainage, public protection matters and lack of S106 agreement. Reference was made to late items.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the designated school for children living on an adjacent mixed housing and employment development; Conversion of commercial buildings to housing under permitted development rights; Market price for the land at Methuen Park; site density compared to adjacent development site; Availability of public open space within the site; Lack of S106 Agreement; The level of affordable housing; Proposals for stacked parking arrangements.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Peter Hutton, Division Member, spoke in support of the application and thanked officers for their views and opinions during the consideration of the application. The main points focused on: the piece of land remaining unused for 15 years; The availability of community facilities within the vicinity of the development site; Potential to provide affordable housing within walking distance of employment opportunities;

At the start of the debate a proposal was moved by Councillor Peter Hutton and seconded by Councillor Gavin Grant to grant planning permission based on Core Policy 35, subject to the Head of Development Management Services being given delegated authority to agree conditions including Section 106. During the debate the main points raised were: High density of the site; lack of amenities on site; location of the site and proximity between two employment sites and A350 dual carriageway; Issues of stacked parking on site; Current lack of employment sites to meet demand within Chippenham; Available information about the marketing of the site.

During debate, as indicated above, a motion to grant was moved by Cllr Hutton and seconded by Cllr Grant. Following a vote the motion was lost. A motion to refuse was then moved by Cllr Trotman and seconded by Cllr O' Neill, and it was:

Resolved

To refuse planning permission, for the following reasons:

- 1. The proposal would lead to the loss of a major employment allocation of land, which is part of the strategic objective set out in the Wiltshire Core Strategy to deliver a thriving economy to provide**

a range of jobs in Wiltshire with dependence on retaining the availability of and enhancing existing employment sites. The loss of this site would also be contrary to the aims of the Wiltshire Core Strategy which seeks to protect Wiltshire's most sustainable and valued employment areas by applying policies to favour employment uses on these sites. The proposal would therefore be contrary to the aims of the Wiltshire Core Strategy and to Policy CP35 of the Wiltshire Core Strategy and the advice within section 1 of the NPPF in particular.

2. The application does not satisfactorily demonstrate through a robust and comprehensive marketing exercise that its retention is no longer warranted. This would be contrary to the employment led emphasis of the Wiltshire Core Strategy and the requirements of CP35 of that document together with advice in Section 1 of the NPPF.
3. The proposal does not make provisions to secure contributions to affordable housing; education; public art; waste collection and recycling; the ongoing provision and maintenance of open space. The application is therefore contrary to Core Policies 3, 43, 45 of the Wiltshire Core Strategy and saved policy CF3 of North Wiltshire Local Plan 2011.

(Informative: The applicants have expressed a willingness to make off site contributions to POS and to enter into discussion about other requirements, so that this reason could fall away)

16 Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 5.10 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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

**Wiltshire Council
Northern Area Planning Committee
21st March 2018**

Planning Appeals Received between 09/02/2018 and 09/03/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overtturn at Cttee
17/05627/FUL	Ravenscourt Crudwell, Malmesbury Wiltshire, SN16 9ER	CRUDWELL	Change of use of part of dwelling to mixed use D1/C3 comprising ancillary accommodation being used as a yoga studio.	DEL	Written Representations	Refuse	21/02/2018	No
17/11141/FUL	6 Halfway Firs Bath Road, Corsham Wiltshire, SN13 0PJ	CORSHAM	Proposed Extension to Existing Dwelling	DEL	House Holder Appeal	Refuse	01/03/2018	No
17/11389/PNCOU	Big Barn Wootton Fields Farm Marlborough Road Royal Wootton Bassett Wiltshire, SN5 7EJ	ROYAL WOOTTON BASSETT	Prior Approval of Proposed Change of Use of Agricultural Building to Dwelling house (Use Class C3), and for Associated Operational Development	DEL	Written Representations	Refuse	23/02/2018	No
17/11396/PNCOU	Dairy, Leighfield Farm The Leigh, Cricklade Wiltshire, SN6 6RQ	LEIGH	Notification for Prior Approval under Class Q - Conversion of Agricultural Building to a Single Dwellinghouse (C3) and Associated Operational Development.	DEL	Written Representations	Refuse	21/02/2018	No

Planning Appeals Decided between 09/02/2018 and 09/03/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
17/01407/FUL	1 Langley Road Chippenham Wiltshire, SN15 1BP	CHIPPENHAM	Conversion of Existing Offices into 5 Flats, Including Rear Extension and Raising the Roof	DEL	Written Reps	Refuse	Dismissed	26/02/2018	None

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	21 March 2018
Application Number	17/05828/FUL
Site Address	Former Wiltshire College, Cocklebury Road, Chippenham, Wiltshire, SN15 3QD
Proposal	Demolition of Existing Buildings and the Erection of a 140 Unit Extra Care Facility (of which three are duplexes) (Use Class C2) Comprising of 21,602.6 sq m (gross external) of Floorspace Over Five Storeys (four storey building with a five storey recessed), Three Units for Uses within A1/A2/A3, 97 Car Parking Spaces Split Across the Basement (85 no. spaces) and Ground Floor Level (12 no. spaces) and Associated Access and Landscaping
Applicant	C Squared Property Developments (Chippenham) Ltd
Town/Parish Council	Chippenham
Electoral Division	Chippenham Monkton – Cllr Murry
Grid Ref	392341 173794
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Murry to consider the scale of development, relationship to adjoining properties, design, bulk, height of the development, highway impact and car parking provision.

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 delegate authority to the Head of Development Management to **GRANT** planning permission, subject to conditions and completion of a S106 legal agreement within three 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 originally defined timeframe to then delegate authority to the Head of Development Management 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 is therefore contrary to Policies CP3 and CP43 of the Wiltshire Core Strategy Adopted January 2015

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.

- Impact on residential amenities of adjoining neighbours.
- Impact on character and appearance of the area.
- Loss of non-designated heritage asset
- Impact of the development on the character and appearance of the Conservation Area
- Highway Impact

Chippenham Town Council raised no objection to the proposed development and 53 letters of objection have been received & 1 letter of support have also been received.

3. Site Description

The application site has a total area of approximately 0.97 hectares on the site of the former Wiltshire College and comprises a large vacant building adjacent to the new campus development.

The site is bound by residential dwellings to the south with the new Chippenham College Campus to the east. Cocklebury Road bounds the site to the north, beyond which lies Chippenham Rail Station and the associated car park. Sadlers Mead borders the site to the west and south, beyond which lies the Olympiad Leisure Centre and car park.

4. Planning History

N/08/02130/FUL	Demolition Of Existing Buildings And Erection of a New College Building Of Circa 12,000sq m Gross Internal Floor Area With Landscaping And Associated Works
13/06704/FUL	Demolition of Existing College Campus Buildings and Erection of New College Building with Landscaping and Associated Works- GRANTED

5. The Proposal

Demolition of existing buildings and the erection of a 140 unit extra care facility (Use Class C2) comprising of 21,602.6 sq m (gross external) of floorspace over five storeys, three units for uses within A1/A2/A3, 97 car parking spaces split across the basement (85 no. spaces) and ground floor level (12 no. spaces) and associated access and landscaping.

6. Local Planning Policy

Wiltshire Core Strategy Jan 2015:
 Core Policy 1- Settlement Strategy
 Core Policy 2- Delivery Strategy
 Core Policy 3- Infrastructure Requirements
 Core Policy 9- Chippenham Central Areas of Opportunity
 Core Policy 10- Spatial Strategy: Chippenham Community Area
 Core Policy 38- Retail and Leisure
 Core Policy 41- Sustainable Construction and Low Carbon Energy
 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 55- Air Quality
 Core Policy 56- Contaminated Land
 Core Policy 57- Ensuring high quality design and place shaping
 Core Policy 58- Ensuring the Conservation of the Historic Environment
 Core Policy 62- Development impacts on the transport network
 Core Policy 67- Flood Risk

Appendix D
Appendix E
Appendix G

Saved Policies of the North Wiltshire Local Plan:
NE14- Trees and the control of new development
NE18- Noise and Pollution
T5- Safeguarding
CF2- Leisure facilities and open space

National Planning Policy Framework 2012:
Achieving sustainable development – Core Planning Principles (Paragraphs 7 & 14)
Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)
Chapter 2- Ensuring the vitality of town centres
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- *No objection to this development but for the following issues to be considered:*

- *Heritage impact*
- *Safety of two access points*
- *Traffic Volumes*
- *Parking provision*

Drainage- No objection subject to the development being carried out in accordance with the approved plans and supporting information

Conservation- No objection to the removal of the modern college building but the application also includes the demolition of a late Victorian brick building built as a Technical college for the town around the turn of the last century, this is located within the Conservation Area.

Although the building was not considered unique enough to be listed, it is a heritage asset and contributes to the character of the conservation area in terms of its architectural form, as well as its historical and communal values.

