

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 19 July 2017
Time: 11.30 am **PLEASE NOTE CHANGE OF TIME**

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

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

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Membership:

Cllr Fleur de Rhé-Philippe (Chairman)	Cllr David Jenkins
Cllr Derek Brown OBE (Vice Chairman)	Cllr Christopher Newbury
Cllr Clare Cape	Cllr James Sheppard
Cllr Ernie Clark	Cllr Tony Trotman
Cllr Andrew Davis	Cllr Fred Westmoreland
Cllr Stewart Dobson	

Substitutes:

Cllr Ian Blair-Pilling	Cllr Ruth Hopkinson
Cllr Matthew Dean	Cllr Chris Hurst
Cllr Christopher Devine	Cllr Nick Murry
Cllr Sarah Gibson	Cllr Stewart Palmen
Cllr David Halik	Cllr Graham Wright
Cllr Russell Hawker	

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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 7 - 26*)

To approve and sign as a correct record the minutes of the meeting held on 21 June 2017. (copy attached)

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

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

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

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

Questions

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

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 12 July 2017** 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 14 July 2017**. 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 27 - 28*)

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

7 **15/11886/FUL - Land over Railway Line, End of Parsonage Way, Chippenham, Wiltshire, SN15 3LR - Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green** (*Pages 29 - 46*)

A report by the Case Officer is attached.

8 **17/01124/OUT - Land South & South East of Tascroft Court & North of Cannimore Track, Tascroft Court, Warminster, Wiltshire, BA12 7RA - Outline planning application (with all matters reserved except for access) for a new hotel resort (comprising Class C1, D1 and D2 uses) and to include a water park, business conference facility and an immersive animal experience; landscaping; highways infrastructure including car parking, new pedestrian and vehicular access and servicing arrangements; plant; associated development; and requiring: the stopping up, creation and improvement of footpaths, improvements to bridleways, site clearance works, the installation of new services and infrastructure, earthworks and engineering works, and other ancillary works and activities.** (*Pages 47 - 114*)

A report by the Case Officer is attached.

9 **Date of Next Meeting**

To note that the next meeting is scheduled to be held on Wednesday 16 August 2017, starting at 10.30am, in the Council Chamber at County Hall, Trowbridge.

10

Urgent Items

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

Part II

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

None

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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 21 JUNE 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Fleur de Rhé-Philippe (Chairman), Cllr Clare Cape, Cllr Andrew Davis, Cllr Stewart Dobson, Cllr David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Fred Westmoreland and Cllr Nick Murry (Substitute)

29 **Apologies**

An apology for absence was received from Cllr Ernie Clark who was substituted by Cllr Nick Murry.

30 **Minutes of the Previous Meeting**

Resolved:

To approve and sign as a correct record the minutes of the previous meeting held on 24 May 2017.

31 **Declarations of Interest**

There were no declarations of interest made at the meeting.

32 **Chairman's Announcements**

There were no Chairman's announcements.

33 **Public Participation**

The rules of public participation were noted.

34 **Planning Appeals and Updates**

An update on planning appeals and decisions was received.

Resolved:

To note the update.

35 **16/12493/FUL - Land at Hunters Moon, Chippenham, Wiltshire - A hybrid planning application: An Outline Planning Application for the demolition of existing buildings & structures & mixed-use development comprising**

up to 450 dwellings, up to 2.41 ha of employment (B1, B2 & B8) development, public open space, landscaping, & all associated infrastructure works (with all matters reserved other than access); with a Full Planning Application for the first phase of the development comprising 140 dwellings, open space, 10 no. B1 employment units, drainage works including attenuation pond; & associated infrastructure. (All Matters Reserved Except Access)

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission should be granted, subject to conditions and the prior completion of a Section 106 agreement to secure the following:-

- 27.3% affordable housing provision
- Highways improvement works
- Provision and management of Public Open Space, including 5 year periodical review and management of trees with protection orders
- Financial contribution towards bus service and travel plans
- Financial contribution towards air quality management project.

The Case Officer also referred to additional information which had been received since the committee report was written as follows:-

- (a) The applicant had recently advised that the latest revision to the Site Layout for Phase 1 had resulted in the removal of two units from the first phase of development, resulting in 140 units in this phase for which full planning permission was being sought.
- (b) The letter of objection from the neighbouring occupier of Taffswell Farm had been withdrawn.
- (c) An additional Dormouse survey had been received and reviewed by the Council's Ecologist and had confirmed that further Dormouse surveys were not required.

Members then had the opportunity to ask technical questions after which they heard a statement from Mr Mike Kerton, Planning Director of Bloor Homes (the applicant) in support of the proposals.

After some discussion,

Resolved:

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

In the event of failure to complete, sign and seal the required Section 106 Agreement within the defined timeframe, to then delegate 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, Public Open Space, Highways Improvements and Air Quality Management Projects and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

1. The detailed element (ie. the part of the site befitting from full planning permission) of 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 outline element of the development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

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

- i) The scale of the development;**
- ii) The layout of the development;**
- iii) The external appearance of the development;**
- iv) The landscaping of the site;**

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

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

4. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Site Location Plan – 9050 Rev C;

Site Layout Plan SL-001 Rev M

Materials and Boundary Treatments Plan SL-020D

SW031-PD-060 Rev E – Streetscenes;

SW031-SL-050B – Affordable Housing Plan;

SW031-SL-051B – Employment Unit Plan;

SW031-PD-160 Rev A (B1 unit, Block 1, Plans and Elevations;

SW031-PD-169 – Plans and Elevations (Plot 14);

SW031-PD-100 Rev B – Plans and Elevations (Plots 97, 107, 112, 113);

SW031-PD-134 Rev B – Plans and Elevations (Plots 42, 76);

SW031-PD-142 Rev A – Plans and Elevations (Plots 17, 40, 41, 50, 135);

SW031-PD-506 Rev A – Elevations (Plots 115 - 118);

SW031-PD-507 Rev A – Plans (Plots 115 - 118);

SW031-PD-504 Rev A – Elevations (Plots 127-129);

SW031-PD-505 Rev A – Plans (Plots 127-129);

SW031-PD-512 Rev A – Plans and Elevations (Plots 122 – 123);

SW031-PD-510 Rev A – Elevations (Plots 124 – 126);

SW031-PD-511 Rev A – Plans (Plots 124 – 126);

SW031-PD-515 Rev A – Elevations (Plots 119 - 121);

SW031-PD-516 Rev A – Plans (Plots 119 – 121);

SW031-PD-101 Rev A – Plans and Elevations (Plots 110 – 111);

SW031-PD-113 Rev A – Plans and Elevations (Plot 133);

SW031-PD-114 Rev A – Plans and Elevations (Plot 114);

SW031-PD-119 Rev B – Plans and Elevations (Plot 134);

SW031-PD-120 Rev B – Plans and Elevations (Plots 12, 51, 138 – 140);

SW031-PD-123 Rev B – Plans and Elevations (Plots 11, 109);

SW031-PD-126 Rev A – Plans and Elevations (Plots 36-37);

SW031-PD-158 Rev A – Plans and Elevations (Plots 130, 132);

SW031-PD-135 Rev A – Plans and Elevations (Plots 71, 88);
SW031-PD-168 Rev A – Plans and Elevations (Plot 131);
SW031-PD-140 Rev A – Plans and Elevations (Plots 91, 92, 108);
SW031-PD-145 Rev A – Plans and Elevations (Plot 102);
SW031-PD-155 Rev B – Plans and Elevations (Plots 89, 95, 137);
SW031-PD-157 Rev B – Elevations (Plot 136);
SW031-PD-166 Rev B – Plans (Plot 136).
SW031-PD-102 Rev A –Floor Plans and Elevations (Plots 56 and 57);
SW031-PD-167 Rev A –Floor Plans and Elevations (Plots 1 and 69);
SW031-PD-503 Rev A – Floor Plans and Elevations Plots 59 and 60;
SW031-PD-107 Rev A – Elevations Plots 3,4 and 5;
SW031-PD-108 Rev A – Floor Plans Plots 3,4 and 5;
SW031-PD-125 –Floor Plans and Elevations (Plot 20);
SW031-PD-156 Rev A – Floor Plans and Elevations (Plot 96);
SW031-PD-755 – Sub-station Floor Plans and Elevations.
SW031-PD-500 – Plans and Elevations (Plots 23-28);
SW031-PD-501 – Plans and Elevations (Plots 23-28);
SW031-PD-517 – Elevations (Plots 29-31);
SW031-PD-518 – Plans (Plots 29-31);
SW031-PD-519 – Elevations (Plots 66-68);
SW031-PD-520 – Plans (Plots 66-68);
SW031-PD-502 – Plans and Elevations (Plots 21, 22, 61, 62);
SW031-PD-513 – Elevations (Plots 32-34);
SW031-PD-514 – Plans (Plots 32-34);
SW031-PD-508 – Elevations (Plots 63-65);
SW031-PD-509 – Plans (Plots 63-65);
SW031-PD-105 – Elevations (Plots 77-80);
SW031-PD-106 – Plans (Plots 77-80);
SW031-PD-103 – Elevations (Plots 6-9);
SW031-PD-104 – Plans (Plots 6-9);
SW031-PD-111 – Elevations (Plots 98-99);
SW031-PD-112 – Plans (Plots 98-99);
SW031-PD-109 – Plans and Elevations (Plots 72-73);
SW031-PD-110 – Plans and Elevations (Plot 48);
SW031-PD-115 – Plans and Elevations (Plot 108);
SW031-PD-116 – Plans and Elevations (Plots 35, 58);
SW031-PD-117 – Plans and Elevations (Plot 105);
SW031-PD-118 – Plans and Elevations (Plot 13);
SW031-PD-121 – Plans and Elevations (Plot 104);
SW031-PD-122 – Plans and Elevations (Plot 38);
SW031-PD-124 – Plans and Elevations (Plot 70);
SW031-PD-127 – Plans and Elevations (Plots 52-55, 83-86);
SW031-PD-165 – Plans and Elevations (Plots 81-82);
SW031-PD-128 – Plans and Elevations (Plot 69);
SW031-PD-129 – Plans and Elevations (Plot 51);
SW031-PD-131 – Plans and Elevations (Plot 87);
SW031-PD-132 – Plans and Elevations (Plot 15);
SW031-PD-133 – Plans and Elevations (Plot 47);
SW031-PD-164 – Plans and Elevations (Plot 41);
SW031-PD-136 – Plans and Elevations (Plot 18);

SW031-PD-137 – Plans and Elevations (Plot 90);
SW031-PD-162 – Plans and Elevations (Plots 10, 93);
SW031-PD-163 – Plans and Elevations (Plot 94);
SW031-PD-138 – Plans and Elevations (Plot 44);
SW031-PD-139 – Plans and Elevations (Plot 39);
SW031-PD-141 – Plans and Elevations (Plots 16, 45, 100);
SW031-PD-143 – Plans and Elevations (Plot 106);
SW031-PD-144 – Plans and Elevations (Plot 107);
SW031-PD-146 – Plans and Elevations (Plot 101);
SW031-PD-159 – Plans and Elevations (Plot 103);
SW031-PD-147 – Elevations (Plots 74-75);
SW031-PD-148 – Plans (Plots 74-75);
SW031-PD-149 – Elevations (Plot 2);
SW031-PD-150 – Plans (Plot 2);
SW031-PD-151 – Elevations (Plot 43);
SW031-PD-152 – Plans (Plot 43);
SW031-PD-153 – Elevations (Plot 19);
SW031-PD-154 – Plans (Plot 19);
SW031-PD-750 – Plans and Elevations (Garage);
SW031-PD-751 – Plans and Elevations (Garage);
SW031-PD-752 – Plans and Elevations (Bat Roosting Garage);
SW031-PD-753 – Plans and Elevations (Car Port);
SW031-PD-754 – Plans and Elevations (Garage).
Site Sections EN-390 Rev B;
Phase 1 Plot Levels Sheet 1 EN-380 Rev B;
Phase 1 Plot Levels Sheet 2 EN-381 Rev B;
Phase 1 Plot Levels Sheet 3 EN-382 Rev B;
Phase 1 Plot Levels Sheet 4 EN-383 Rev B;
EN-010 – Vehicle Tracking Refuse Vehicle Sheet 1;
EN-011 – Vehicle Tracking Refuse Vehicle Sheet 2;
EN-012 – Vehicle Tracking Refuse Vehicle Sheet 3;
EN-200 Rev B – Section 38 Adoption Plan Sheet 1;
EN-201 Rev B – Section 38 Adoption Plan Sheet 2;
EN-202 Rev B – Section 38 Adoption Plan Sheet 3;
Engineering Layout Sheet 1 SW031-EN-330F
Engineering Layout Sheet 2 SW031-EN-331E
Engineering Layout Sheet 3 SW031-EN-332F
Engineering Layout Sheet 4 SW031-EN-333F
EN-500 Rev C – Drainage Layout Sheet 1;
EN-501 Rev D – Drainage Layout Sheet 2;
EN-502 Rev C – Drainage Layout Sheet 3;
EN-503 Rev B – Drainage Layout Sheet 4;
Proposed Improvements Access Cover Sheet A098811 - GA01
Extension form Methuen Business Park A098811 - GA02
Easton Lane Employment Access A098811 GA03
Easton Lane Site Access A098811 - GA04
Easton Lane-Saltersford Proposed Footway_Cycleway A098811 -
GA05
Saltersford Lane Proposed Footway_Cycleway A098811 - GA06A
Pheasant Roundabout Proposed Toucan Crossing A098811 - GA07A

**Proposed Footway_Cycle Link To Saltersford Lane A098811 - GA08
EDP2197/12 – Ecological Dark Zones Plan
Tree Protection Plan 170412-1.6-HMP1-TPP-NC**

REASON: To ensure that the development is implemented as approved.

6. No development (excluding any demolition or associated works) shall commence on site until a Phasing Plan showing the extent and number of dwellings / employment building within each phase of the development has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include a timetable for the delivery of the employment land units within each phase of development.

REASON: To ensure the timely implementation of the employment land development at the site and in the interests of sustainable development.