The replacement building will be set forward of the current building line fronting Cocklebury Road, will be considerably taller and will cover a larger proportion of the site. The design of the new building does not in any way reflect the scale and proportions of the current non-designated heritage asset, in effect removing all reference to the college building that is currently there.

Whilst this former college building is not a designated heritage asset, it does lie within the conservation area and is cited in the Chippenham Conservation Area Statement (2004) and the Conservation Area Appraisal (2007) as a positive landmark although comments are made about a loss of architectural importance through loss of the railings that were on top of the boundary wall. It is also cited in the Chippenham Conservation Management Plan (2010) where reinstatement of the railings in front of the technical college building is again mentioned, and also form, massing and scale of new development.

The significance of the technical college is not just via its aesthetic value but also its communal, evidential and historical value. (BS:7913 and Historic England Setting of Heritage Assets Good Practice Advice Note:3)

Although the concept of an extra care facility on this site is supported, it is considered that it is possible to realise a suitable scheme that retains the existing non-designated heritage asset and respects the scale, mass and form of the area. The scheme as shown does not do this and is contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the BS7913, The Setting of Heritage Assets-Historic England Good Practice Advice Note:3 and core policies 57 & 58.

Archaeology- No objection

Housing- In accordance with the Council's adopted policies there is a requirement for 40% affordable housing.

Tree Officer- The important trees within and adjacent to the site have now been protected by tree preservation orders. Subject to the protection of these trees during the construction phase no objection is raised.

Public Protection- No objection subject to conditions relating to lighting and the need for a construction management plan.

Ecology- No objection

Highways- No objection subject to conditions and a financial contribution for 'Way Finding (Signage)'. Three wayfinding fingerposts will be required at a cost of £2k each, so a total contribution of £6k will be required. This cost is based on the outline costs in the Chippenham Wayfinding Sign Placement study.

8. Publicity

The application was advertised by neighbour letter, site notices and press advert. These generated 53 letters of objection and 1 letters of support. A summary of the representations is set out below:

- Insufficient car parking
- Proposal too high, should be no higher than the existing building
- Loss of historic building unacceptable
- Too many residential units
- Development will result in no benefits for Chippenham
- Poor design- too much modern architecture in this part of Chippenham
- Over development of the site
- Increase in traffic would harm the area
- Increase in vehicles would result in poor air quality
- Site access is not safe- access to main car park is on a bend
- Basement car park will harm the residential amenities of the adjoining properties due to headlights shining into first floor bedrooms.
- Further retirement apartments not required in Chippenham
- Overlooking of adjoining properties
- Overbearing impact on adjoining properties

Victorian Society- Object to the demolition of the school as it would result in the loss of a non-designated heritage asset and harm to Chippenham Conservation Area. The public

benefits arising from this application are limited in that they are generic and could be delivered on a different site.

Chippenham Civic Society- Object to the demolition of the original College building. The college building makes a positive contribution to the cultural heritage of Chippenham and should/can be retain within any redevelopment of the site.

9. Planning Considerations

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 Plan saved in the WCS, forms the relevant development plan for the Chippenham Community area and must be awarded full weight in considering this application.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight. The NPPF encourages the reuse of brownfield land. One of the twelve core planning principles is “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*”

Paragraph 111 also says:

“Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.”

This site is identified in WCS Core Policy 9 Chippenham Central Area of Opportunity. WCS Paragraph 5.54 sets out the key principles to be addressed in developing Chippenham Central Area. All proposals for development in this area should establish appropriate high quality public realm and pedestrian and cycle routes to create a lively visual and social environment focused on linking all parts of the town with its centre. The site forms part of one of the Character Areas identified in the Chippenham Central Area Masterplan (Civic and Academic). The application only forms a small proportion of the wider character area, but this site is considered important to the regeneration of this area as it will provide an opportunity to see the removal of a currently vacant building.

Drainage

The site is shown to be in Flood Zone 1 according to Environment Agency mapping with some risk from surface water flooding for a 1 in 30/100 events for part of the site. Concerns were originally raised with regards to the use of a basement. However, additional information has been submitted to overcome the concerns originally raised.

The application has been supported with a site Specific Flood Risk Assessment (FRA) providing details such as of the existing storm disposal systems, a calculated flow rate from existing site and climate change allowance.

The original FRA climate change allowance of 30% was subsequently amended to the updated April 2016 EA requirements of 40%. All the original calculations on flows and storm drainage have been corrected and the correct and the size of soakaways & attenuation storage arrangements have been revised to ensure compliance. Subject to full conformity

with the submitted foul and surface water drainage details no objection is raised. The development is considered to accord with CP57 and CP67 of the CS.

Trees and Landscaping

The application was accompanied by a tree survey and constraints plan, having visited the site and reviewed the submitted information it was confirmed that there are two prominent trees on site which are now protected under TPO 2017/00018/IND (Copper Beech and Hornbeam). There is no objection to the removal of other trees marked for removal within the site.

The Tree Officer does have concerns with regard to how the outbuilding, which is situated to the south-west of the Copper Beech tree, will be demolished and the materials removed from site. Details will need to be provided within a Arboricultural Method Statement to show how this will be achieved without having a negative impact on this tree. Subject to suitably worded conditions there would be no objection and officers are satisfied that the development will accord with saved policy NE14 of the NWLP and CP57 of the CS.

Design, Character and Appearance of the Area

The immediate area consists a mix of designs, uses and buildings from various periods, though all properties directly front the road with or without off-street parking provision. The NPPF indicates that good design is fundamental to using land efficiently. It notes that Councils should facilitate good design by identifying the distinctive features that define the character of a particular area and careful attention to design is particularly important where a site is being intensified.

The principal elevation to fronting Cocklebury Road will be stone faced and other prominent elevations will feature stone detailing, to take reference from and reflect the quality and character of the significant buildings in the locality such as the station buildings opposite.

The new building will be larger and more prominent than its predecessor, however, this is not a negative and the proposal is considered to be a better focal point for the locality. The high quality design provides good articulation in both the horizontal and vertical planes and the building design is essentially vertical in emphasis. The, being set back into the development does not dominate the composition and the materials proposed are both high quality and reflect and compliment the local vernacular.

The flat roofed angular form, pared down detailing and appearance of the proposed building is in a similar vein to the appearance of the neighbouring recent Wiltshire College building and Swindon and Wiltshire History Centre. However, the proposal reflects the better elements of the area and is considered to be far better quality than any recent permissions and majority of the buildings within the locality.

The proposal does contain some information as to the principles relating to the hard and soft landscaping of the site but no firm details relating to species, planting plans or exact hard landscaping materials. Though the principles are acceptable, due to the limited information relating to the proposed hard and soft landscaping scheme a condition will be required requiring these details.

The materials are considered to be important to the finalised design and there is an expectation that these will be of the highest quality to ensure that it has a positive relationship with the surrounding conservation area and nearby listed buildings. The plans and application form state that natural stone will be used on prominent elevations but there are no specific details relating to the type. Similarly, the brick and render shown on the submitted documentation appears to be acceptable but no samples or specifics have been provided. It is therefore necessary to require these details by way of condition. Ensuring that

proper plants are selected and located in their optimal growing location, outdoor living spaces are functional and aesthetically pleasing, and appropriate materials are used for buildings, driveways etc is essential to any high quality development. It is therefore deemed reasonable and necessary to condition these details to be submitted and approved by the Council prior to the commencement of development.

Taking into consideration the above it is considered that the proposed development is high quality and therefore conforms with both the NPPF and CP57 of the CS.

Highways

Numerous concerns have been expressed by local residents with regards to highway safety issues. These matters are covered in detail below

Visibility splays at Sadlers Mead access points – The speed surveys that have been carried out in the submitted documentation are noted. Taking into consideration the revised 'Tree constraints' Plan and the removal of T20, T21, T22 and T23 officers are satisfied that the visibility splay outlined in the visibility drawing will be achieved. In this instance due to the guidelines contained in Manual for Streets (2007) and the NPPF (2012) and paragraph 32 'severity', it is considered that the accesses in and out of the site are adequate and compliant with CP57, CP61 and CP62 of the CS.

Servicing / Refuse collection – The original submission did not provide clear or adequate information for the arrangement for refuse and waste collection. A Council kerbside collection arrangement is deemed not acceptable in Sadlers Mead. The applicant has confirmed that the refuse/ waste collection for the commercial and residential units will be managed on a commercial basis. This will be controlled through the s106 agreement and via a planning condition. Furthermore, a component of the proposal is servicing via Cocklebury Road. This is not included in the application site or land within the applicant's ownership, the applicant has now provided officers with confirmation of legal rights to use this land for the servicing of the building, should planning permission be granted. Officers are satisfied that the proposed development, subject to an appropriately worded condition and s106 agreement result in compliance with policy CP57 of the CS

Car Parking – The submitted TA acknowledges that the level of parking provided is less than the minimum requirements set out in the council's adopted standards. The justification provided in the TA, set against the Council car parking standards is noted. It is considered that the submitted justification suitably addresses the car parking standards. Considerations need to take into account the nature of the proposal, town centre location/ facilities and public transport provision in the vicinity. Furthermore, the site is located in close proximity to numerous car parks in the vicinity and the large volume of TROs on adjoining roads to ensure car parking is managed on the Public Highway. Taking in account paragraph 32 of the NPPF, CP64 of the CS and Wiltshire Local Transport Plan 2011 – 2026 Car Parking Strategy the level of parking is considered to be acceptable.