7. No above ground works hereby permitted shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

8. Prior to the commencement of development of Plots 35-42, details of the proposed access to Saltersford Lane adjacent Plots 36-38 shall be submitted to and approved in writing by the local planning authority, and the link shall be completed prior to the completion of Plots 35-42.

REASON: In the interests of sustainable transport and to secure the link at an appropriate time in the development.

9. No development shall commence on site until plans showing the widening of Easton Lane to a minimum width of 6.5 metres between Saltersford Lane and the vehicular access to the residential element in Phase 1 has been submitted to and approved in writing by the Local Planning Authority. Thereafter, these works shall be completed in strict accordance with the approved details and made available for use by highway traffic, prior to the occupation of any residential dwelling hereby approved.

REASON: In the interests of highway safety, to secure an acceptable access to serve phase 1 of the development.

10. No development shall commence on site until plans to show the provision of a 3 metre footway / cycleway which connects from the vehicular access to the residential element of Phase 1 to the southern extent of the Pheasant Roundabout, including a bridge over Pudding Brook, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the footway / cycleway shall be completed in accordance with the approved plans and made available for use by pedestrians and cyclists, prior to first occupation of any residential dwelling hereby approved.

REASON: In the interests of highway and pedestrian safety and to ensure sustainable transport links are provided to the site in a timely manner.

11. Prior to the commencement of each phase of the development (excluding any demolition or associated works) a detailed drawing showing the network of cycle / footpaths to serve that phase, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in complete accordance with the approved details and the cycle / footpaths shall be made available for use prior to occupation of more than 50% of the residential units in the phase of development containing the cycle /footpath.

REASON: In the interests of sustainable transport and to ensure that a comprehensive approach to movement within to and from the site has been secured.

12. 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), no gates, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed on any private accesses served from the prospectively maintainable highways, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

13. Notwithstanding the details submitted on plan reference SW031-SL-001M, no development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, unsegregated pedestrian / cycle routes, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works within any particular phase, have been submitted to and approved by the local planning authority. The development of each phase of development shall not be first occupied until the estate roads, footways, footpaths, unsegregated pedestrian / cycle routes, verges, junctions, street lighting,

sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and are of adequate amenity for users.

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

REASON: To ensure that the development is served by an adequate means of access.

15. No dwelling shall be occupied until the parking spaces for that dwelling, together with the access thereto, have been provided in accordance with the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

16. No dwelling or employment building shall be occupied until details of their respective secure covered cycle parking and, in the case of employment land, changing and shower facilities have been submitted to and approved in writing by the local planning authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the buildings to which they relate and shall be retained for use at all times thereafter.

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

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

- the parking of vehicles of site operatives and visitors;
- detailing of routing arrangements for lorry traffic associated with the development;
- loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- measures for the protection of the natural environment.
- hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: 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.

18. No development (excluding demolition or any associated works) shall commence on site until:

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

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

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

19. 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.

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

Step (ii) Submission of Remediation Scheme:

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

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

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

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

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

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

20. All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor.

REASON: To protect the amenity of nearby residents.

21. A lighting scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of development of any phase and shall be so designed as to mitigate any significant glare, sky glow, spillage and intrusion. The scheme should aim to achieve Environmental Zone E2 as specified in the guidance issued by the Institution of Lighting Engineers. All development shall be carried out in full accordance with the approved lighting scheme and retained as such thereafter.

REASON: To protect the amenities of nearby residents.

22. (a) No retained tree/s shall be cut down, uprooted, or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars without prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance with BS 3998 2010 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

(b) If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place at a size and species planted at such time that must be agreed in writing with the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought onto the site for the purpose of development until tree protection measures, as illustrated on Drawing Number: 170412-1.6-HMP1-TPP-NC have been fully installed on site. The fencing criteria and protective measures shall be in accordance with British Standard 5837: 2012: Trees in Relation to Design, Demolition and Construction Recommendations and the setting out will be overseen by a suitably qualified Arboricultural Consultant. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

In this condition “retained trees” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from

the first occupation or the completion of the development whichever is later.

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.

23. No development shall commence in any phase of development until a surface water drainage strategy, including details of future responsibility and maintenance, to serve that phase of development is submitted and approved in writing by the local planning authority. No building contained within the phase of development to which the approved details relate shall be first occupied until the drainage scheme has been completed in strict accordance with the approved details.

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

24. No development shall commence in any phase of development until a foul water drainage strategy, including details of future responsibility and maintenance, to serve that phase of development is submitted and approved in writing by the local planning authority. No building contained within the phase of development to which the approved details relate shall be first occupied until the drainage scheme has been completed in strict accordance with the approved details.

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

25. No dwelling shall be occupied until details of the storage of refuse, including details of location, size, means of enclosure and materials, serving that dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in strict accordance with the approved details.

REASON: In the interests of public health and safety.

26. No development shall commence on phase 1 until a scheme of hard and soft landscaping for phase 1 has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;

- finished levels and contours;
- means of enclosure;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc); and
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).

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

27. 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.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

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

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

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, or the installation of any outdoor plant/machinery.

30. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

31. Units 39-47 as shown on plan reference Drg SW031-SL-001M shall not be occupied until the landscape buffer shown to Taffswell Farm has been completed in accordance with the approved plans.

REASON: In the interests of residential amenity

32. Units 108 – 118 as shown on plan reference Drg SW031-SL-001M shall not be occupied until the landscape buffer shown to Hunters Moon has been completed in accordance with the approved plans.

REASON: In the interests of residential amenity

33. Prior to submission of any application for reserved matters, the development site shall be subject to up to date surveys for protected species including:

- Invertebrates
- Bats
- Habitats / botany

The survey results shall be included in a mitigation statement clearly setting out necessary measures to avoid and mitigate impacts upon protected species, including parameters for detailed designs. The mitigation statement shall be submitted to and approved in writing by the Local Planning Authority prior to submission of any application for reserved matters. Reserved matters applications will only be permitted where the design is in accordance with the parameters set out in the approved mitigation statement.

REASON: In the interests of securing ecological surveys required by legislation and so as to secure a form of development that does not unnecessarily impact upon protected species and their habitat.

34. Prior to commencement of development, a Landscape, Ecology and Arboricultural Management and Monitoring Plan (LEAMMP) shall be submitted to and approved in writing by the local planning authority. The LEAMMP shall include:

- i. details of any relevant up to date ecological surveys;**
- ii. drawings clearly showing all landscaped areas and semi-natural habitats including mature trees to be managed under the LEAMMP;**
- iii. any capital works such as habitat creation, tree / shrub planting, bat / bird boxes etc including creation of 1.13ha of traditional orchard habitat**
- iv. ongoing management prescriptions for semi-natural habitats and maintenance schedules for all landscaped areas clearly setting out timescales and responsibilities**
- v. approach to management of all mature trees based on their ecological interest and an arboricultural protocol for carrying out tree works; and**
- vi. a schedule of ecological monitoring work and plan review.**
- vii. details of the bat mitigation roost;**

Upon commencement of development all capital works shall be carried out to the agreed timescales and all areas identified in the LEAMMP shall be managed in full accordance with the agreed prescriptions in perpetuity. All monitoring reports shall also be made available to the local planning authority.

REASON: In the interests of securing a form of development that does not unnecessarily impact upon protected species and their habitat. In particular, this condition is ensure that the loss of the existing mature orchard on the site early in the development process is also compensated at an appropriate and early stage of development, so as to allow for maximum mitigation.

35. 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.

36. No more than 140 dwellings shall be occupied unless, and until the M4 J17 improvement scheme as shown on Atkins drawing numbers WHCC_OS-ATK-HGN-TO7178-DR-D-0001 Revision P01.5 dated 14/01/2016 and WGCC_OS-ATK-HGN-TO7178-DR-D-0002 Revision P01.4 dated 14/01/2016 are completed and open to traffic.

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

37. No phase of development shall commence (including demolition, ground works, vegetation clearance) until an Ecological Construction Method Statement has been submitted to and approved in writing by the local planning authority in respect of that phase. In discharging this condition the local planning authority expect to see the following details:

- a) Risk assessment of potentially damaging construction activities;**
- b) Identification of "biodiversity protection zones";**
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);**
- d) The location and timing of sensitive works to avoid harm to biodiversity features;**
- e) The times during construction when specialist ecologists need to be present on site to oversee works;**
- f) Responsible persons and lines of communication;**
- g) The role and responsibilities on site of an Ecological clerk of works (ECoW) or similarly competent person; and**
- h) Use of protective fences, exclusion barriers and warning signs.**

The agreed Ecological Construction Method Statement shall thereafter be implemented in full unless otherwise agreed in writing by the local planning authority.

38. 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 10.No employment use buildings within Phase 1 shall be used solely for purposes within Class(es) B1, B2 & B8 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.

39. No more than 450 dwellings shall be constructed on the site pursuant to this planning permission.

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

36 Date of Next Meeting

Resolved:

To note that the next meeting of this Committee is scheduled to be held on Wednesday 19 July 2017, starting at 10.30am, in the Council Chamber at County Hall, Trowbridge.

37 Urgent Items

There were no items of urgent business.

(Duration of meeting: 2.00 - 2.45 pm)

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

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

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**Wiltshire Council
Strategic Planning Committee
19th July 2017**

There are no Planning Appeals Received between 12/06/2017 and 07/07/2017 relating to Decisions made at Strategic Committee

Planning Appeals Decided between 12/06/2017 and 07/07/2017 relating to Decisions made at Strategic Committee

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
14/09744/WCM	Lower Compton Waste Management Facility, Lower Compton, Calne, Wiltshire SN11 8RB	CALNE WITHOUT	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development	SPC	Inquiry	Approve with Conditions	Allowed with Conditions	12/06/2017	Appellant to pay partial costs to Wiltshire Waste Alliance
15/11153/OUT	Land at Forest Farm Chippenham South of Pewsham Way & West of the A4 London Road Chippenham Wiltshire SN15 3RP	CHIPPENHAM	Mixed Use Development Including the Construction of up to 200 Dwellings Including Affordable Housing, B1 Employment, Community Building, Creation of New Vehicular Access, Footways, Cycleways and Bus Stop Lay-bys, Ancillary Road Infrastructure, Public Open Space, Children's Play Areas, Landscaping, Pumping Station and Surface Water Attenuation Facilities	SPC	Inquiry	Refuse	Dismissed	22/06/2017	Not appropriate for either party to apply for costs

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	16 August 2017
Application Number	15/11886/FUL
Site Address	Land over Railway Line, End of Parsonage Way, Chippenham, Wiltshire, SN15 3LR
Proposal	Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green
Applicant	KBC Developments LLP
Town/Parish Council	Langley Burrell
Electoral Division	Kington – Cllr H. Greenman
Grid Ref	393297 173929
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

Under the Scheme of Delegation Specific to Planning, this application does not need to be considered by the Strategic Planning Committee. However, the application is for infrastructure associated with a large-scale major application which, by its nature would raise issues of more than local importance.

The application was called to committee by Cllr Greenman due to the consternation amongst local residents on a number of fronts. Specifically- harm to the character and appearance of the area, deliverability of the bridge and land ownership concerns.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that planning permission be **GRANTED**, subject to conditions listed below.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.
- Conformity to the local plan and CSAP
- Impact on Conservation Area and setting of listed buildings
- Impact on character and appearance of the area
- Impact on highway safety

Chippenham Town Council, Bremhill PC & Langley Burrell Parish Council objected to the proposed development and 51 letters of objection and 0 letter of support have been received.

3. Site Description

The development site is located off Parsonage Way and will form a crossing over the Great Western Railway Line. The bridge will provide access to approximately 51Ha of mixed farmland to the north east of Chippenham. This area of land is allocated within the Council's formally adopted Chippenham Site Allocations Plan (CSAP).

4. Planning History

15/12351/OUT Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater / Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only). **NOT YET DETERMINED**

5. The Proposal

Construction of a bridge across the London – Bristol railway line. The development will form an extension to parsonage way so as to serve the proposed mixed use development at Rawlings Green.

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 10-	Spatial Strategy: Chippenham Community Area
Core Policy 51-	Landscape
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

National Planning Policy Framework 2012:

- Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)
- Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)
- Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)
- Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)
- Chapter 8- Promoting healthy communities (Paragraph 75)
- Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)
- Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

Chippenham Site Allocations DPD- Policy CH 2 Rawlings Green

The emerging Langley Burrell Neighbourhood Plan

7. Summary of consultation responses

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

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

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

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

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

Network Rail- Whilst there is no objection in principle to this proposal, we note the applicant wishes to use the existing bridge as a cycle way and pedestrian access, thereby closing it to vehicular access. This would suggest that the developer wishes to downgrade the status of the bridge. The route over the bridge is currently classed as a Byway Open to All Traffic.

Highways- No objection subject to conditions

Archaeologist- No objection

Conservation Officer- The proposal will have an impact on the Settings of the Green Bridge Grade II and Rawlings Farm House Grade II.

In reference to the setting of Rawlings Farm House the application site is screened from view by the presence of the existing planting that encloses the railway corridor, the impact of the proposed bridge is therefore not considered to be significant. However any road system associated with the bridge will impact on the setting of the Farm complex via its presence in the existing rural landscape.

The proposal will have an impact on the setting of Green Bridge via the addition of a structure within the existing railway cutting in close visual proximity to the existing structure. As the principle of the construction of new bridge would obscure views of Green Bridge along the cutting the work would cause a negative impact on its existing setting. The harm caused is considered less than substantial and therefore sections 132 and 134 of the NPPF must be considered in addition to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Tree Officer- No objection

Historic England- The bridge, which could be at a height of approximately 7-8 metres, will further exacerbate the feeling of industrialisation identified with the car park, causing a greater accumulation of harm to this historic asset (Kilvert's Parsonage).

8. Publicity

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

The application has generated over 51 letters of objection and 0 letters of support. A summary of the comments is set out below:

- Development will ruin the open countryside
- Adverse impact on businesses in Parsonage Way.
- Wavin own the land not the applicants- Bridge not deliverable
- The application and determination of it are premature
- No EIA was submitted
- The bridge development is an integral part of the access strategy for the proposed CH2 development and therefore should be considered with the proposals for that larger development
- Vehicular Access at Darcy Close during the construction is not acceptable and would create a rat run
- No financial commitment from developer to deliver the bridge
- Bridge not deliverable
- Flood Risk
- Highway Safety Issues
- No need for Eastern Link Road
- Parsonage Way Link Road necessary for any development to take place
- Concern over Construction Traffic Route and Darcy Close
- Noise Impact

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

Objection letters and statements have also been received from Langley Burrell Residents Association, CAUSE 2015, Tytherton Lucas Residents Association & Wavin. Their concerns and objections are summarised above.

Many of the comments received appear to be duplications of representations received for the adjacent mixed use site. Many of these comments are not directly applicable or relevant to the application under consideration but have been noted above.

9. Planning Considerations

a. Principle of development

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

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

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

b. Chippenham Sites Allocation DPD

The CSAP DPD was formally adopted by the Council in May 2017. The proposed development forms part of Strategic Allocation CH2 (Rawlings Green). The proposal is in full compliance with CSAP.

c. Eastern Link Road

Paragraph 4.22 of CSAP states:

“Both proposals safeguard the potential for future road alignments to the east and south of the town and require that their design and layout must not prohibit road connections in the future. This is based on evidence prepared for the Plan that indicates an Eastern Link Road and/or a Southern Link Road may be longer term solutions to improving the town’s network resilience. The policies ensure that development during the Plan period does not undermine the future development of the town and will enable further investment in roads to support the growth of the town if required in future plan periods.”

The proposed development has been designed to a standard and specification that does not undermine the future provision of an Eastern Link Road from Parsonage Way across the River Avon should one be provided in the future. The proposal is therefore in compliance with CSAP.

d. Highways

The proposed cross section of the bridge provides for a 7.3 m wide carriageway together with margins, and is considered sufficient to accommodate the need for forecast traffic flows, pedestrians and cyclists.

It will be necessary to ensure that bridge design is compatible with vertical and horizontal alignments of road on both sides, and any constraints imposed as a result of the structure’s parapet walls must not interfere with stopping sight distances and junction visibility requirements for the road.

The bridge will be required to be adopted as a highway structure; provision will need to be made under a formal agreement for its adoption, and for a commuted sum payable in respect of ongoing maintenance liabilities, this will be dealt with under the provisions of s38 and s278 of Highways Act.

Subject to planning conditions the proposed development is considered to be acceptable and in accordance with CSAP, and CP60, CP61, CP62 & CP63.

e. Deliverability and Land Ownership

Concerns have been raised about the cost of the bridge and whether it is viable to deliver. The examining Inspector for the Chippenham Site Allocations DPD, at paragraph 40 of his report, concluded the following:

The Government's PPG, particularly para 005 (ID 10-005-20140306), indicates an iterative approach to development plan policies. The advice states that evidence should be proportionate to ensure plans are "...underpinned by a broad understanding of viability". The updated assessment uses an industry standard residual approach to test the impact of the Council's policies on site viability. However the report recognises the limitations of the assessment and advises that residual valuations can only ever serve as a guide. Nevertheless, I am satisfied that the updated SSVA provides a satisfactory basis for assessing the viability of the potential strategic sites.

Wavin and other representations received have also raised questions about land ownership and the ultimate deliverability of the bridge. This matter was specifically addressed during the CSAP examination and the examining Inspector, in finding the DPD sound, concluded the following:

The remaining concern with deliverability of the rail bridge, that of disputed land ownership, was a matter raised as part of the resumed Examination. The small area of land in question lies between the built section of Parsonage Way which ends in a short spur adjacent to the top of the railway embankment and the ownership of Network Rail. The dispute is between Wiltshire Council and adjacent landowner, Messrs Wavin Plastics, each claiming a controlling interest in the land. The matter of land ownership is not a planning matter to be resolved within the Examination process, it is for the parties concerned to seek a resolution, ultimately through the courts. However, there are implications so far as deliverability of the rail bridge is concerned, and therefore completion of the development of the Rawlings Green site.

Counsel's Opinion submitted to the Examination, based on documentary evidence [CTTRAN/15], and legal advice obtained by KBC Developments Ltd [RM/7a], supports the Council's view that – on the balance of probabilities - the land between the kerb-line of Parsonage Way and the boundary of Network Rail's ownership was adopted as highway maintainable at public expense. Even if this were not the case, Counsel's Opinion is that Wiltshire Council could exercise compulsory purchase powers to acquire the land in order to construct or extend an existing highway.

From the evidence, and using a common-sense approach to the matter, it appears that the physical layout of Parsonage Way took account of a potential rail crossing and that the narrow strip of land in dispute has no other obvious use. It also appears unlikely that, if the matter of ownership were so important, it has not been disputed in the 20 or so years since this section of Parsonage Way was adopted. In particular, it does not appear to have been the subject of dispute earlier in the process of developing the CSAP and its submission for Examination. For these reasons there do not appear to be insurmountable problems which would prevent the construction of the rail bridge.

The future possible electrification of the rail line was raised at the hearings as a potential problem for the construction of a bridge. However, the Council's evidence was that the depth of the cutting at the point of crossing would be more than adequate for the inclusion of electrification apparatus, and no contrary evidence was presented.

As set out above, all of these matters were raised during the examination of CSAP and it was found to be sound and ultimately adopted by the Council. For the reasons given above there is no sound basis to refuse the application.

f. Landscape Impact

Whilst this entry point to the 'Rawlings Green' site will see the removal of some trees, scrub and hedgerow and will impact on the open nature of the countryside, this could be mitigated and would not be a significant longer term adverse affect.

The proposal would inevitably change the character of the part of the site from soft rural boundaries to one that is developed and some visual and landscape harm would result. Whilst retained trees and hedgerows will mitigate the visual impact of the development to some extent, it will be necessary to provide additional landscaping to mitigate the harm, this can be controlled by condition. until the landscaping has matured and become fully established the development would be noticeable integrated in the context of the town. However in the longer term, the effect of this would be less significant.

Policies 51 & 57 of the NWLP seek high quality design and the provision of landscaping respectively officers, as was the CSAP examining Inspector, are satisfied that an acceptable landscaping scheme can be formulated to mitigate any harm. It is concluded that the proposed development would not conflict with Policies 51 & 57 of the CS or with the NPPF as any harm could be adequately mitigated.

g. Visual impact & Design

The proposal is for a road bridge and the appearance is ultimately going to be somewhat functional in character and appearance. The proposed design, subject to conditions controlling materials, is considered to be acceptable and will have no significant harmful impact on the character and appearance of the area. The detail submitted is considered to be acceptable.

Having considered the submitted plans and additional information officers are satisfied that the proposed development is in accordance with the NPPF and Policy CP57 of the Wiltshire Core Strategy.

h. Flood Risk

The Environment Agency, the Council's drainage team and highway officers raise no objection to the proposed scheme, subject to conditions. It is considered that the development is acceptable with regards to this matter. The development therefore accords with Core Strategy Policy CP67.

i. Air Quality

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

achieving contributions to the reduction of oxides nitrogen across the county irrespective of the existence of an AQA.

The Council are principally concerned with how developers are going to contribute to the improvement of local air quality, hence the councils adopted core policy seeks positive contributions to the aims of the Air Quality Strategy in Wiltshire; positive contributions may take the form of sustainable travel alternatives and infrastructure, driver training, tree planting, contributing to local air quality action groups. The Council also seek a financial contribution towards Air Quality Action Planning projects. The applicant has agreed to the requested contribution and this will be incorporated into the planning obligation/S106 agreement for the wider mixed use site at Rawlings Green.

j. Listed Buildings and Conservation Area

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

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

The access from Parsonage Way will impact on the setting of the Grade II listed Green Bridge via the creation of vehicular access bridge over the Great Western Railway Line. The existing bridge and its setting are described within the Statutory List entry for the asset. The proposal will have an impact on the setting of this listed bridge via the addition of an additional structure within the existing railway cutting in close visual proximity to it. This harm is considered to be less than substantial and at the lower threshold.

The Council’s Conservation Officer and the applicant’s supporting documentation agree that the proposed development is harmful to the setting of the listed bridge adjacent to the application site.

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

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

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

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

Failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed development. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The NPPF is a material planning consideration and paragraphs 133 & 134 of the NPPF are relevant to the determination of the application. Paragraph 134 provides: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*

The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must involve taking into account the value of the heritage asset in question. In considering harm it is also important to address the value of the asset, and then the effect of the proposal on that value. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and it is for the decision maker to assess the actual significance of the asset and the actual effects upon it.

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.

The public benefits of the scheme are significant. The new crossing will provide access to and allow the delivery of much needed market & affordable housing, will facilitate the provision of the Darcy Close-Parsonage Way relief road and give access to additional employment land.

Currently the listed building is visible from only limited public vantage points. The proposed bridge will provide additional public vantage points for members of the public to better appreciation of the heritage asset. For the reasons given above the minor harm caused by the construction of the bridge is outweighed by the significant public benefits set out above.

The points raised by Historic England are noted but it is difficult to agree with the conclusion reached in relation to the harm identified by them. Taking into consideration the development recently permitted at Wavin, existing site circumstances and landscaping between the proposed bridge and heritage asset it is considered that the bridge will not be clearly visible from Kilvert's Parsonage and the bridge will be read in the backdrop of existing commercial development and the railway. It is therefore concluded that the development will have a neutral impact on the setting of Kilvert's Parsonage. The development is considered to accord with CP58 and the NPPF in this respect.

Moving onto the conservation areas in the locality, it is not possible to identify any harm to the conservation areas or their setting the proposal would therefore conserve the setting of the conservation areas. The development is therefore not in conflict with the NPPF or Core Policy 58.

k. Prematurity

PPG advice on the issue of prematurity is as follows:

“Arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.” (PPG 21b/14)

As set out above, CSAP was formally adopted by the Council in May 2017. Policy CH2 allocates the Rawlings Green Site for development, in particular the allocation requires:

A Link Road from Parsonage Way to Darcy Close, including connection over the main railway line and a road to Darcy Close (Cocklebury Link Road) to be completed and open for use as part of the first phase of development

The bridge is required to be delivered at an early stage of the development. The provision of the bridge or determination of this application prior to granting of planning permission for residential development is not premature.

The application is not in conflict with the CSAP DPD but rather it is consistent with it. Moreover, the proposal will facilitate the delivery of the site and will allow the provision of the Parsonage Way and Darcy Close Link Road at an early stage of the development and in accordance with the requirements of CSAP.

l. Other matters

Some representations received from local residents, Parish/Town Council and Network Rail raised issues not specifically relevant to this planning application. These include, but not limited to, matters such as crime prevention, impact on PROW/Cycle Routes, Pressure on Local Services/ Provision of Infrastructure, coalescence with rural villages etc.

Often these representations were duplications of the representation received for the Outline Application for the mixed use development at Rawlings Green. Though the points raised are

material to the determination of the mixed use application they are not relevant material planning considerations for this application.

Network Rail have also questioned the need/proposal to stop vehicular traffic using the existing bridge on Cocklebury Lane and for it to be used solely as a cycle way and pedestrian access, thereby closing it to vehicular access. The current planning application doesn't propose any such closure. This is a matter to be considered in the determination of the Rawlings Green mixed use allocation.

As set out above- these are matters to be considered when determining the outline application and are not relevant to the determination of this application.

10. Conclusion

It can be seen from the analysis in the body of the report that the proposed development is CSAP compliant. There is conflict with CP58 of the CS but when the proposal is considered against the NPPF the benefits of the scheme clearly outweigh any harm to the adjacent heritage asset.

The benefits of the scheme are clear. It would provide an opportunity to deliver the bridge required by CSAP at an early stage of the development and would help facilitate development within the site, furthermore, the proposal is consistent with the CSAP DPD and the benefits of granting consent are compelling. On balance, the public interest is best met by resolving to approve the application.

RECOMMENDATION

Planning permission be GRANTED, subject to conditions listed below:

- 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 development shall commence on site until details of the external materials and appearance of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The proposed application contains insufficient information and the matter raised above require to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 3 Prior to the commencement of the development full details of the structural design of the bridge, including cladding and exposed surface materials, arrangements for surface water drainage, lighting, lining and signing shall have been submitted to and approved in writing by the Local Planning Authority; the bridge shall be constructed in accordance with the approved details.

REASON: To ensure a structurally and aesthetically acceptable design.

- 4 Prior to the commencement of the development details of the alignment of the road over the railway bridge, and the design speed to be used, shall be submitted to and approved by the Local Planning Authority. The alignment shall be in accordance with the standards set out in Design Manual for Roads and Bridges. VOLUME 6 ROAD GEOMETRY. SECTION 1. PART 1. TD 9/93, and have regard to DfT Circular 01/2013.

REASON: To ensure that any future road across the bridge can be designed to a safe and appropriate speed standard, and be compatible with the bridge design.

- 5 Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved CTMP. The CTMP shall include, but not be limited to, details of the access haul routes to the eastern side of the railway line, the arrangements for the main site compound (including access thereto and manoeuvring of lorries), craneage arrangements and timings for deliveries.

REASON: In the interests of highway safety and to ensure that inappropriate haul routes to the site are avoided.

- 6 The bridge, when completed, shall remain barriered to vehicles unless and until permitted development on the east side of the bridge requires vehicular access over the bridge.

REASON: In order to avoid unwanted encampment or parking in an area where a formal turning facility will not be provided, and in the interests of highway safety.

- 7 No development shall commence on site until a scheme of 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;
- retained historic landscape features and proposed restoration, where relevant.
- details and location of any new or replacement trees, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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.

- 8 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the bridge or the substantial completion of the bridge 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.

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

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

PF/9517.01- Site Location Plan- Received 08 December 2015

CB-001- Proposed Plan- Received 08 December 2015

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

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.

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.

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.