The applicants have placed significant emphasis on the sustainability credentials of the site. To aid this 'way finding (signage)' will be required. Highway officers have confirmed that three wayfinding fingerposts will be required at a cost of £2k each, so a total contribution of £6k will be required and will be collected through the s106 agreement.

A1, A2 & A3 Use

As well as C2 units and communal spaces being provided by the scheme, there will also be 3 commercial units and a restaurant/café. Though these units are intended and designed to be predominantly used by the occupants of the units they will be accessible to the wider public.

Extra care is a form of Class C2 accommodation, with care, that enables older people to live with a degree of independence within purpose built, self-contained accommodation. They can cook in their apartments or they can use the onsite restaurant/café. This will allow for residents to have independence with flexible care and support from care teams when required and which can be gradually increased or decreased according to individual need.

Of the three commercial units the largest will have a total internal floor area no greater than 75 square meters with the total internal floor area of the three units being less than 190 square meters. Core Policy 38 of the CS requires that all proposals for edge-of-centre or out-of-centre retail or leisure development in excess of 200 sqm gross floorspace, which are not within a town centre, are accompanied by an impact assessment. As the cumulative floor area is less than 200 sqm there is no need for the assessment to be undertaken.

Providing conditions are attached to any consent restricting the maximum floor area for any one use it is considered that the proposed uses are acceptable in this location and compliant with CP38 of the CS. Furthermore, the provision of an active frontage on this key elevation helps to integrate the development with the wider street scene and thereby according with the wider regeneration principles of this part of Chippenham.

Impact on Residential Amenity

Concerns and objections have been raised by local residents living in Sadlers Mead with regards to the development's impact on privacy, overbearing nature of the development and the harm caused to amenity by the access into the underground car park. These matters are considered in turn below:

Underground Car Park- The property opposite the underground car park entrance/exit (2 Sadlers Mead) is concerned that cars entering and exiting during the night will result in headlights and brake lights shining into habitable windows and thereby harming their residential amenities. Additional plans, including a section have been provided to demonstrate that the access into the car park is almost level. It is considered that the situation of headlights shining into this property from the entrance will be no different to disturbance currently experienced. In this regard the development is considered to accord with CP57 of the CS and the access isn't considered to result in harm to the residential amenity of existing properties.

Privacy & Overbearing impact- Concerns and objections have been submitted to the Council relating to the proximity and height of the wings backing onto properties in Sadlers Mead, the closest property being 1 Sadlers Mead. In consideration of the application it is important to consider any proposal on its merits but also the existing site circumstances.

There is currently a substantial building approximately 10m from the boundary of 1 Sadlers Mead, this is the base line for the consideration of the application. It is accepted that the development currently proposed will see a three storey block of residential units approximately 10m from the number 1's boundary, however, the proposed block is not dissimilar in scale or proximity to the building currently on site. The building will have the majority of habitable windows on the opposite elevation to Sadlers Mead, with only a single window serving the kitchen looking out towards the Sadlers Mead direction. Taking into consideration the existing site circumstances, the proposed layout of the closest units to Sadlers Mead and orientation of the proposed properties it is considered that the proposal will not result in any adverse impact on the residential amenity of properties within Sadlers Mead.

There is also another block that local residents have expressed concerns with. This block is further to the North and is 5 stores in height. The block is located in excess of 30m from the boundary of the nearest residential property. Taking into consideration the separation

distance and the orientation of the block (facing towards the East) it is considered that the proposed development will have no significant adverse impact on the residential amenity of the local residents and thereby conforms with CP57 of the CS.

Heritage

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.

The Council’s Conservation Officer and the applicant’s Heritage Assessment agree that the original Chippenham College building is an undesignated heritage asset, it makes a positive contribution to the townscape and that the loss of the building would result in less than substantial harm to the Conservation Area. The matter in dispute is the precise level of less than substantial harm and the significance of the asset. The submitted Heritage Statement grades the significance of the asset as low and the Conservation Officer has not reached a conclusion on this matter.

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, no matter what the level, it is in conflict with the policy. As the proposal fails to conserve or enhance the heritage asset (due to complete loss of it) the development is in conflict with CP58. This is a matter that weighs against the scheme in the planning balance. The issue of harm to the conservation area is covered later in the report.

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.

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 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.

A recent request to list the building was received by Historic England and they determined that the building was not worthy of Listed building status. Though an interesting building it is considered that the building is of local interest only and as such its significance as an asset is low. The complete loss of this building is unfortunate but it’s quality and contribution are not so great as to warrant retention when taking into consideration the significant benefits of the scheme set out below.

The public benefits of the scheme are significant. The proposal will allow the delivery of much needed market housing (C2) as well as a financial contribution for the provision of offsite affordable housing, the proposal will also provide a CIL payment. Landscape improvements in the locality including the removal of the existing, unsightly College building and its replacement with a high quality development constructed in largely natural materials more akin to the locality and improvements of the immediate public realm. The development will also provide jobs during the construction phase of the development as well as jobs once the apartments, A1, A2 & A3 units are complete. These are significant public benefits of the scheme to which it is considered that significant weight should be afforded to it, furthermore it is considered that they outweigh the less than substantial harm that would arise from the development, to which should be given considerable importance and weight. Given this conclusion of the 134 balance it is considered that in these terms the application is not in conflict with the NPPF and planning permission can be granted.

As set out earlier in the report, the original building is located within the conservation area and the remaining modern extensions to the building are not, however, they do contribute to its character and setting. The conservation officer is of the opinion that the development is harmful to the setting and character of the conservation area due to the loss of the original building.

The comments of the officer are noted however, it is considered that the impact on the conservation area is at worst neutral. It is accepted that the original building is a pleasant which positively contributes to the conservation area. However, it isn’t listed and the proposal also involves the removal of the modern extensions which have no architectural merit and have a negative impact on the setting of the conservation area. The application sees the construction of a high quality, appropriately designed replacement building with landscaping scheme which will be an enhancement to the character of the area and therefore have, at worst, a neutral impact; at best a positive impact on the significance of the designated asset. In the absence of harm, there is no need to weigh public benefits against the impact. The development is therefore not in conflict with the NPPF or Core Policy 58. However, even if it was agreed that harm to the conservation area has occurred it is considered that the benefits of the scheme, as set out above, would out weight any identified harm and would therefore not conflict with the NPPF in that respect.

Ecology

The application was accompanied by two ecology statements, the first dated February 2017 and the second dated June 2017.

During the Preliminary Ecological Assessment for Bats undertaken in February 2017 Building E was assessed as providing High suitability for roosting bats. During the internal inspection on 7 June no evidence of bats was recorded and no access opportunities into loft spaces were recorded. One common pipistrelle was recorded entering during a dawn survey undertaken in May 2017. Based on the results of the emergence and dawn re-entry surveys, as well as the limited opportunities recorded during the internal inspection, the building is considered to be used by low numbers of common pipistrelle and has been assessed as an occasional day roost.

A mitigation strategy is included within the June 2017 report and should planning permission be granted this will be controlled by way of condition. Subject to the imposition of an appropriately worded condition it is considered that the development accords with CP57 and CP50 of the CS.

Viability

The Affordable housing policy requirement for the site is 40% at nil subsidy. Based on the proposed 140 unit scheme 56 units on site units will be required. Due to the nature of the accommodation and difficulty in finding an affordable housing provider willing to take on the accommodation an offsite commuted sum is deemed to be appropriate. An offsite contribution would equate to: £2,279,380.

The Council instructed Cushman & Wakefield to provide viability advice relating to this site and requested that they review the statement submitted by the applicant. The assessment of the information has been thorough and has been checked by Mark Hunnybun, Strategic Projects and Development Manager, who has agreed with the conclusion of the final report.

After protracted negotiations a sum for an off-site affordable housing contribution has been agreed with the applicant. The sum of £370,000 has been agreed with the applicant and this payment is in addition to the money that must be paid as part of the development's CIL liability of £1.391m

10. S106 contributions & Viability

- Affordable Housing commuted sum- £370000
- 3x way finding (signage)- £6000
- Management company to maintain open space
- Management Company arrangements for commercial collection of waste

11. Conclusion (The Planning Balance)

It can be seen from the analysis above and that some Development Plan policies are offended by the proposal and that the proposal, not least because it results in harm to a designated and non-designated heritage asset, is not Development Plan compliant.

However, as also noted, 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 benefits of the scheme are clear. It would bring forward much needed market and affordable housing. 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 and new homes bonus.

Set against these benefits there is some harm to the conservation area. However, it has to be acknowledged that there is benefits to the character and appearance of the conservation area through the removal of the existing unsightly modern extensions and the high quality development being proposed. In this case the harm is not so great as to justify refusal as the harm caused by the proposal does not come close to outweighing the benefit, let alone “significantly and demonstrably”.

This scheme would have a positive impact on the way the settlement looks and functions, indeed the Core Strategy is seeking to redevelop this part of Chippenham. Those benefits would not come at the cost of extensive landscape harm, harm to heritage assets or ecology. They would not damage the objectives of the plan and would sustainable development on a brownfield site.

The proposed development therefore complies with the Framework. To the extent that it is necessary to find that it breaches certain development plan policies, it might be contrary to the development plan as a whole; under s.38(6), however, the benefits and compliance with the NPPF provide the material considerations that indicate that permission should be granted in any event.

On balance, the public interest is best met by resolving to approve the application.

RECOMMENDATION

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 delegate authority to the Head of Development Management to **GRANT** planning permission, subject to conditions and completion of a S106 legal agreement within three 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 originally defined timeframe to then delegate authority to the Head of Development Management 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 is therefore contrary to Policies CP3 and CP43 of the Wiltshire Core Strategy Adopted January 2015

- 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 No part of the development shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

- 3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls, roofs, Windows, balconies and rain water goods have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area
- 4 No external natural stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.
- REASON: In the interests of visual amenity and the character and appearance of the area.
- 5 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;
 - * all hard and soft surfacing materials;
 - * minor artefacts and structures (e.g. furniture, planters, and other storage units, signs, lighting etc);
- 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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.
- 6 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.

- 7 No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction -Recommendations". Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

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 Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity.

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

REASON: In the interests of highway safety.

- 9 The A3 unit hereby approved shall be brought into use, until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority, and the approved ventilation/extraction equipment has been installed in accordance with the approved details. The approved ventilation and extraction equipment shall thereafter be maintained in a serviceable condition in accordance with the approved details.

REASON: In the interests of the amenities of the area.

10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage 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.

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

AA6717-2001 REV A

AA6717-2002 REV A

AA6717-2003 REV A

AA6717-2115 REV B

AA6717-2110 REV C

AA6717-2111 REV B

AA6717-2112 REV A

AA6717-2113 REV B

AA6717-2114 REV A

AA6717-2116 REV B

AA6717-2600 REV B

AA6717-2400 REV A

AA6717-2401 REV A

AA6717-2402 REV A

AA6717-2403 REV A

AA6717-2404 REV A

AA6717-2405 REV A

AA6717-2601 REV B

AA6717-2700

AA6717-2701 REV A

AA6717-2602

AA6717-2604

AA6717-1032 REV D

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

- 12 None of the individual units of residential accommodation at the development shall be used otherwise than as a private place of residence for a person or persons of whom at least one must be a 'qualified person' (defined below) at the date of his or her first occupation of the unit in question.

For the purposes of this schedule a 'qualified person' means a person who is or has attained the age of 65 years and thereby in need of personal care by reason of old age or by reason of disablement. (whether or not such person suffers from a registered disability under the terms of the Chronically Sick and Disabled Persons Act 1970). An occupier of one of the individual units of residential accommodation who is not a 'qualified person' but who shares or previously shared the accommodation with a 'qualified person' (e.g. a spouse or surviving spouse) must have attained the age of at least 55 years.'

REASON: The application has been considered on the basis of occupation by elderly persons in class C2 accommodation and the Local Planning Authority wishes to consider any future changes to occupation of the building.

- 13 The development hereby permitted shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

REASON: The application has been considered on the basis of occupation by elderly persons in class C2 accommodation and the Local Planning Authority wishes to consider any future changes to occupation of the building.

- 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;

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a

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.

16 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; and
- h) measures for the protection of the natural environment.
- 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 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.

- 17 There shall be no subdivision of, extension to or amalgamation of the A1, A2 and A3 units shown on the approved plans.

REASON: The proposed use and size of the units is considered acceptable but the Local Planning Authority wish to consider any future proposal as it may result in conflict with the Wiltshire Core Strategy.

- 19 (i) No deliveries shall be made to or collections made from the A1, A2 or A3 units 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.

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

- 20 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), the A1, A2 and A3 units shown on the approved plans site shall be used solely for purposes within these use Classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same classes, having regard to the circumstances of the case.

- 21 The A1 and A2 use 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 .

- 22 There shall be no customers/members of the public within the A3 unit hereby approved except between the hours of 07:00am to 22:00pm on Monday to Saturday, 07:30am to 20:00pm on Sunday & Public Holidays.

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

- 23 No development shall commence on site (including any works of demolition), until a Commercial Waste Management and Collection plan, which shall include the following:

a)Means of collection of commercial waste;

b)Means of collection of clinical waste;

c)Measn of collection of domestic waste;

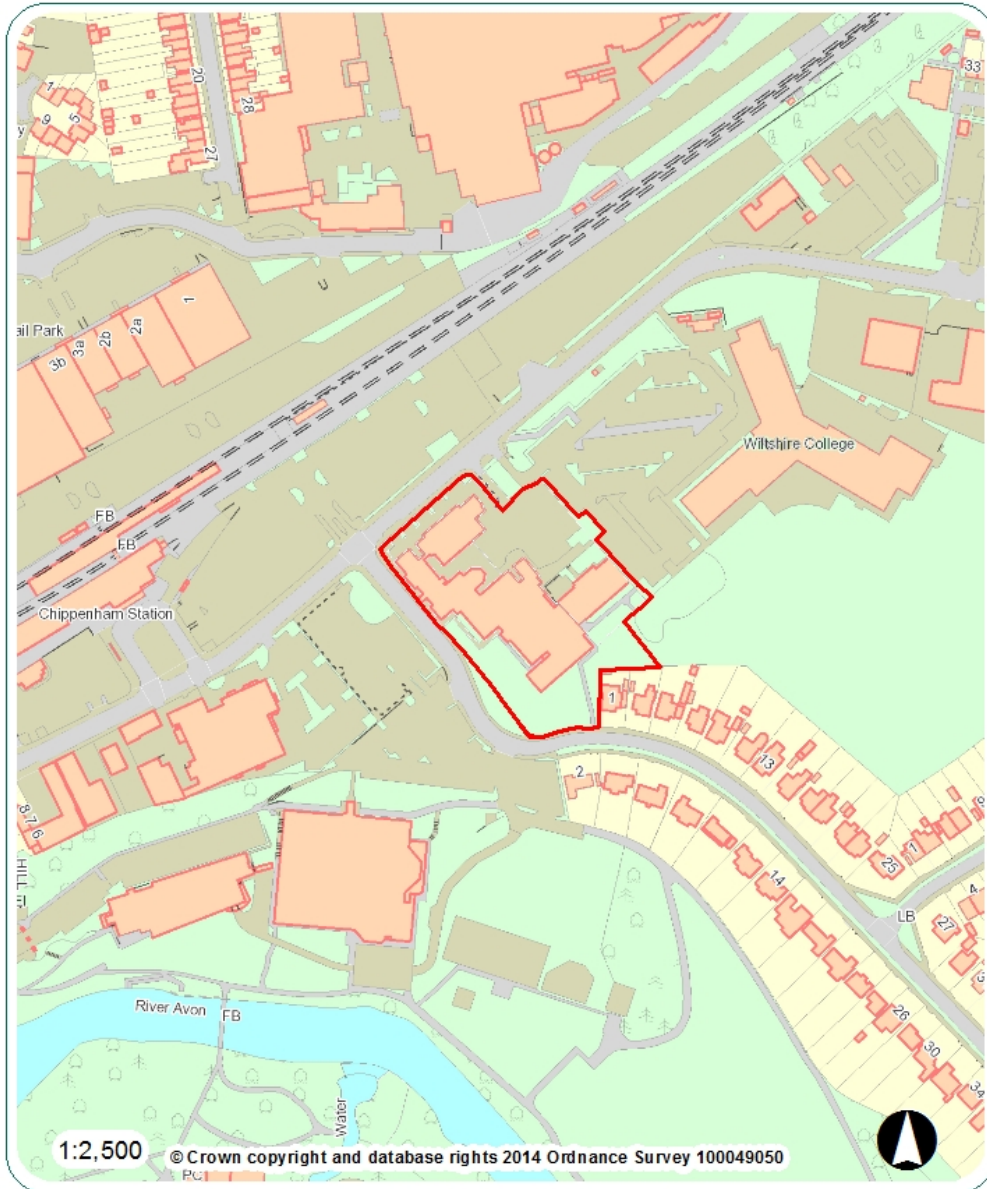
d)Details of the operator

e)Procedures and plans setting out how all waste will be collected to ensure that collection vehicles are not parked on the public highway.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full. The collection of waste shall not be carried out otherwise than in accordance with the approved 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 highway network, the amenities of the area in general.