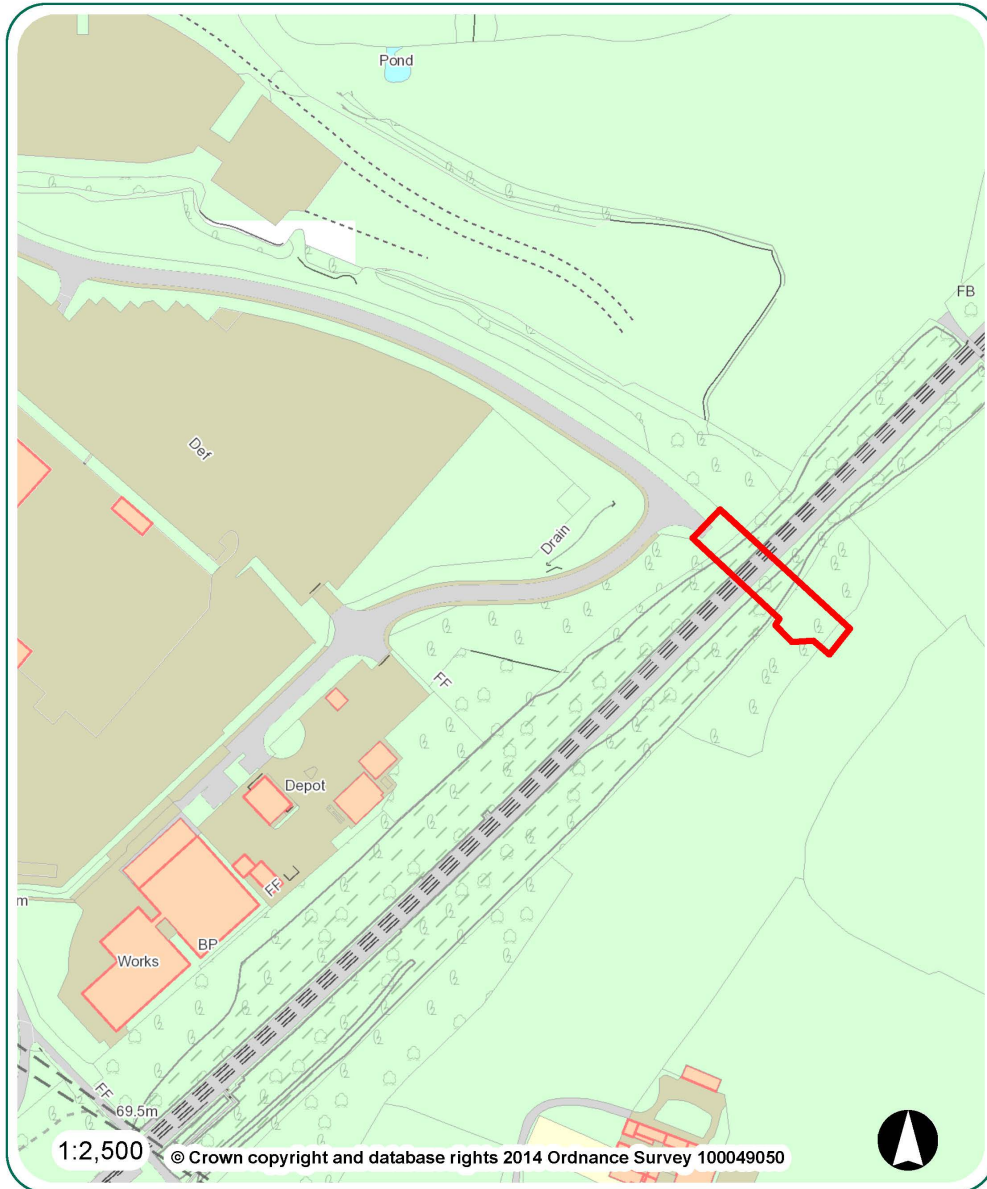
INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

The proposed bridge will be subject to a legal agreement in respect of its adoption as highway and its future maintenance; the agreement will be made under the provisions of s38 and s278 of Highways Act, and the agreement should be concluded prior to the commencement of the works. The agreement will include a specific commitment to meet the costs of remediating unacceptable differential settlement at the bridge approaches, for a period of at least ten years.

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REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	19 July 2017
Application Number	17/01124/OUT
Site Address	Land South & South East of Tascroft Court & North of Cannimore Track, Tascroft Court, Warminster, Wiltshire, BA12 7RA
Proposal	Outline planning application (with all matters reserved except for access) for a new hotel resort (comprising Class C1, D1 and D2 uses) and to include a water park, business conference facility and an immersive animal experience; landscaping; highways infrastructure including car parking, new pedestrian and vehicular access and servicing arrangements; plant; associated development; and requiring: the stopping up, creation and improvement of footpaths, improvements to bridleways, site clearance works, the installation of new services and infrastructure, earthworks and engineering works, and other ancillary works and activities.
Applicant	Longleat Enterprises Ltd (LEL)
Town/Parish Council	WARMINSTER
Electoral Division	WARMINSTER BROADWAY – Tony Jackson
Grid Ref	384929 144041
Type of application	Outline Planning
Case Officer	Andrew Guest

Reason for the application being considered by Committee

The application is before the Committee because the Associate Director, Economy and Planning deems it to raise issues that should be considered by the Committee – notably the acceptability of the proposal in terms of the Core Strategy’s strategic policies for tourist development and hotel / conference facilities.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to no objection being raised by Highways England.

2. Report Summary

The application is for outline planning permission to erect a 240 room hotel, water park, multi-purpose entertaining space and conferencing facilities on a site in the ‘countryside’, but close to Warminster ‘Market Town’. The applicant is Longleat Enterprises Ltd (LEL), and the development would operate at least in part in association with the existing Longleat Estate and safari park, with related branding, etc. – notably, the entertaining spaces would include ‘immersive animal experiences’ similar to those offered at the park. A key aim of the

development would be to provide accommodation for guests visiting the Longleat attractions but wanting to have an extended stay beyond just one day and/or wanting to visit other local attractions. The entertaining space would be to serve guests at the hotel and/or visitors to the conferencing facilities and water park only, and not a standalone attraction.

The application is supported by various technical reports which have been revised and/or expanded to address matters raised during the processing of the application.

The application has been publicised by way of site notices, press advert and neighbour notifications.

The application has received support from Warminster Town Council in whose area the entire site lies.

An objection has been raised by Corsley Parish Council (the adjoining area) on highway safety grounds.

Twenty-two third parties have made representations – 20 objections and 2 comments. The National Trust, who has responsibility for nearby Cley Hill, has expressed concern.

It is considered that the proposed development complies with the settlement and delivery strategies of the Wiltshire Core Strategy which allows new tourism development in the countryside where associated with another rural tourism enterprise, where there are no suitable alternative buildings or sites, and where all other normal development management considerations are demonstrated to be addressed. The reasoning is set out in this report. The application is recommended for approval subject to conditions, and subject to no objection being raised by Highways England.

3. Site Description

The application site covers some 36 ha of mainly agricultural land located to the south-west of Warminster 'Market Town' and the A36(T) Warminster by-pass. The site includes the unclassified public highways named Folly Lane and Tascroft, and a short section of the A362 to which Folly Lane connects by way of a 'T'-junction.

The agricultural land on the site is divided into fields which are presently used for horticulture and livestock and/or horse grazing. Ground levels vary across the site – from the north side they gently rise to roughly the centre before then falling away relatively steeply into a roughly U-shaped valley on the south side, with Cannimore Road (track) running along the valley's base.

To the north-west side, and outside of the application site, is Tascroft Court. Historically this provided purpose-built accommodation for the 'Wiltshire Boys Reformatory' (from 1856 to 1924) with the incumbents working the agricultural land. But since this time it has functioned as a farm and equestrian facility with the former reformatory accommodation building now divided into a number of residential units. Beyond Tascroft Court to its north and west sides are further fields, used for horse-grazing. Tascroft Court and the fields beyond are in the applicant's estate and let out.

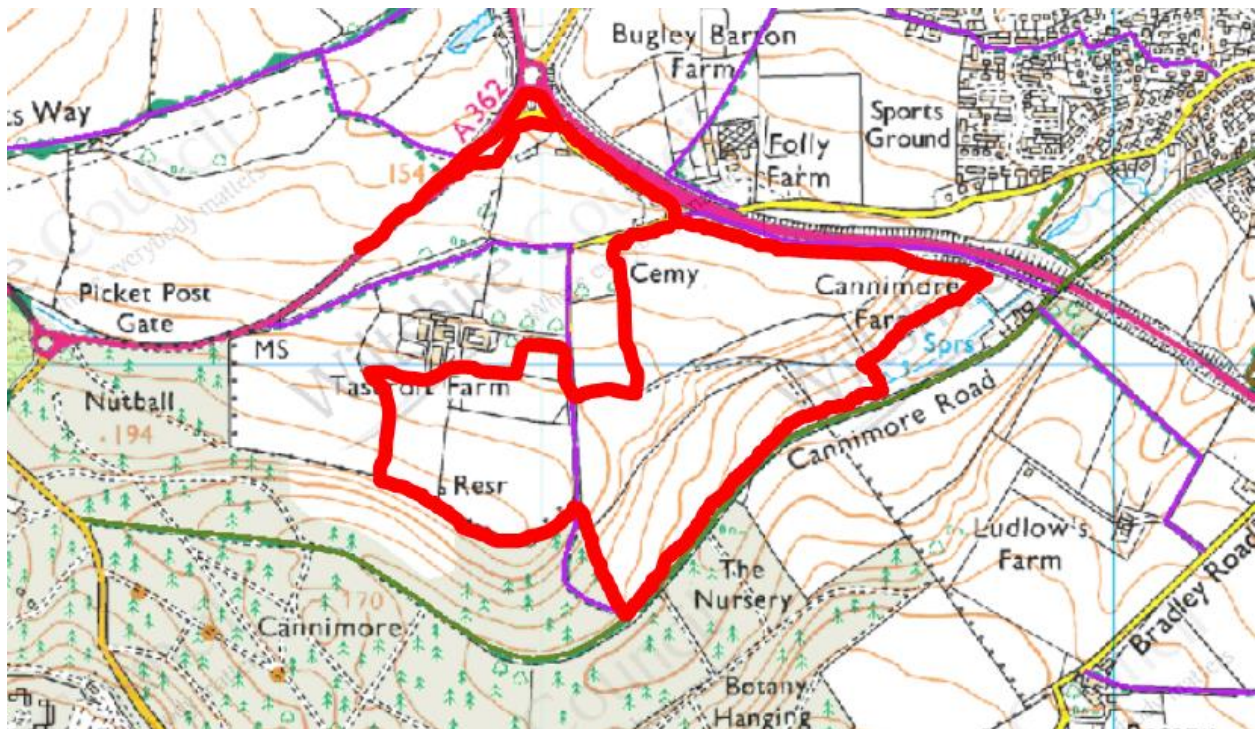
To the south of the site is a commercial coniferous plantation, broken down into forestry compartments – Cannimore, Bucklers Wood, The Nursery, etc.. This woodland is also in the applicant's estate. Beyond Cannimore (c. 700m from the site), but still within the woodland, is the Center Parcs development at Longleat Forest (Center Parcs being a tenant of the estate). To the south-east of the site is further farmland and residential properties at

Cannimore Farm and Ludlow's Farm. These residential properties are outside of the applicant's estate.

To the north of the site is the Pine Lawn Cemetery, in the ownership of Wiltshire Council. Beyond this is farmland, and then Folly Lane and three houses – no. 101 Folly Lane is occupied by a Longleat tenant, and nos. 125 and 127 Folly Lane are privately owned. Folly Lane runs alongside the A36(T) Warminster by-pass and the Cley Hill roundabout. At the Cley Hill roundabout the A36(T), the A362 and Victoria Road (from Warminster) cross. Beyond the A362 is agricultural land. Beyond, or 'inside', the A36(T) is farmland and scattered mixed developments on the fringes of Warminster.

Folly Lane provides vehicular access to nos. 125, 127 and 101, Folly Lane; the site; the cemetery; and Tascroft Court (in this order). Just after no. 101 the lane's name changes to 'Tascroft'. It is a 'no through road' for vehicular traffic, although continues as public footpaths.

Close to no. 101 a public footpath (no. WARM91) branches to the east. This footpath immediately splits with one 'arm' running alongside the A36(T) to Cannimore Road ('track'), and the other arm crossing the A36(T) and heading towards Warminster town. Cannimore Road (track) is a bridleway (no. WARM65/CORY49) running close to the south side of the site, and linking Warminster (via an underpass under the A36(T)) to Picket Post Gate. At the end of Tascroft, a footpath (no. WARM66/CORY48) crosses the site from north to south linking to Cannimore Road. To the north of the site a separate east-west running footpath (no. WARM1) links Tascroft with the A362, this just to the north of Tascroft Court.