17/05828/FUL
Former Wiltshire College
Cocklebury Road
Chippenham
SN15 3QD



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES		Report No.
Date of Meeting	21 st March 2018	
Application Number	17/09336/FUL	
Site Address	Land at Three Bridges Derry Fields Ashton Keynes SN6 6PA	
Proposal	Partial change of use of land to form a coach depot with improved access and enhanced landscaping.	
Applicant	Mr Ellison	
Town/Parish Council	Ashton Keynes	
Electoral Division	Minety– Cllr Chuck Berry	
Grid Ref	404125 193597	
Type of application	Full Planning	
Case Officer	Richard Sewell	

Reason for the application being considered by Committee

Application called in by Councillor Chuck Berry for the due consideration of the proposals regarding the location of the development, relationship to adjoining properties and the potential impacts on residential amenity, visual amenity, highway safety, ecology and drainage.

1. Purpose of Report

To consider the above application and to recommend **APPROVAL** subject to conditions

2. Report Summary

The main issues in the consideration of this application are as follows:

- Principle of Development
- The scale, design, layout and materials of the proposed parking facility and impact on visual amenity
- Impact on the residential amenity
- Impact on highways
- Impact on ecology
- Impact on drainage
- Impact on the historic character and appearance of the Ashton Keynes Conservation Area

Ashton Keynes Parish Council **SUPPORTS** the application. 53 representations of support, 13 objections and 4 comments from members of the public were received.

3. Site Description

The application site is located to the west of Ashton Keynes, immediately adjacent but outside of the Ashton Keynes settlement boundary. The proposal site comprises the north-east corner of the former Three Bridges sand and gravel quarry, which is now undergoing restoration as approved under application N/11/01319/WCM. The permitted restoration proposals divide the application site into three distinct areas: a northern section restored to grassland, a central section restored to agriculture, and a southern section containing a fish nursery with grassed margins. These works are currently being undertaken.

The wider Three Bridges Quarry site covers an area of approximately 15ha, of which the application site covers approximately 2.7ha, currently comprising damp grassland and rough scrub surrounding a small lake that is currently being infilled in accordance with the permitted restoration scheme. A soil storage bund is located at the north-eastern corner of the lake, with the vehicle access being located at the north east corner allowing access from the B4696. This access has historically been used to accommodate large quarry vehicles and is currently used by vehicles carrying out earth works as part of the ongoing restoration scheme.

The site is predominantly flat and bounded on all sides by tall, unmanaged hedges and mature trees. The operations area of Dairy Farm Quarry is located to the northwest, and the remainder of the Three Bridges Quarry forms the rest of the western boundary. To the immediate south is a fishing lake with the eastern site boundary being mature hedgerow, shrubs and trees, beyond which lies the B4696.

The site is within a Local Wildlife Site (LWS) that is designated for the combination of lakes, quarries and grasslands that support some bird interest. Within the wider locality are other ecologically important sites, including the Pikes Corner SSSI which is located approximately 800m to the south east. Much of the proposal site lies within Flood Zone 2.

The nearest residential properties and approximate distances from the site access to the proposal site are Derryville (35m), The Grove (65m), 17 Derryfields (82m) and Derryfields Farm (100m). All of these dwellings are to the west, on the adjacent side of the highway immediately opposite the existing site access. That side of the road lies within the Ashton Keynes Conservation Area but none of these properties are listed. It is to be noted that the proposal site is not included within the Conservation Area

The B4696 to the immediate east of the site runs north to south and acts as a bypass for the large village of Aston Keynes, providing direct access to the Spine Road (East and West), approximately 0.9 miles to the north and the M4 Motorway, approximately 9 miles to the south. The existing site access is hard surfaced and wide enough to accommodate the heavy good vehicles associated with the former quarry operation and also those vehicles involved with the substantial earth works required as part of the consented restoration scheme currently taking place on site.

4. Planning History

N/10/01486/WCM- S73 Application to Continue Development Without Compliance with Condition 2 of Planning Permission N.02.0508 to Allow Continued Use of the Site for Silt Disposal and to Allow a Revised Scheme of Restoration (To Revise Consented Scheme and Include a Fish Nursery)

N/10/01479/WCM- S73 Application to Continue Development Without Compliance of Condition 2 of Planning Permission N.02.0506 to Allow a Revised Scheme of Restoration (Restore Small Field and Provide Pond for Recreational Use)

N/11/01319/WCM- Revised Restoration Scheme Consented Under Application Numbers N/02/0508 and N/02/0506 Through Additional Silt Disposal Process and Continued Inert Infilling to Form a Small Field, a Fish Nursery and a Nature Conservation Area at M C Cullimore (Gravels) Ltd PERMITTED

16/12494/FUL- Partial Change of Use of Land at Three Bridges to Form a Coach and Car Park Facility and Erection of Two Dwellings, Landscaping and Access Works WITHDRAWN

5. The Proposal

The proposal is to construct a parking facility for the majority of the fleet and staff vehicles of Ellison's Coaches that is currently located in the centre of the village. The existing site would be retained, as it not only provides a workshop/garage for the maintenance of the applicant's fleet of vehicles, but also for the residents of Ashton Keynes as it is the only garage facility located within the village. The proposal site will consist of approximately 1ha of permeable hard standing that would provide parking for up to 30 coaches 30 cars. This area is to be bounded on all sides by tall hedgerow and trees. Gated access into this area would be located towards the northeast corner.

The existing entrance off of the B4696 would form the main access into the site. This would provide access to the coach parking area via a tarmac surface, and from thereon to the remainder of Three Bridges Quarry via a gravel driveway leading around the northern and western perimeter of the site. From the entrance, a separate track would lead down the eastern side of the site, parallel to the B4696, providing access to a small pedestrian and cycle access which would be created opposite the junction of the B4696 and The Derry, in the position of a disused and overgrown field gate which marks a former access point in the southern portion of the site. The consented agricultural area in the southern half of the site would be replaced by semi-improved wildflower grassland. This would be bounded to the north by a hedge with hedgerow trees. The fish nursery to the south of the site will remain undisturbed.

6. Planning Policy

National Planning Policy Framework 2012 (NPPF)

Achieving sustainable development – Core Planning Principles (Paragraphs 7, 11, 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18, 19 & 21)

Chapter 3- Supporting a prosperous rural economy (Paragraph 28)

Chapter 4- Promoting Sustainable Transport (Paragraphs 30, 32, 36 & 41)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 58, 65 & 66)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 111, 113, 117, 118, 120, 121, 123 & 125)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 127, 128, 129, 131, 132 & 137)

Wiltshire Core Strategy (WCS) (Adopted January 2015)

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 3- Infrastructure Requirements

Core Policy 13- Malmesbury Community Area

Core Policy 34- Additional Employment Land

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 54- Cotswold Water Park

Core Policy 55- Air Quality

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 61- Transport and New Development
Core Policy 62- Development impacts on the transport network
Core Policy 67- Flood Risk

North Wiltshire Local Plan 2011

NE14- Trees and the control of new development

Ashton Keynes Neighbourhood Plan 2017

HSP1- Site Allocations

HSP2- AB Carter Haulage

INP1- Flood risk mitigation in new developments

INP2- Road and Pedestrian Safety

AMP1- Village Centre Amenities

AMP4- Car Parking

ENP1- Protection of biodiversity and wildlife sites

ENP2- Environmental infrastructure and accessibility

ENP3- Enhancing the landscape character of the Parish and

retaining the character of the village including the tranquillity of its setting

HCP1- Local character

ECP2- Use of former Minerals Extraction and Manufacturing Sites

7. Summary of consultation responses

Ashton Keynes Parish Council – SUPPORT the application with the caveat that the traffic management of the coaches accessing the village would be restricted to those indicated in the application. To allay concerns of additional lighting in the area, the Parish Council would prefer dark sky lighting to be used at the site.

Highways- NO OBJECTION subject to conditions relating to technical details of site access, visibility splays and a Travel Plan detailing how the two preferred routes indicated in the Transport Statement will be utilised for routes between the existing and proposed sites.

Ecology- NO OBJECTION subject to a condition requesting that the development will be carried out in strict accordance with the prescriptions given in Section 6 of the Ecological Appraisal by Malford Environmental Consulting dated 8th September 2017

Natural England- NO OBJECTION. Natural England do not consider the change of use will damage, destroy or be detrimental to the existing interest features of the Cotswold Water Park SSSI, Upper Waterhay Meadow SSSI, Elmlea Meadow SSSI or North Meadow SSSI/SAC. Pike Corner SSSI, which is the closest designated site is up stream of the site at Ashton Keynes and as such will not be impacted. Natural England also do not consider the change of use to be detrimental to the important overwintering and breeding birds assemblages present in the Cotswold Water Park which are being considered for inclusion in a re-notified Cotswold Water Park SSSI

Environment Agency- NO OBJECTION. The EA consider that this proposal will not increase flood risk but have specified conditions relating to a landscape management plan and a scheme of surface water drainage focusing on pollution prevention.