Rights of way map extract- green: bridleway; purple: footpath

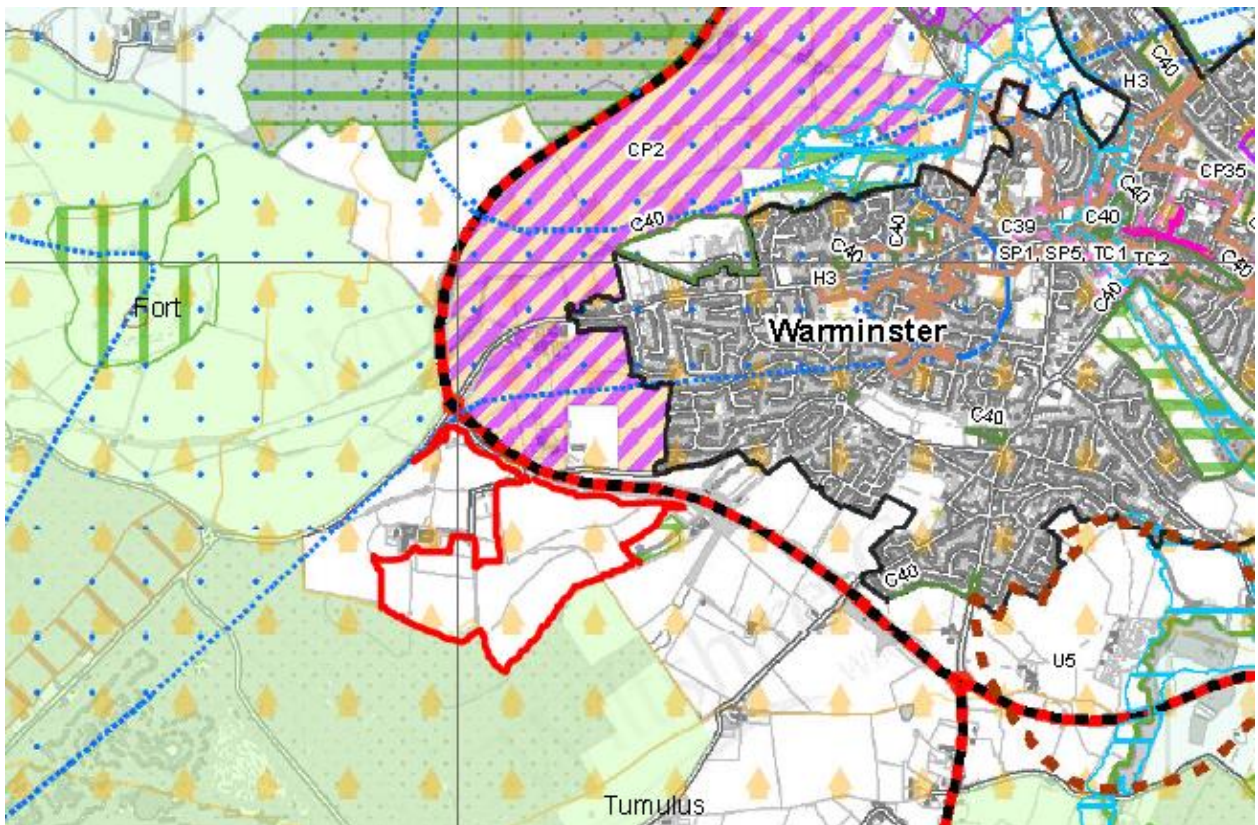
In planning policy terms the site lies in the 'countryside' – see WCS policy map extract below. It has no national landscape designation although to its south side and further to the north-west is the Cranbourne Chase Area of Outstanding Natural Beauty (AONB), (shaded

light green). Locally the site lies within a Special Landscape Area (a West Wilts Local Plan 'saved' policy designation).

The Warminster Market Town lies to the north-east, with its 'Mixed Use Allocation', (the West Warminster Urban Extension) to the north, inside the A36(T), (hatched pink/orange).

The site is not subject to any statutory or non-statutory ecological designations. The River Avon Special Area of Conservation (SAC) is approximately 1.4km to the east of the site. The nearest statutory designation is the Cley Hill SSSI approximately 1km to the north-west, with the Smallbrook Meadows Local Nature Reserve approximately 1.8km to the east.

The site supports no designated heritage assets. Just outside the site, and on the verge of the A362, is a grade II listed milestone. Slightly further afield is Longleat House (grade I) and its registered historic park and garden (grade I). The site is not visible to, or from, these particular assets. Approximately 1km to the north-west of the site is Cley Hill which is a Scheduled Monument described as a "Hillfort, two bowl barrows, mediaeval strip lynchets and a cross dyke, on Cley Hill", (vertical green hatching).



Wiltshire Core Strategy map extract

4. Planning History

16/11977/SCR – EIA Screening request for hotel and leisure development – Decision: this is not EIA development – 31/01/17

5. The Proposal

The proposal is for outline planning permission to erect a hotel and leisure development (Class C1, D1 and D2 uses), to include a water park, business conference facility and an “immersive animal experience”. Related landscaping and highways infrastructure is also proposed. All matters are reserved except access.

It is envisaged that the proposal will provide the following:

- A 240 room hotel (up to 34,500 sq m);
- A water park (6,940 sq m, of which 4,500 sq m is ‘wet space’);
- Multi-purpose entertaining and ancillary buildings (up to 11,000 sq m);
- Conferencing facilities as part of the hotel facilities (up to 650 sq m, including within the multi-purpose entertaining and ancillary buildings area);
- Landscaped areas for formal and informal recreation, and to include animal immersive experiences.

According to the Transport Assessment Addendum which accompanies the planning application, the immersive animal experience would involve the following:

It will be a unique but obvious offer that only Longleat could provide, given its world leading Safari Park and animal attraction close by. The intimate animal experience at Longleat includes the feeding of the meercats, the red pandas and even the big cats. These, however, because of the restriction of space and opportunity at Longleat, must be packaged as a VIP experience. By contrast, the proposed immersive animal experience at the Hotel Resort will be available to all hotel and conference guests staying at the hotel and is intended to extend the offer and to establish a unique proposition and positioning for the new hotel resort. The experience will be complimentary to what’s available at Longleat and the animals on show, an extension (not a mirror) to what can be seen at the Safari Park. It is possible, that these may include Asian Rhinos better able to cope with the winter months, but any decision on animal selection will be made at a later date. Therefore, in terms of its visitors it will only be able to be enjoyed by guests already staying at the hotel, or as an extra benefit for those attending a conference. It will not be open to the public as a separate destination to the resort hotel.

Land use and scale / massing parameters – outline matters

Although outline, the application contains a number of plans and drawings to illustrate the land use parameters and the scale and massing parameters of the various elements of the proposal. The Planning Statement accompanying the application says the following:

Land Use Parameters –

The Land Use Plan [shown below] sets out land use zones and contains the maximum development area for each land use. It shows that the majority of proposed built development (i.e. the hotel and water park building) is to be sited in the south eastern part of the site whilst only a small amount of built development is proposed on the western part of the site to provide associated multi-purpose entertainment / leisure, and required ancillary development, which will be incidental and associated with the main Hotel Resort use.

Parts of the site are to be used for creating animal immersion exhibits. Whilst animals and guests are separated by hidden barriers, the detailed landscape immersion design ought to take the position ‘nature is the best model’. This sort of attraction, whilst on a much

smaller scale, illustrates clear conceptual and operational relationship the resort will have with the main Longleat attractions.

Incorporated in the site is a significant element of new and enhanced strategic landscaping and retained parkland which will act to buffer the development from neighbouring sites. In addition, as shown on the north eastern part of the site, a significant area is to be retained as a grassed area. Substantial new landscaping buffers are proposed:

- on the southern boundary with Cannimore Track,*
- between the main built development and car parking and the Cemetery,*
- along the northern edge of the site along the A36 and*
- in the sites south eastern corner on land adjacent to Cannimore Farm.*

Proposed new woodland planting will soften any landscape and visual impact of the proposed new buildings, whilst it itself, being an important component of the proposed development.

As shown on the indicative masterplan, new development in the form of buildings and areas of hard standing are proposed on just 10% of the application site.

Scale and Massing Parameters –

The Scale and Massing Plan [also shown below] shows the indicative proposed heights of the buildings on site and their massing (in terms of building footprint and dimensions). The proposed maximum height of the buildings is a response to landscape sensitivity, and the height of existing buildings at Tascroft Court. The dimensions and proposed footprint of the proposed buildings reflect the operational requirements of a hotel, with integrated water park use. The indicative design seeks to create a high quality, attractive building along and within the ridge that runs across the south eastern part of the site. The hotel building is proposed to be built within the slope and lower ground to minimise the possible visual impacts of the new building from the north.

PROPOSED LAND USE PLAN

Project Name: A Longleat development on land to the South East of Tascroft Court and North of Cannimore Track, near Warminster

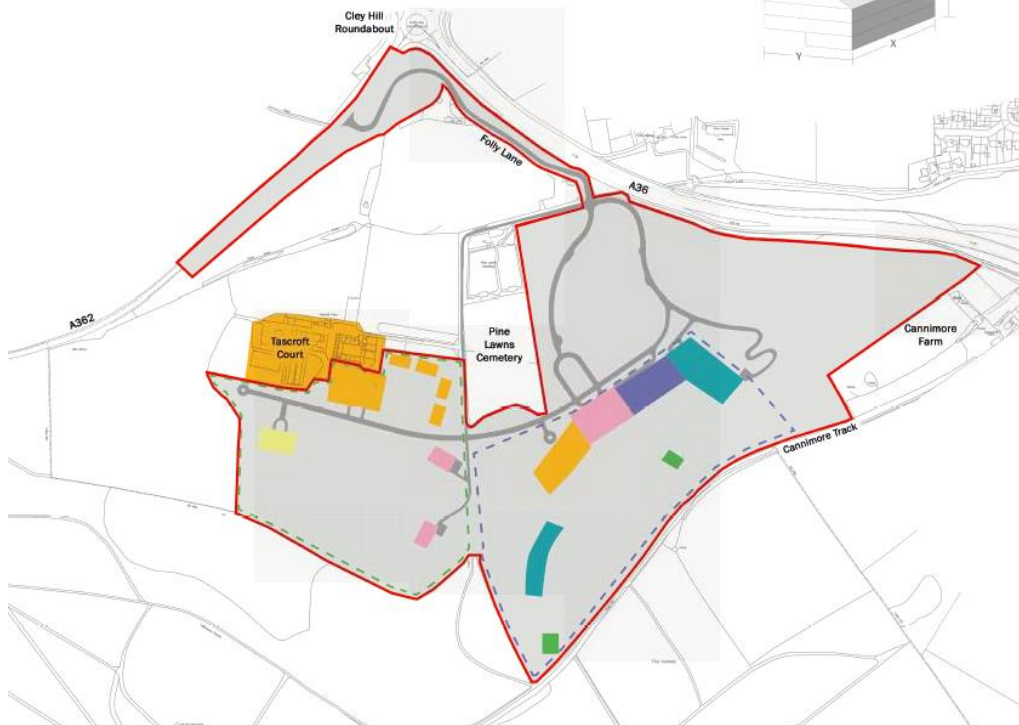


Date: 10 January 2017 Drawing Title: Land Use Parameter Plan Drawing Number & Revision: PL02 (rev 01)



SCALE AND MASSING PLAN

Project Name: A Longleat development on land to the South East of Tascroft Court and North of Cannimore Track, near Warminster



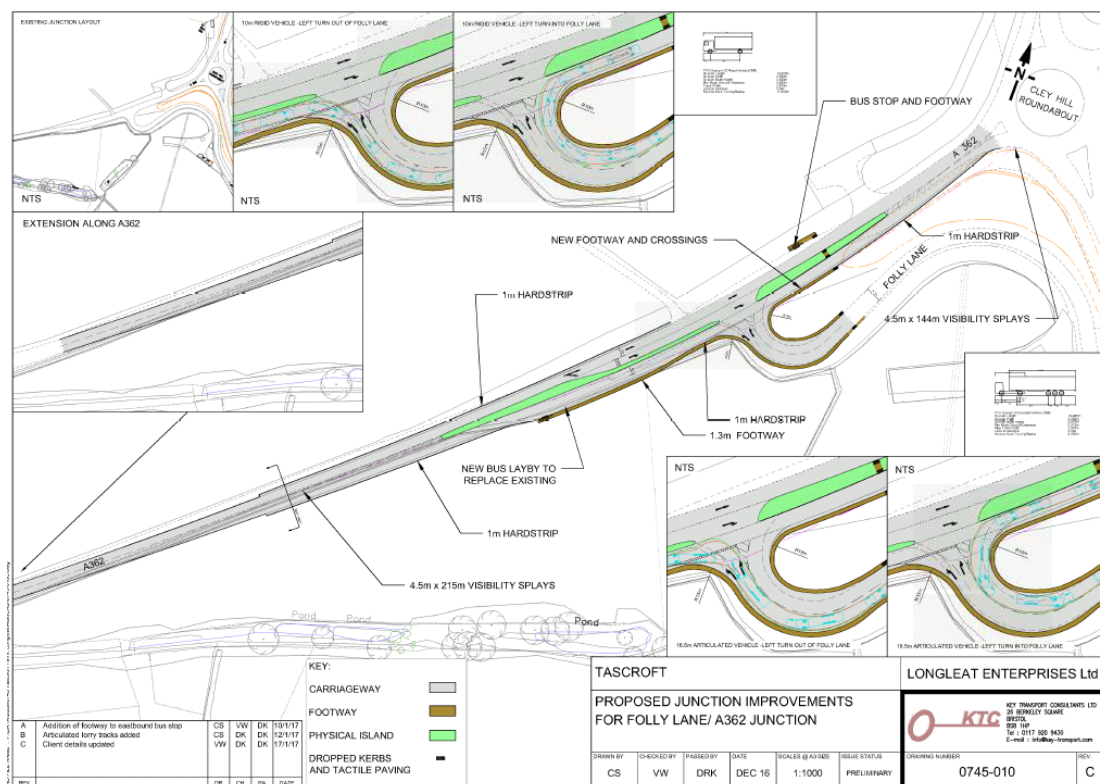
Date: 10 January 2017 Drawing Title: Scale and Massing Parameter Plan Drawing Number & Revision: PL03 (rev 01)



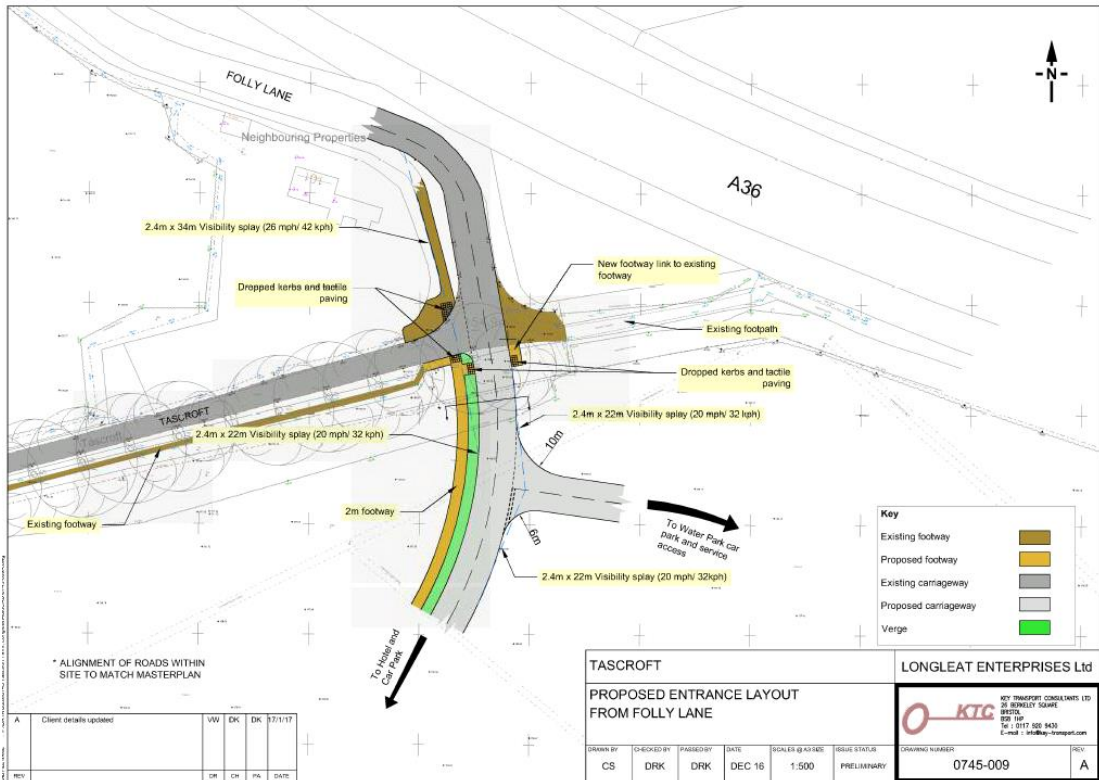
Access proposals – full details

Details of access are to be considered as part of this application (and so are not a reserved matter). Vehicular access is proposed via Folly Lane and the A362 / Folly Lane junction. This junction is proposed to be improved. In relation to this the Planning Statement says the following:

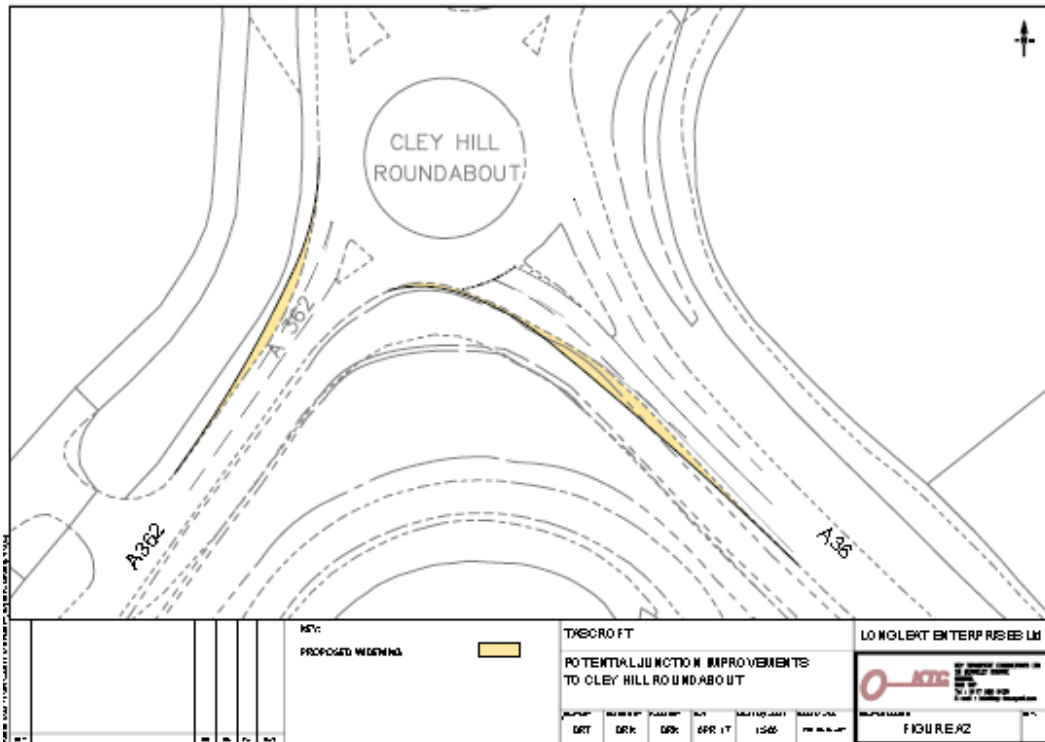
Drawing 0745-010C [shown below], shows an improvement of the existing simple priority junction to a single lane dualled layout. As per the existing junction, this layout will not interrupt through traffic movements on the A362 but will afford good protection of right turns in and out of Folly Lane (A362) in the centre of the carriageway, in particular enabling right turns out to be made as two separate movements, one across each main road traffic stream. This plan shows that existing westbound bus stop is re-provided and the footway from Folly Lane (A362) has been extended on the southern side of the A362 to the new bus stop location. A new footway and crossing points are proposed to link from Folly Lane (A362) and across the A362 to the eastbound bus stop. The revised junction layout is located on land either within the existing public highway, or on land owned by the applicant.



The actual access to the site would be via an extension to Folly Lane before it presently 'turns the corner' to become Tascroft. Tascroft would effectively become a side road, giving way to traffic entering and leaving the new complex. Pedestrian crossing points would be provided at this new junction. The arrangement is shown on the following drawing.



Beyond Folly Lane potential improvements to the Cley Hill roundabout have also been offered, these to address concerns raised by Highways England during the processing of the application (and considered in detail later in this report). These improvements are shown on the following drawing, and are essentially to widen and lengthen to two lanes the approaches to the Cley Hill roundabout from the A36 (northbound) and the A362 (eastbound).



Footpath and bridleway proposals

Pedestrian and cycle access to the site would be provided / improved. Notably, a scalping surface would be provided on part of Cannimore Road (track) to improve access and egress from here for guests and staff via a new gate; and lengthened stretches of pavement would be provided alongside Folly Lane where necessary.

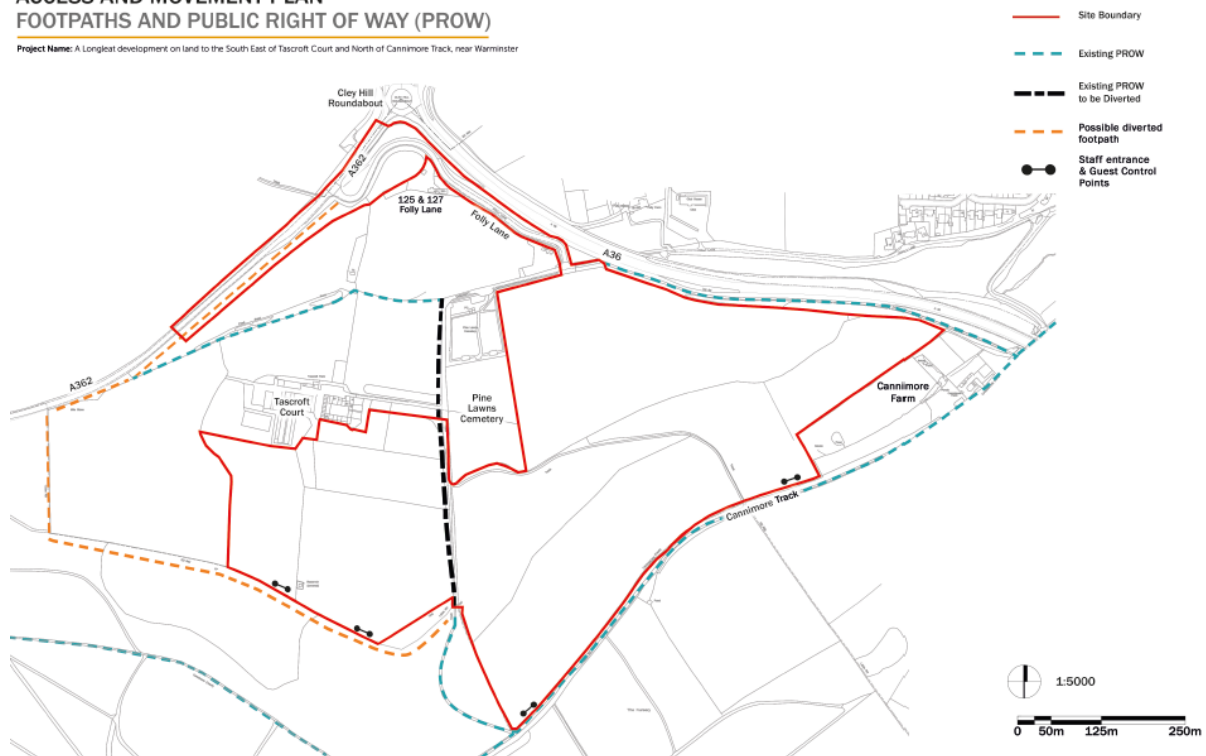
Footpath WARM66 crosses the site from north to south. As this footpath is affected by the planned development it is proposed to extinguish it. To mitigate its loss it is further proposed to create a new footpath just outside of the application site, but maintaining the link between Tascroft and Cannimore Road. The proposed extinguished and replacement routes are shown on the 'Access and Movement Parameter Plan' below – (extinguished path coloured black, and replacement coloured orange). The applicant is applying separately under Section 257 of the Town and Country Planning Act to action these aspects of the proposals.

To further enhance the attractiveness of the new planned footpath the application also proposes to create a further new footpath between the Folly Lane / A362 junction and the northern end of the above new path (also coloured orange on the plan). Overall this would provide improved / safer pedestrian connectivity between Folly Lane and Cannimore Track / Picket Post and existing footpath WARM1.

ACCESS AND MOVEMENT PLAN

FOOTPATHS AND PUBLIC RIGHT OF WAY (PROW)

Project Name: A Longleat development on land to the South East of Tascroft Court and North of Cannimore Track, near Warminster



Public Rights of Way Proposals

Economic considerations

The applicant is Longleat Enterprises Ltd (LEL). LEL operates the safari, adventure and theme park on the Longleat estate. The Planning Statement accompanying the application sets out the economic 'need' case for the proposed development. This includes the following statements –

“Fundamental to the scheme’s inception was LEL’s vision of contributing to the viability and sustainability of the visitor economy in Wiltshire, and the UK. A Hotel Resort of this scale is presently absent in the County but with the Longleat brand and reputation will have a profile and opportunity to be a major tourism asset.

a. The Need for New Hotel Accommodation

..... there is a well-documented and researched need for new hotel accommodation in Wiltshire to address an under-provision and address capacity issues. The Wiltshire and Swindon Visitor Accommodation Futures report (2014) unequivocally concludes there is a ‘gap’ in the current hotel and visitor accommodation offer, and explicitly refers to the possible development of a hotel at Longleat. Unless additional accommodation supply is delivered, the Accommodation Futures report, and VisitWiltshire, reiterates that there is significant and real risk that tourism growth will otherwise be constrained. This reflects Longleat’s experience and own visitor research.

The existing local hotel market is of a different scale and offer to that proposed by LEL. The Hotel Resort will allow visitors to stay for longer, and the conference facility will likely be its busiest on weekdays outside of the school holidays when the Park is at its quietest.

.....

b. The need for New Leisure Attractions such as a Water park

The local market has no comparable leisure attractions to that proposed by LEL. The scheme will include a water park aimed at the leisure market that will be physically and operationally linked to the hotel and will draw both a new leisure market as well as extending visits to Longleat, encouraging people to stay overnight. The water park will offer a number of water rides, slides and pools and will be open all-year round. The water park will be of a high quality and offer a product that is unique to Wiltshire.

The Wiltshire & Swindon Destination Management and Development Plan (2015) recognises that one of the County’s tourism key challenges is the need for ‘more to see and more to do’. This means developing new visitor attractions which encourage visitors to stay longer and visit more frequently. There is also a widely documented need (nationally and locally) for the visitor economy, across the UK to address seasonality and be more resilient in bad weather. This means that new attractions should be configured as ‘all-weather’ products – and indeed, rural areas are considered to have the most to gain from encouraging visitors out of the peak system as their attractions are typically least likely to be resilient to the weather.

Whilst there has been significant success at Longleat in attracting more visitors in the winter months to the Park (i.e. the impact of the Festival of Light attraction), the addition of a water park will provide an additional all-year-round facility that will allow the business to further balance the seasonality that affects attractions such as the Safari and Adventure Park. The water park will comprise both covered and outdoor elements, but the potential in the winter months to be completely under cover, will strengthen the business. This is important to secure the long term future and success of Longleat.

c. The need to ensure a viable business and ensure the long-term future of Longleat

It is essential for visitor attractions to constantly add new attractions to enhance their offer. This applies to all major visitor attractions in the UK, and attractions of a similar scale to Longleat have seen significant investment and development in recent years. For example, the West Midlands Safari Park has planning permission for a new hotel and

water park development and Alton Towers has done the same, and now also includes a water park and hotel. Most major theme parks / safari parks have now developed hotels and / or other forms of accommodation on-site, some of these also featuring water parks. To remain competitive, it is essential that LEL invests to ensure that it is not considered disadvantaged in terms of its attractiveness of its offer (compared with other major UK attractions) and the resilience of the business. The water park is an integral part of the hotel as it supports the business case and feasibility for the development from its opening of the Hotel Resort.

..... the Government's Tourism Policy (2011) considered industry resilience in bad weather, and encourages the configuration of destinations and attractions around 'all weather' products wherever possible and practical. It states that too many attractions and destinations still view themselves as summer season businesses which make little extra money if the weather is good in May or October, rather than investing in whatever will help them make reliable returns ever year in January and February instead. LEL consider this necessary to ensure continued rates of growth an economic and social sustainability.

The Longleat Hotel Resort's breadth of facilities and flexible operation means it is capable of being busy throughout the year, which in turn ripples through the economic expenditure".