Drainage- NO OBJECTION subject to conditions as specified by EA

Arboriculturist – NO OBJECTION subject to condition requiring the development to be carried out in accordance with Arboricultural Method Statement

Minerals & Waste- NO OBJECTION. The extant minerals permission (N/11/01319/WCM) does not itself preclude proposals coming forward for any other development within the site now or in the future. If approved the proposed development would therefore supersede the requirements of the minerals permission for part of the site

Conservation- NO OBJECTION. The containment of the vehicular use to part of the site is welcomed and the ecological benefits previously negotiated by the LPA remain in that the restorative works will still be undertaken to 2/3s of the site. The historic character of the site is considered to be industrial associated with stone extraction, thus the historic setting of the Conservation Area would have been a series of quarries and pits along the opposite side of the road to the Conservation Area. The existing hedge provides a degree of screening thus the site is not readily visible from the public domain, the proposal includes landscaping works that will reinforce this boundary and as such prevent views through to the proposed parking area. The potential impact of the parking area on the setting of the Conservation Area is a best described as minimal as result. Considering the current garage and parking area in the village centre, it is clear there is significant benefit in relocating the coach parking from within the village in terms of the aesthetics of a less intensive daily operation and less vehicular movements to conflict with local traffic at peak times. The benefits associated with easing traffic flow and improving pedestrian and vehicular safety are more than sufficient in order to offset any perceived harm to the setting of the Conservation Area.

Public Protection- NO OBJECTION.

Landscape- OBJECTION. The introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. Derry Fields Road clearly denotes the edge of the existing settlement and denotes the rural boundary within the landscape. However, the proposed supplementary native tree and woody shrub planting will mean that the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term.

Archaeology- NO OBJECTION.

8. Publicity

The application was advertised by neighbour letter, site notices and press advert. These generated 13 letters of objection, 4 comments and 53 letters of support. A summary of the representations is set out below:

- Inappropriate site for business use outside of the settlement boundary
- Proposed coach and staff parking facilities will not fully alleviate congestion within the village
- Increased vehicle movements will impact on highway safety due to high speeds on the B4696
- Coach parking site should be located further out of the Ashton Keynes towards larger settlements such as Swindon or Royal Wootton Bassett.
- Proposal is contrary to various policies including WCS Core Policy 2 and Ashton Keynes Neighbourhood Plan
- Impact on residential amenity in terms of light and noise pollution
- Inappropriate development in designated County Wildlife Site
- Increased flood risk as site is within Flood Zone 2
- Proposal would set precedent for other business/industrial uses within former gravel extraction sites located within the Cotswold Water Park

- Impact on historic character, appearance and setting of Conservation Area and Listed Buildings
- Proposal site far larger than is required for parking facilities

9. Planning Considerations

Policy and principle of development

Under the provisions of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006) and the Ashton Keynes Neighbourhood Plan (AKNP) (made May 2017).

Acceptability of proposal site being located outside of the defined settlement boundary

The proposal site is outside of the settlement boundary for Ashton Keynes, as defined by the North Wiltshire Local Plan 2011 Proposals Map 9b and the Map AK-1 contained within the adopted Ashton Keynes Neighbourhood Plan (AKNP) 2017. Core Policy 2 states that development will not be permitted outside of the limits of development other than in circumstances as permitted by exception policies contained within in paragraph 4.25. Amongst these exception policies is Core Policy 34 relating to additional employment land. This Policy seeks to support business development relating to the retention or expansion of existing business within or adjacent to Large Villages providing developments are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity. Further to this any such proposals will need to be supported by evidence that they are required to benefit local and economic social needs and that they are supported by adequate infrastructure.

Objectors have drawn attention to the fact that the location of the proposal site outside of the defined settlement boundary is contrary to both the WCS and the AKNP. As demonstrated within the application supporting documents, Ellison's coaches is a long established employer within the village of Ashton Keynes. The business not only provides a local service in terms of means of transport, but also provides the only garage facility within the village serving local residents.

Currently the fleet consists of 27 coaches, with only 19 coaches being able to be stored on the village centre site at any one time meaning the rest of the fleet has to be stored on privately owned sites within the village, including 7 coaches being parked at the former AB Carter Haulage site to the south of the village. However, the AB Carter Haulage site has been allocated within the AKNP for development of up to 11 dwellings (AKNP Policies HSP1 and HSP2) meaning it will soon be no longer available for coach parking. In addition to the fleet of coaches, employees of Ellison's also park their vehicles in the centre of the village, most notably within the Village Hall car park. The parking of both coach and employee vehicles results in significant congestion within the village, specifically at peak times during the local school drop off and collection times impacting on road and pedestrian safety. The level of congestion also impacts on the residential amenities of the village and the character and appearance of the village centre within the Conservation Area.

The proposal site will facilitate the expansion of the existing rural based business by allowing an increase in fleet size from 27 to 30 coaches as shown on the parking layout of the proposed site plan and referenced within the Supporting Statement. As will be discussed later in this report, it is considered that the proposed development is consistent in scale with the location, does not adversely affect nearby buildings and the surrounding area or

significantly detract from the residential amenities of the locality. As evidenced by the significant amount of local support for this application the relocation of the majority of the fleet and employee vehicles will benefit local economic and social needs by retaining and expanding an established local business and also by alleviating local traffic congestion within the village which will be beneficial to road and pedestrian safety and residential amenity. In addition, the proposal site also has direct access to the B4696 which is the main access route to the wider area and M4 meaning it is supported by adequate infrastructure. The relocation will also support the delivery of the AKNP housing allocation. The proposal is therefore considered to satisfy the requirements of Core Policy 34 being an exception policy that supports development at this location outside of the defined settlement boundary which also in accordance with the AKNP.

Objectors also consider the proposal to be contrary to Core Policy 54 relating to the Cotswold Water Park. Core Policy 54 is not considered directly relevant to this proposal as it relates to proposals for outdoor or water based sports, leisure and recreation based development within the defined area of the water park. However, Core Policy 54 does not expressly prohibit this type of proposed development in this location and is therefore not considered that there is conflict with this policy. Objectors have also raised concerns that by allowing this development, a precedent would be set for further business/industrial uses within the proposal site and also within other former gravel extraction sites within the Cotswold Water Park. Firstly, the use of the site as a coach park would be Sui Generis meaning it would not benefit from any further permitted change of use. Secondly, there is no such thing as “precedent” within the planning system per se as each application must be determined on its own merits as is a requirement of the planning acts/national legislation. Previous decisions are capable of being material considerations of some weight but are not in and of themselves determinative of future proposals in the locality or an application before the Local Planning Authority.

Therefore the siting of the proposal outside of the defined settlement boundary of Ashton Keynes is considered acceptable in relation to Core Policies 2 and 34 and also the AKNP.

The scale, design, layout and materials of the proposed parking facility and impact on visual amenity

Core Policy 57 seeks that, amongst other things, proposed development must relate positively to the landscape setting and existing pattern of development in terms of building layouts, built form, height, mass, scale, building line, plot size, elevation design material to effectively integrate into its setting. Development must also make efficient use of the land whilst taking into account the characteristics of the site and local context to deliver appropriate development which relates effectively to the immediate setting and the wider character of the area. Core Policy 51 states development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. AKNP Policy ENP3 maintains that development in the Parish should protect, conserve and where possible enhance landscape character. These policy requirements reflect and accord with the relevant paras of the NPPF including para 17.

The proposal site will feature approximately 1ha of permeable hardstanding surrounded by tall hedgerow and vegetation screening, with tar mac surfaced vehicle access and gravel access track running along the western, northern and eastern perimeters. The proposed and existing landscape features and planting will mitigate the visual impact of the parking area, as these features significantly reduce views across the site, meaning it will not appear as visually prominent within the wider landscape setting. When viewed in comparison to the adjacent highway and surrounding residential development, this proposed area of

hardstanding will not have any additional significantly adverse impact on the character of the locality.

The Council's Landscape Officer has raised an objection to the proposal stating that it will result in some adverse urbanising change in character from the currently approved rural scheme of restoration and that the introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. The Landscape Officer however does acknowledge that due to the relatively flat and low rolling nature of the landscape in this character area, the existing intervening landscape vegetation structure lining roads, watercourses and enclosing fields forms an effective filtering and screening function to many potential visual receptors. The Officer concedes that with the full implementation of landscape mitigation measures prescribed in the Landscape Statement, as illustrated on the 'Site Layout and Landscape Structure Plan - Drawing reference 1920/PA/2/D', in the form of new supplementary native tree and woody shrub planting, the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term. Core Policy 51 states that any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. It is therefore considered that the proposed landscaping of the site and additional planting scheme does adequately mitigate against the urbanising impact of the development when viewed within the wider landscape setting.

The proposal is therefore considered to be compliant with Core Policies 51, 57 and AKNP Policy ENP3.

Residential amenity

Core Policy 57 seeks to ensure that proposed development has regard to the compatibility of development with adjoining buildings and uses, alongside minimizing the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development. This includes consideration of privacy, overshadowing, vibration and pollution (e.g light intrusion, noise, smoke, fumes, effluent, waste or litter).

Objectors have raised concerns relating to noise and light pollution generated from coach and staff vehicle movements within the site. The nearest residential properties are located on the eastern side of the B4696 with the closest being Derryfields at approximately 35m to the north east of the vehicle access. Immediately opposite the site entrance is the long driveway leading to Derryfields Farm which sits approximately 100m due east to the proposal site entrance.

The application site access has historically served as an entrance for large vehicles entering and leaving the quarry and more recently for those involved with the restoration scheme. As such this represents the baseline existing circumstances at the site and a material consideration as to the impact of the development proposals. The site as existing is screened on all sides, but most notably along the eastern boundary which comprises a dense mixture of mature trees, shrubs and hedgerow. The proposed site plan indicates a significant level of additional soft planting along the entire perimeter of the proposed parking area, providing a significant level of screening to shield headlights from the surrounding area. Enhanced tree and hedge planting is also shown on the site plan running adjacent to the highway, but this area is outside of the proposal site and therefore any further planting cannot be conditioned accordingly. Irrespective of this, this boundary around the proposal site is already dense with existing mature vegetation. When this is seen in the context of the proposed planting scheme and level topography of the proposal site and surrounding area, it is not considered that light spillage from headlights of vehicles maneuvering within the site will significantly impact on the nearest dwellings (which are a significant distance away from the proposal site Derryville at 35m being the closest), over and above the existing baseline situation. Further to this, it is to be noted that no external lighting is proposed within the

application and a condition will be imposed requiring any additional lighting details to be submitted and agreed in writing by the Council.

The accompanying Supporting Planning Statement describes a significant part of the business as being school/college transport which is understood to take place before 07:00am. However, there are no hours of operation specified for the proposal site and indeed the statement specifically states that there is 24hr operation taking place on the existing site within the village. Concerns relating to potential noise disturbance were raised by the Council's Public Protection Officer who requested that a Noise Impact Assessment be submitted as part of the application. The Assessment has been undertaken and submitted to officers. The report details existing typical background noise levels, the prediction of the traffic noise levels after the development is completed and also the prediction of vehicles idling during start up and shut off periods. The Assessment demonstrates that additional noise increase to surrounding properties as a result of coach movements will be minimal at 0.2db, but that idling coaches during night time hours will result in an increase of 15db at the most sensitive residential property, which the Assessment identifies may give rise to complaints. The Assessment advises that a policy be adopted that no coaches are permitted to idle on site between the hours of 23:00 – 07:00. It is to be noted that Ellison's normal procedure for departure only involves the starting of the engines and driving off, which has been accounted for within the assessment.

Whilst not objecting to the scheme proposals as a result of these findings, the Public Protection Officer has advised that the no idling policy be conditioned accordingly. In order to address this matter effectively and in accordance with the 6 tests on the use of conditions set out in the National Planning Practice Guidance, it is considered reasonable and necessary to condition the submission of a site management plan to demonstrate how any on site noise intrusion will be kept to an absolute minimum. A key component of this management plan will be that there are no idling engines on site between the hours of 11:00pm and 06:00am, with the plan also detailing other areas of good practice in terms of consideration of local residents and amenities. The agent has been made aware of this requirement and has agreed to the use of the condition and these heads of terms and provisions for inclusion in the Site Management Plan in an email dated 6th March 2018.

Taking the above light and noise considerations into account when considered in addition to those activities associated with the gravel extraction operation of the site and currently generated by vehicles travelling along the B4696, it is not considered that the proposed development will result in any significant additional adverse impact on the existing level of residential amenity currently afforded to the surrounding properties in terms of light pollution and noise disturbance meaning the proposal is in accordance with Core Policy 57(vii) such that permission ought to be refused on this basis.

Impact on Highways

Core Policy 61 requires that proposal sites are capable of being served by safe access to the highway network and that new development should be located and designed to reduce the need to travel particularly by private car. Core Policy 62 stipulates that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. AKNP Policy INP2 Road and Pedestrian Safety states that development proposals that lead to an increase in road and pedestrian safety risk will not be supported.

The Supporting Planning Statement and Transport Assessment both confirm that the majority of the fleet will be stored at the proposal site but that the High Road depot within the village will be retained for maintenance, cleaning and refuelling purposes which will occur approximately once every 2 weeks per vehicle. The AKNP clearly identifies that there are congestion issues within the village, specifically at peak times around school drop off and

pick up times and this is also evident to officers through site visits to the Ashton Keynes village in handling multiple applications in this locality. Relocating the fleet and staff vehicles outside of the centre of the village will assist in alleviating this issue also improving road safety which is a key component of the AKNP.

Objectors have stated that the section of the B4696 where the proposal site is to be located is not suitable for larger vehicles due to the high speeds of passing traffic, the lack of pavements and also poor visibility at the site entrance. The Council's Highways Engineer has assessed the proposal documents and Transport Assessment and has raised no objection to the proposal but has sought via condition full technical details and visibility splays of the access. In addition, to ensure minimal disruption on the local road network during vehicle movements between both sites for maintenance, cleaning and refuelling purposes, a condition will be imposed relating to the submission and approval of a travel plan which demonstrates how movements along the preferred routes of Cox's Hill and Main Bridge will be implemented and monitored.

Therefore the proposal is considered not to have a significant detrimental impact on highway safety in accordance with Core Policies 61 and 62 and AKNP Policy INP2.

Impact on ecology

Core Policy 50 requires development proposals to demonstrate how they protect features of nature conservation, with an expectation that such features shall be retained, buffered and managed favourably in order to maintain their ecological value, connectivity and functionality in the long term. All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

AKNP Policy ENP1 states that development should minimise impacts on biodiversity and provide net gains in biodiversity where possible.

The proposal includes a significant amount of additional planting, including a substantial area of wild flower grassland to the south of the proposed parking area. The application is accompanied by an Ecological Appraisal completed by Malford Environmental Consulting who have carried out extensive ecological surveys of the site at various stages of the mineral extraction programme and to inform discussions on the currently permitted restoration plan (N/11/01319/WCM). The Council's Ecologist has visited the site several times in the last few years in relation to the minerals permissions and has confirmed that sufficient information has been collated from several years of survey, including a recent update, to accurately identify all sensitive ecological receptors that could be affected by the proposed change of use.

Malford Environmental Consulting have made recommendations within their report for measures to ensure that sensitive ecological receptors are protected during construction and during the post-construction operation of the site. These include but are not limited to the following:

Trees and shrubs at the boundaries of the site are to be retained and these will be protected during construction by a suitable stand-off to ensure that root systems are not damaged, which could weaken trees and shrubs and eventually cause their death. Protection of retained trees and shrubs will ensure that they remain functional for the wildlife species they support. In addition, a minimum 5m buffer strip between the coach park and adjacent hedge and tree lines, will ensure that foraging availability for bats is not compromised.

A 10m wide buffer to the watercourse at the western edge of the site, together with strict adherence to the Environment Agency Pollution Prevention Guidelines, will ensure that the

watercourse and riparian habitat remains habitable and functional for the range of wildlife it supports, including water voles and otters.

No additional lighting will be erected on the site, so there will be no potential additional impacts on local wildlife species. Furthermore, the landscaping plan for the coach park area includes planting a tall hedge around its immediate edges, which will reduce light spill from headlights, onto surrounding habitats.

The Council's Ecologist has commented that impacts on Statutory and non-Statutory Designated Sites have been dealt with through the minerals permissions for the site and the agreed restoration plan. The Habitats Regulation Assessment of the Wiltshire Minerals Core Strategy found that the extraction of minerals and restoration of the site would not result in adverse impacts to features of North Meadow and Clattinger Farm Special Area for Conservation (SAC), the only Natura 2000 site within 10km of the application site. This is due to the distance between the extraction site and either Clattinger Farm SSSI (2.3km to the west) or North Meadow SSSI (4.75km to the north-north-east), which are the two component SSSIs of the SAC. There is no hydraulic or hydrological connectivity since the mineral site is downstream from Clattinger Farm SSSI on any local watercourse and the groundwater in that area flows from north west to south east. There is therefore no mechanism for impact on any Natura 2000 site and the application site can be screened out of Habitats Regulation Assessment.

The Council's Ecologist has confirmed that offsite impacts on other designated sites are unlikely. Pike Corner SSSI and Swillbrook Farm Meadows LWS are both highly dependent on groundwater flows and water quality remaining unchanged, however they are both upstream of the application site, so cannot be affected by surface water run-off or other hydrological impacts. Although Swillbrook Field CWS and the River Thames CWS are both downstream of the site, with potential to be adversely affected by surface water or pollution events, precautionary measures relating to (amongst other things) surface water-run off, waste storage and 10m buffer from the coach/car park hard-standing area have been recommended within Section 6 of the Ecology Appraisal and agreed by the Council's Ecologist. These measures will be conditioned in accordance with the advice received from the Environment Agency in respect of the treatment of surface water run-off and ground water pollution prevention.