6. Local Planning Policy

The following policies and guidance are relevant –

Wiltshire Core Strategy –

Core Policy 1: Settlement Strategy
Core Policy 2: Development Strategy
Core Policy 31: Spatial Strategy for the Warminster Community Area
Core Policy 39: Tourist Development
Core Policy 40: Hotels, Bed & Breakfasts, Guest Houses and Conference Facilities
Core Policy 48: Supporting Rural Life
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
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 60: Sustainable Transport
Core Policy 61: Transport and Development
Core Policy 62: Development Impacts on the Transport Network
Core Policy 64: Demand Management
Core Policy 67: Flood Risk
Core Policy 68: Water Resources
Core Policy 69: Protection of the River Avon SAC

West Wilts Local Plan ('saved' policies) –

Policy C3: Special Landscape Areas
Policy U1a: Foul Water Disposal

Warminster Neighbourhood Plan –

'Vision', 'Themes' and 'Objectives'

Policy E2: New Leisure Facilities
Policy E5: Surrounding Environment
Policy GA4: Rights of Way

National Planning Policy Framework –

Paragraphs 6-10, 11-16, 17, 18-21, 22-24, 28, 29-30, 32, 34-37, 39, 56-58, 60-61, 63-64, 66, 73, 75, 93-96, 99, 103, 109-110, 112-115, 117-120, 123-125, 126, 128-129, 131-135, 139, 141

7. Summary of consultation responses

Warminster Town Council: Support.

Corsley Parish Council (adjoining): Objection.

Initial response:

The Parish Council (PC) have considered the application in some detail and in principle strongly support this development. However, the PC objects on the grounds that there are major concerns about the traffic implications were the scheme as detailed to be approved.

Traffic congestion, including regular queuing traffic, already exists on the A362, between the Picket Post roundabout and the Cley Hill roundabout and this development will only add to it. There does not seem to be any recognition of the current situation and the potential for a worsening one. The PC would urge that Wiltshire Council insist on a realistic traffic management plan be put in place that will be able to cope with the existing situation and deal with the growing traffic volumes from the proposed development, the Longleat Estate and Center Parcs (both of which are forecast to grow) and, in due course, the Western Warminster Development.

Second response (to Transport Assessment Addendum and other additional documents):

The planning application was considered again at a PC meeting on 5th June, against the additional documents supplied by LEL, the Transport Assessment Addendum A, the summary E Mail dated 16 May and the Archaeological Report.

The PC's general support for the project remains and the PC recognises and appreciates the additional analysis of the traffic issues, the proposed improvement at the Cley Hill roundabout, the revised tree planting plans and the improvements to the cycle and Public Rights of Way.

However, the PC's original objection remains.

The PC's issue is unchanged. The development adds more congestion to an already unsatisfactory and unsafe situation, with direct effect on local Parishes and scant evidence in the planning documents of the original problem being taken into account. There is passing reference to Center Parcs queues being accounted for in traffic counts (para 2.19 of Addendum A) but no recognition of the regularity of the long queues which are created weekly, on Center Parcs entry days, often backing up on to the A36 southern approaches to the A362 junction.

The PC recognises that solution to this issue does not lie entirely within the gift of LEL alone and the additional traffic created by the proposed development would not, in itself,

create big problems. However, what is not recognised in any of the analysis offered is that existing traffic on the A362 and the two roundabouts already regularly exceeds capacity to the detriment of road safety and local traffic flows, because of the way in which Center Parcs traffic is managed. Additional traffic burdens should not be allowed until this problem is addressed and the PC has made this point on several occasions.

The PC will continue to object to this proposal, and any others which add to the traffic burden on the A362 around the two roundabouts, until such time as there is evidence that a concerted effort is being made by the parties involved, Wiltshire, Center Parcs and LEL (who we know recognise the issue and are willing to help) to develop a co-ordinated traffic management plan which relieves the existing problems.

WC Highways (roads): Following initial holding objections by WC Highways the applicant prepared a Traffic Assessment Addendum which provides additional explanations as to how the proposed hotel and facilities will operate, and proposing further off-site works at the Cley Hill roundabout (see 'Proposal' section of report). Following this WC Highways has responded as follows:

"Further to my initial response dated 09/03/17, I have considered the additional information submitted by the applicant and conclude that, subject to resolving the identified Picket Post issue, I can offer a positive response to this application, subject to conditions and a planning agreement.

It is accepted that the Picket Post roundabout junction will not suffer unacceptable capacity issues with development, but the TA Addendum does not realistically address the problems at the junction (blocking by queues approaching the Center Parcs booking in area), merely stating that it is an existing problem resolvable only by Center Parcs. The TA does not quantify the additional delays and queue lengths likely to occur as a result of the development. This concern has also been raised, properly, by the Parish Council, and the applicant should be required to demonstrate that the queuing onto the A362 will not, in future years, have any interaction with the proposed Folly Lane junction serving the proposed development, nor add unacceptably to the queues.

The additional information provided (para 2.5 TAAA) confirms and clarifies that in addition to the hotel and conference facilities and water park, the following development is proposed in relation to the D1/D2 classes for which permission is sought:

- *indoor animal encounters, talks and handling of smaller animals;*
- *animal housing and feeding areas, including substantial 'back of house' / storage areas required to support the animal spaces. On the indicative masterplan, these buildings are proposed nearest to the existing Tascroft Court and Farm buildings;*
- *another building shown in yellow to the south of Tascroft Court on the scale and massing plan is proposed to be used as a versatile multi-use space, be it a workshop and education space (i.e. typical classrooms/cinema rooms), for lecture or conference "break-out" sessions, presentations or wider entertainment facilities (i.e. a gallery / special event space); and*
- *as a smaller viewing platform / encounters spaces within the open, parkland areas.*

A condition will be required to control visitation to these facilities on the site.

Paragraph 2.9 of the TA Addendum states – "In terms of staff, it is envisaged that the general entertainment spaces will be used for special events/experiences of hotel guests, and, therefore, would be staffed by existing employees at the hotel".

It is unclear what 'special events' might entail; a planning obligation should be provided to ensure that 'special events' are clearly defined and managed in terms of visitor trip impacts.

When the implications of a blocked roundabout at Picket Post are understood and satisfactorily resolved as appropriate, I would be able to suggest a recommendation to approve subject to conditions.

The TA suggests that a shuttle bus will be provided, inter alia, to carry guests between hotel and Longleat. This same bus should be used to for staff travelling between Warminster and the site, as suggested in the TA/TP. The bus should be provided in perpetuity, unless agreed otherwise between the parties. The bus arrangements should be secured by way of a planning agreement.

Management of water park visitor numbers remains unclear, both in terms of overall real time numbers control, as well as daily numbers, so a formal means of control will need to be agreed and enforceable. This can be dealt with by way of a planning agreement

A planning obligation is required to:

- Address provision and use of an appropriately sized shuttle bus, in perpetuity*
- Control and manage 'special events' at the site.*
- Control the balance between water park internal and external users, with maximum user cap*
- Deliver a workable travel plan*
- Ensure Improvements to A362 arm at Cley Hill at trigger to be agreed*
- Introduce mitigation for queuing at Picket Post roundabout (subject to additional information)"*

WC Rights of Way: Comments.

Two separate footpath route proposals to be considered and treated differently -

- 1) The first route is the possible diversion around the Longleat site. This would have to join either end of the length of right of way to be removed – ie west along the existing right of way to the A362 and then around the site via the orange route. The reasonableness of this proposal would be considered in detail when Longleat submit their application for a legal order. It's not appropriate to seek a planning condition for this as it's covered in rights of way legislation already*
- 2) The second route is from where Folly Lane leaves the A362 to the end of the existing right of way, the additional stretch requested by The Ramblers. This is a side issue to the proposed diversion and I can see the reasoning behind this. I'd suggest this is conditioned, ie if the proposed diversion takes place this must be provided by the developer. The legal status of this route must be the same as the diversion route – ie if the diversion is a formal right of way then this must be as well".*

There is a separate application process to obtain a legal order to allow stopping-up / diversion of a right of way. Discussions in this regard have commenced with WC Rights of Way. This separate process can take up to 18 months, and a successful outcome cannot be guaranteed, and the existing legal line of the right of way must be maintained until a legal order is in place.

Separately

“Cannimore track (bridleway WARM65) runs along the south of the site. It is proposed that this route could be used by members of staff on foot or cycle to access a rear entrance, via bridleway WARM63 and Folly Lane. The documentation suggests that unbound surfacing could be used along here from the underpass to the rear entrance. This would be acceptable to us as long as the developer undertakes the work themselves to a design we have approved. We would need to agree an appropriate width, drainage, cross-fall, surfacing etc. There is currently a bollard part way along the track, this is an obstruction and we would require it to be removed as part of the works.

The only other issue I would raise is about cycle access for visitors. Visitors would need to access via the front but it would not be acceptable to expect people to travel via the A362. Footpath WARM92 would allow this access via bridleway WARM63 and Folly Lane. It is already a tarmac route and could potentially be converted to a cycle track so it could also cater for cyclists. This would require a legal order and possibly widening / lighting. I defer to highways development control as to whether or not they feel this is required, if so the developer would need to pay for the legal order and undertake the physical works themselves to a design approved by us”.

WC Landscape: no objection subject to conditions.

“Although the site is undesignated it lies adjacent to the boundary of CCWWD AONB. The proposals have the potential to influence the character and visual amenity of the local setting of the AONB; there will be a permanent loss of the rural buffer between the AONB and Warminster due to the encroachment of development to the west of the A36. However, despite the very sensitive location, the enclosed nature of the site provided by the Estate forestry and the valley topography affords limited influence, confined largely to Cannimore Farm, users of PROWs in the immediate vicinity, the higher grounds of Cley Hill (NW) and distant views Salisbury Plain scarp (NE/E).

At pre-application the development was screened and found to fall outside the scope of the EIA Regulations. Subsequently the applicant has submitted a Landscape and Visual Appraisal (LVA) based on the parameters defined by the masterplan. I have reviewed the LVA, particularly in light of some issues raised by other consultees and I am content with the level and proportion of assessment, and that it meets the requirements as defined in Table 3.1 of the Guidelines (Guideline for Landscape and Visual Assessment (GLIVA) 3rd Edition pub 2013 LI/IEMA). However, given that the LVA has been undertaken in the context of an outline application it would be prudent to ask the applicant to issue an updated assessment with the submissions for Reserved Matters.

Due to time constraints my initial comments on the proposal were limited to an email to the case officer dated 16/04/2017 highlighting my key landscape concerns:

- *The impact of landscape views from designated landscapes and the height of the hotel building suggests that it will be visible*
- *The large scale of the development relative to the intimate scale of its landscape setting*
- *The cumulative effects of this development in combination with the WWUE sites and the fact this development crosses the A36 pushing Warminster’s boundary into the rural countryside*
- *The sensitive relationship between the sites proposed activities and the quiet contemplation required for visitors to the cemetery*
- *The large open nature of the car park*

To avoid repetition these factors have been addressed satisfactorily by the applicant in the document 'Clarifications on Planning Application 17/01124/OUT' dated 19 May 2017. The potential for further Greenfield development from renewable energy, which could have landscape implications, was not discussed and remains an issue for exploration in the Reserved Matters Application.

The applicant has also provided a series of wire line drawings that illustrate the efficacy of the landscape mitigation in views from Cley Hill. I am reasonably confident that in time the development will be screened and the applicant is supporting the principle of advance planting and the use of semi mature tree planting where appropriate.

This proposal, in combination with Warminster urban extension, has pushed the development of the setting of Cley Hill to its maximum extents. However I take some comfort that Historic England are committed to take an active role in the design process thus seeking to preserve the special landscape qualities and relationship that the scheduled monument has with its setting. I also note that the NT has suggested the use of mixed woodland planting to afford winter screening and I think that this is something the applicant should consider.

The developer appears to be committed to a landscape led approach. The proposal will inevitably result in a permanent change of character and loss of the agricultural setting to the edge of the Estate. However the wire line drawings suggest that in time the development could be absorbed by new planting that would be perceived as an extension to existing woodland, not uncharacteristic of the local area. I am also confident that with continued liaison between the relevant stakeholders and key consultees such as AONB, NT and HE, a positive and sustainable development can be brought forward".

WC Conservation: no objection.

In relation to an original and revised Archaeological and Historical Assessment accompanying the application the WC Conservation Officer is reassured that the approach to the registered park and garden has been considered and that the conclusion that 'there would be no impact on the setting or significance of Longleat Park' is sound. It is therefore agreed that 'whilst the proposed development would change discrete elements of the landscape around Tascroft Court, those changes would constitute 'less than substantial harm' to the material fabric and setting, and thereby significance of the affected heritage assets'.

WC Archaeology: objection.

"The Wiltshire and Swindon Historic Environment Record shows there are no known heritage assets within the proposed development site. The Heritage Statement submitted with the application considers there to be no significant archaeological remains likely to be impacted by the proposals but due to little investigation in the area such a statement is merely subjective. The surrounding area around Warminster has a wealth of archaeological remains from the prehistoric to post-medieval periods. The Heritage Statement in particular acknowledges the potential for the site to be on the periphery of late prehistoric/Romano-British settlement, indicated by the record of Romano-British coins, buckles, brooches, stone, tile and pottery fragments found just to the north of proposed development site. It goes onto state that outlying features such as field boundaries and cemeteries are likely to extend into the application site (see 4.1.3).

The National Planning Policy Framework states that:-

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

In line with the NPPF I consider that field evaluation is necessary and that the particular significance of all heritage assets affected by the proposal are fully identified and assessed before determination of the application. This is clearly set out in national guidance and I have to maintain an objection until the results of further investigation are made available to me”.

WC Public Protection: No objection subject to conditions.

Following an extensive site visit and discussions with the applicant I am satisfied that noise generated by activities and attractions on site can be controlled through condition and the implementation of Noise Management Plans (O & ENMP's),

In addition I would add that although the structures may be in place for the immersive animal experience the actual animal content may still be unknown and therefore the potential noise source will remain unknown and will result in insufficient information being available for the completeness of the ONMP before commencement of the build. As such the ONMP elements covering the immersive animal experience should be completed prior to opening of this area.

An informative is required stating that the applicant should discuss the content of the ONMP to ensure it is suitable and provides sufficient protection to neighbouring noise sensitive sites. I would expect the NMP to cover both the hotel/waterpark and animal experience.

Noise from plant and machinery - As the plant and machinery to be installed is an unknown quantity an additional noise report will be required to confirm that the noise levels produced by the actual equipment installed will achieve compliance with stated intentions. This will not come as a surprise to the applicant as the levels recommended by their noise consultant in their Noise assessment 036109 will achieve this condition, however they will need to demonstrate this once the specification of the actual equipment that is to be installed becomes available.