Natural England have been formally consulted and do not consider the change of use will damage, destroy or be detrimental to the existing interest features of the Cotswold Water Park SSSI, Upper Waterhay Meadow SSSI, Elmlea Meadow SSSI or North Meadow SSSI/SAC. Pike Corner SSSI, which is the closest designated site is up stream of the site at Ashton Keynes and as such will not be impacted. Natural England also do not consider the change of use to be detrimental to the important overwintering and breeding birds assemblages present in the Cotswold Water Park which are being considered for inclusion in a re-notified Cotswold Water Park SSSI

The Council's Ecologist is satisfied that the proposal would not result in any degradation of ecological quality of the site but would result in a net gain for biodiversity over that which would be expected from the currently permitted restoration plan;- specifically as a result of the proposed wildflower grassland and planting of native mixed hedgerow. Furthermore, if carried out in strict accordance with the recommendations made by the ecological consultants, the works will not result in any adverse impacts to sensitive habitats or species within the site or within the wider local area. The proposed development is therefore considered to comply with Core Policy 50 and AKNP Policy ENP1

Impact on drainage

Core Policy 67 states that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground water (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. AKNP Policy INP1 requires that development should not increase flood risk. The development of sustainable Drainage Systems to address flood risk is supported.

The proposal site is within Flood Zone 2. The Flood Risk Assessment (FRA) submitted as part of the application demonstrates that the residual flood risks are manageable over the lifetime of the development and the development proposals are deemed to be 'safe' and sustainable in flood risk terms. The proposed development will involve a change in a small area of land surface to a permeable hard core finish for the coach parking and a gravel access track. Sub drainage from the parking area (required to prevent water logging) and surface runoff from other areas will be directed towards the fish nursery in the south of the site. A filter drain will be located along the south of the coach park providing filtration and therefore mitigating any issues of water quality of surface water associated with the parking of vehicles.

The Environment Agency have raised no objection to the findings of the FRA and have confirmed that the proposal will not increase flood risk subject to various details relating to surface water drainage being secured via condition. This is on the basis that the proposed development is classed as Less Vulnerable and falls within Flood Zone 2. The FRA shows the proposed parking to be above the flood level and resilient to flooding in a flood event and also features a permeable surface. The Council's Drainage Engineer agrees with this consultation response provided by the EA and has advised no further conditions are necessary.

The development therefore accords with the requirements of Core Policy 67 and AKNP Policy INP1.

Impact on the historic character and appearance of the Ashton Keynes Conservation Area

Core Policy 58 states that development should protect, conserve and enhance where possible the historic environment, including the special character and appearance of Conservation Areas. In addition, Core Policy 57 requires proposals to be sympathetic to and conserve historic buildings and landscapes. AKNP Policy HCP1 details that styles, proportions, materials and finishes used for new build and conversions of both residential and commercial properties must be in harmony with their surroundings, in particular when these are in close proximity to Listed Buildings and Scheduled Monuments.

The proposal site is not within the Ashton Keynes Conservation Area and there is no indivisibility with respect to the setting of any of the nearest Listed Buildings which are a significant distance from the proposal site, with the nearest being 215m to the north east. The Conservation Officer has commented that the existing hedge already provides a degree of screening meaning that the site is not readily visible from the public domain or the setting of the Conservation Area. Further to this, the Conservation Officer considers that the proposed landscaping works will reinforce this boundary and as such, prevent views through to the proposed parking area. Therefore it is not considered that the proposed development will have any significantly harmful impact on the setting of the Conservation Area and is accordance with Core Policies 57, 58 and AKNP Policy HCP1.

Other issues

Objectors have queried the appraisal of alternative sites for the proposed development and have disputed the reasons as to why the Brickworks Site in Purton was disregarded by the applicant. These other locations are not the subject of this application and it is a requirement

of the planning system that the proposal submitted to the Council for consideration is assessed on its own individual merits and site specific circumstances.

10. Conclusion (The Planning Balance)

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 as do paragraphs 2, 11 and 196 of the NPPF

The proposal site is outside of, but immediately adjacent to, the defined settlement boundary of the large village of Ashton Keynes and is not allocated for any form of development. This is a location where development is not ordinarily permitted other than in the policy circumstances listed in paragraph 4.25 of the WCS, with Core Policy 34 Additional Employment Land being applicable in this instance as the proposal facilitates the expansion of an existing rural based business based within the large village.

The submission identifies that the relocation of the majority of the fleet of coaches and staff vehicles to the settlement outskirts will assist in alleviating congestion and road safety concerns within the centre of the village, specifically at peak times during school drop off/pick up times. Removing vehicles stored at the AB Carter Haulage site will deliver the implementation of an AKNP allocated housing site. By keeping the depot within the village for the fuelling and maintenance of the fleet, this also retains the garage facilities serving the local residents of Ashton Keynes. In addition, the development would provide opportunities for an established rural business to expand and provide for future employment opportunities. The location of the proposal site will allow good access to the wider transport network via the B4696 without the need to travel into the village, except on an infrequent basis for vehicle maintenance and refuelling.

The impact on the current level of amenity awarded to the properties nearest to the proposal site in terms of light and noise pollution is not considered to be of a level significant enough for the proposal to be considered unacceptable, especially when seen in comparison to the impact to these properties as a result of the existing volume of traffic movements to and from the site and along this section of the B4696.

The Council's Landscape Officer has objected to the proposal due to the adverse urbanising change in character from the currently approved rural scheme of restoration commenting that the introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. However, it is considered that this adverse impact will be adequately mitigated against as a result of the proposed supplementary native tree and woody shrub planting mean that the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term.

No further objections to the development have been raised by any other statutory consultees meaning that the impact on local ecology, drainage, highway safety and the setting of the Conservation Area is considered to be of an acceptable level, subject to certain technical details and adequate mitigation measures being secured by condition. The proposal is not considered to jeopardise the consented wider restoration of the former gravel extraction site and is confirmed to result in net gain for biodiversity, over that which would be expected from the currently permitted restoration plan.

On balance, therefore, it is considered that the proposal is acceptable in planning terms and in accordance with the Core Strategy, Ashton Keynes Neighbourhood Plan and the NPPF.

11. Recommendation

Planning Permission is APPROVED 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 approved plans: Drawing No. 1920/PA/4 Site Location Plan and Drawing No 1920/PA/2 Rev Site Layout and Landscape Scheme D both received 26.09.17

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

- 3 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:-

" 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, means of temporary support and protection from livestock and vermin;

" finished levels;

" means of enclosure including gates;

" all hard and soft surfacing materials;

" minor artifacts and structures (e.g. refuse and other storage units, signs, bollards, street 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 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.

- 4 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.

- 5 No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- " detailed extent and type of new planting (NB. planting to be of native species)
- " details of maintenance regimes
- " details of any new habitat created on site
- " details of treatment of site boundaries and/or buffers around water bodies (including measures to ensure the riverbank is not allowed to scrub up to the extent that they become unsuitable for waders).
- " details of management responsibilities

REASON

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

- 6 The development shall be carried out as specified in the approved Arboricultural Impact Assessment incorporating Tree Survey, Tree Protection Plan and Arboricultural Method Statement (AMS) prepared by S J Stephens Associates dated 24th August 2017, and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

- 7 The development will be carried out in strict accordance with the prescriptions given in Section 6 of the Ecological Appraisal by Malford Environmental Consulting dated 8th September 2017.

REASON: To ensure protection of ecologically sensitive habitats and species within or adjacent to the site.

- 8 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

The use of the site as a coach park has the potential to release hydrocarbons to ground. Ground water is likely to be close to the surface.

- 9 No development approved by the permission shall be commenced until a scheme of surface water drainage, focusing on pollution prevention, is submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed, in the timescales agreed.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

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

times thereafter.

REASON: In the interests of highway safety.

- 11 No part of the development hereby permitted shall be first brought into use until full technical detail of the access have been submitted to and approved in writing by the Local Planning Authority. The details shall be broadly in accordance with 'Junction visibility requirement Sheet 1 of 5' ST17110-01 details. The radius of the access shall be increased for the coaches. No part of the development shall be first brought into use until the access has been completed in accordance with the approved details. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

- 12 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 160m metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

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

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 14 No development shall commence until a Site Management Plan detailing measures to minimize noise disturbance has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be implemented and operated in accordance with the approved details thereafter.

REASON: In the interest of residential amenity

- 15 No external lighting shall be installed on site 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.

- 16 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 17 INFORMATIVE TO APPLICANT:

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

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 18 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a

public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

19 INFORMATIVE TO APPLICANT:

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.

20 INFORMATIVE TO APPLICANT:

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
- wheel washing and vehicle wash-down
- 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.

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Land at Three Bridges
Ashton Keynes
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