Lighting – in this relatively rural location lighting at Level E1 ('natural') should be specified.

ENVIRONMENTAL ZONES

It is recommended that Local Planning Authorities specify the following environmental zones for exterior lighting control within their Development Plans.

Zone	Surrounding	Lighting Environment	Examples
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

Construction site management plan – condition required.

WC Drainage Engineer: Final response to updated Drainage Strategy and Flood Risk Assessment to be verbally presented.

WC Ecologist: no objection subject to conditions.

Survey maps and Phase 1 Habitat Map sound. Assessment of impact on Cley Hill SSSI undertaken, and it is noted that the development aims to provide for short to medium term stays specifically for visitors to Longleat's existing visitor attractions.

Three trees with moderate / high potential for bat roosting will be adversely affected by the construction of the hotel facility. Emergence surveys for trees are of limited value other than immediately before a tree is felled or works are carried out. Assessments needed of the potential significance of these trees in the local landscape. i.e. the contribution they make to the tree roosting resource. Current assessment avoids the fact that the 3 trees with potential for bats which will be felled could have increased potential for bats if affected by Ash dieback disease. Further information may be required at reserved matters stage.

On bat activity across the site, providing/increasing the buffer to 10m for hedgerows and 15m for woodland which will be retained (i.e. the majority) together with a sensitive lighting scheme removes the need for further assessment.

On dormice the Estate may not presently collect protected species data despite the likely presence of woodland European protected species on areas actively managed for forestry. The extent to which the development might directly or indirectly encourage residents to make recreational use of woodland on the estate remains unclear, although the estate is currently trying to control unauthorised use of forestry tracks by the general public and does not currently anticipate providing bikes for hire etc as part of the activities offered by the Hotel.

River Avon Sac -

“Further modelling has now been undertaken by the Council of the effects of housing development on phosphate levels in the River Avon SAC in order to inform the preparation of Annex 2 of the Nutrient Management Plan as well as the HRA for the Wiltshire Housing Site Allocations Plan (Submission Draft). The Council’s model considers the distribution and volume of housing already built/permitted as well as residual housing allocated but not committed in the Wiltshire Core Strategy and the Allocations Plan. It compares this

situation with that anticipated by the phosphate modelling completed for the NMP in 2015. The reason for the comparison is to identify whether current growth scenarios exceed those anticipated in high risk sub-catchments in 2015. Where this is the case, mitigation will be required to offset the net increase.

The modelling demonstrates that housing at Warminster, which is in a high risk sub-catchment, has come forward more slowly than was anticipated in the NMP model due to delays with delivering the West Warminster Urban Extension. The additional housing proposed in the Allocations Plan does not therefore lead to an increase in phosphate at the 2021 cut-off date for the modelling assessment and no mitigation is therefore required in this sub-catchment.

This development will discharge into the Warminster Sewage treatment Works. Strictly speaking the current application for hotel development comprises “commercial development” and is therefore already accounted for in the NMP model since the latter is based on predictions arising from “population equivalents” (i.e. population arising from the Wilts Core strategy + a factor derived by Wessex Water to allow for associated commercial growth). As such this development does not need to be specifically included in the Council’s model. Arguably however, the hotel is not typical commercial development and assuming maximum occupancy it may be more akin to housing development. Nevertheless, the Council’s model demonstrates a shortfall in phosphate at Warminster equating to 3.68% of that predicted by the NMP. This is likely to compensate for any difference between the typical phosphate rate for commercial development and a hotel of this scale.

As a caveat I must point out that the Council has yet to agree its model with Natural England and the Environment Agency but given the under delivery of housing at Warminster, I consider any changes to the model are unlikely to make a meaningful difference to this assessment for the Tascroft Hotel.

I therefore conclude this application would not lead to likely significant effects on the River Avon SAC either alone or in-combination with other plans and projects”.

Highways England: Following initial holding objections by Highways England the applicant has prepared a Traffic Assessment Addendum which provides additional explanations as to how the proposed hotel and facilities will operate, and offers further off-site works at the Cley Hill roundabout (see ‘Proposal’ section of report). In the light of this Highways England has recommended that the application be not approved for a specified period (3 months from 5 June) “.... to provide the applicant / Highways England sufficient time to reach an understanding on the development proposals, and to address outstanding concerns regarding the operation and safety of the SRN (A36)”. The recommendation reflects this.

Environment Agency: no objection subject to conditions.

“Groundwater Protection & Contaminated Land - The site falls within a groundwater Source Protection Zone 3 (SPZ 3). This is a zone of protection surrounding a nearby drinking water borehole, which is vulnerable to pollution. It therefore requires careful protection from contamination.

Past uses of part of the site as a farmyard may have caused contamination of the soils/subsoils/groundwater on the site”.

Conditions requested relating to potential contamination and construction environmental management plan.

Natural England: comments.

“Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Potential impacts on River Avon SAC -

We advise that the council undertakes a Habitats Regulation Assessment screening assessment to ascertain whether a likely significant effect on the river Avon SAC can be ruled out from this development due to increased phosphate discharges.

Potential impacts on the Cranborne Chase and West Wiltshire Downs AONB –

We note that this application is in close proximity to the Cranborne Chase and West Wiltshire Downs AONB, and the key views from Cley Hill. The proposal has the potential to have significant impact on the AONB, and it will be important to consider in great detail exactly what is being permitted, how it will appear in the landscape, and to be clear that there are ways of delivering reserved matter details without adverse landscape effects. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. In particular this application should be considered in combination with other nearby development proposals.

Your decision should be guided by paragraph 115 of the NPPF which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB’s statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area’s natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to ‘have regard’ for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Every opportunity to minimise negative landscape impacts should be taken. In particular consideration should be given to:

- opportunities beyond the red line boundary for landscape enhancement measures,*
- detailed consideration of how the landscaping of the car park area can be done to minimise visual impact and maximise the biodiversity value of the site, and*
- how lighting can be designed to minimise visual impact*
- how design can take into account the landscape character in terms of appropriate plant species as well as built materials and architectural style.*

It would be helpful if full details of landscape and access proposals were included in any subsequent planning applications rather than left as conditions.

Public rights of way –

We suggest, as well as the proposed possible permissible public right of way, a short linking public right of way may be appropriate, as shown in green below linking to the public right of way on the other side of the A362.



Other matters –

In other regards we have no specific comments to make. The lack of case specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process.

In particular, we would expect the LPA to assess and consider the possible impacts resulting from this proposal on the following when determining this application:

Protected species –

Where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the LPA should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05)1. Natural England has produced standing advice, which is available on our website Natural England Standing Advice to help local planning authorities to better understand the impact of particular developments on protected or BAP species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, local planning authorities should undertake further consultation with Natural England.

Biodiversity enhancements –

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for

this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

Historic England: Comments following further submissions.

“Whilst we recognise that the application was an outline application we maintain the position that further information regarding the design of the proposed hotel complex would have been helpful in assessing its impact. However, we recognise that the additional information now submitted has clarified certain areas of doubt regarding the setting of Cley Hill. Should Wiltshire Council be minded to support this application then we would welcome the opportunity to comment further on detailed design proposals as they develop”.

Wessex Water: No objection.

“Water Supply - We have provided indicative comments on water supply through the EIA Screening Process. Further information on demand is needed to expand on this.

Foul Drainage - Wessex Water has completed a capacity appraisal with a review of discharge rates and a local network connection at the south of the development. We have agreed points of connection to Bradley Road at the south, where assessments indicate capacity is available for a foul connection. These assessments have been completed with network design standards and vary from the stated peak flows provided by the developer.

Pumping rates will need to be agreed with Wessex Water and in compliance with design guidance Sewers For Adoption assessed at approximately 7 l/s (0.5 x peak design flow rates).

Please note that further information upon the waste discharge from the water treatment facility has now been included and will require a trade effluent agreement. We advise the applicant to discuss these trade flows with Wessex Water.

Surface Water Drainage - There are no public surface water sewers in the vicinity of the development site. Wiltshire Council have commented on the surface water proposals as Lead Local Flood Authority. We have no further comments”.

West Wilts Ramblers Group – no objection to formation of new rights of way.

“On 11 April, I had a meeting with Geoffrey Wheating, representing Longleat Enterprises Limited, during which I agreed with him that the routing of a diverted WARM 66 to the route indicated in orange on his PL04 revision 2 Access and Movement Plan would be acceptable to the Ramblers Association. It represents a good compromise route and compensates for a very real loss of amenity. It would also help to rationalise the PROW network in the locality. I did also indicate that the diverted path should be a dedicated Right of Way.

..... The Ramblers consider that there is no comparison between the right of access and usage allowed to the general public on a dedicated Right of Way and the rights provided by a ‘permissive’ path. If a Right of Way is to be extinguished for the landowner’s convenience, then it should be replaced by a similar or better one.

Permissive paths can be closed to the public without so much as a nod. Whether or not the diverted path is to be 'permissive' or a dedicated Right of Way is within the landowner's gift, so there is no need for anyone other than Longleat Enterprises Limited to form any conclusion as to which type of path the diverted path is to become.

The Ramblers can be expected to object if it appears that the orange diverted path is on offer as 'permissive' only".

Cranbourne Chase AONB – Concern. Response summary and quotes as follows:

- The plan with contours provides a degree of clarification but it also seems to raise other issues regarding the practicality of the proposed development which, it seems, can only be resolved by the provision of more detailed information.
- The AONB Partnership understands the argument that LEL feels that visitors are not gaining the full benefit of the existing facilities at Longleat because there are currently insufficient facilities for families to extend their stay in the vicinity of Longleat. LEL are therefore seeking to provide hotel accommodation on Longleat's land for these visitors. The AONB Partnership also recognises the lack of an hotel with the capability to hold conferences in southern Wiltshire.
- The additional information, particularly the Contour Plan, is helpful but it does give rise to further questions. The main hotel building would be 22 metres above ground level. That is quite substantial.
- *"The entrance to the hotel appears, from the Contour Plan, to be fairly near the high point of the ridge that overlooks the valley to the south east of the cemetery. The main access and drop off point appears to be immediately to the east of the south eastern corner of the proposed extension of the existing cemetery. That access appears to be straddling the 167.5 metre contour. The buildings, particularly the central one of the line of five units that comprise the hotel, appear to be stepping down across the contours from that 167.5m contour down to the 155.0 metre contour.*
- *However, as the access road and the associated car park appear to rise to that 167.5m level either the main entry to the hotel is at that level or there is a slope down. Nevertheless if one is to understand correctly the sketches, there are then some three or more storeys above that entry point and one has to take that 167.5m contour as the base line from which the height of the buildings will be measured. That would indicate that the ridgeline of the main central block of the hotel would be 189.5m AOD. If the entry point to the hotel is at a lower level then that implies either very significant earth movement proposals that are not indicated in any of the submitted documentation or that there will be a very steep entry route into the hotel. The Contour Plan could be interpreted as showing a drop of about 6.25m across the entry route to the hotel from the drop off point to the entrance. That route seems to be across a relatively short distance and steep. That would almost certainly pose significant difficulties for disabled access and achieving the criteria for wheel chair access. It is usual to have hotel entrances more or less level, or even with a slight rise, so without further detailed design plans showing how the issue is going to be resolved the additional Contour Plan does not clarify the problem identified.*
- *The wide angle view photographs from Cley Hill clearly demonstrate the extent to which the proposed development reaches into the open countryside from the Warminster Bypass. They also demonstrate the extent to which the proposed development fills a substantial field of view compared with the more distant view of Warminster.*
- *Whilst it is helpful to see an indication of the advance planting that is currently proposed in principle, the visual of Year 1 seems excessively hopeful in striving to show that much of the development would already be screened by planting provided at that time. As I am confident you will appreciate, without the detail of that proposed*

planting, coupled with details of the heights and colours of the proposed buildings, it is being more than a little optimistic to put forward a visual with that extended degree of green hatching (which is presumably showing the hoped for extent of tree growth). A close examination of the photograph does, however, show that the proposed structures are very substantial compared with anything else in the view. Another matter that seems to be overlooked is that Cley Hill and Little Cley are not a single view point but an extensive area of elevated Open Access land crossed by a regional recreational route, the Mid Wilts Way. They provide a series of viewpoints, varying in elevation across a frontage approaching one kilometre, towards the application site. This is not a location from which a single, glimpsed, view would be obtained but an extended area within this AONB that is promoted as a public access area, not just for its wildlife, archaeology, and cultural interest but also for its extensive countryside views.”.

- Views from Cannimore Track are likely to be intermittent and are already partially screened by the existing planting. That existing planting would, of course, need to be the subject of a long term management plan as well as additional, supplementary, planting and a management plan for that.
- Under-estimation of the extent to which buildings of the proposed scale are likely to be viewed from other locations. Significant features, such as the church tower in Warminster, are visible. Using that as just a single example of a ‘reverse view’ effect, buildings of the scale proposed are likely to be significant elements when viewed from not just locations in the town but on the hillside behind and above.
- Regarding the issue of tranquillity, the LVIA reduces the landscape sensitivity of the locality by drawing on the noise from the Warminster Bypass. Without any discussion of what comprises tranquillity in a Landscape and Visual Impact Appraisal, noise is being used to reduce sensitivity to change. That, of course, biases the Appraisal. Furthermore the additional document points out the distance of the proposed hotel from Folly Lane, which is closer than the Bypass, is some 225m. Even if noise were to be acknowledged as an issue it also has to be recognised that noise decays rapidly with distance and to seek to apply a reduction in landscape sensitivity due to noise for the whole site seems to be seeking unusual reasons to argue that a substantial development will not have substantial landscape and visual impacts. The LVIA conclusions are ‘*a little optimistic*’.
- The appearance of an hotel is important, not just for its ‘image’ and ‘presence’ but also to enable it both to integrate with and sit comfortably within its location. The larger the hotel the more important the appearance becomes. Without details of the appearance and the lack of clarity about building heights above ground level when the LVIA was written the LVIA conclusions are based on inadequate information. Conclusions therefore should be read with “*considerable caution*”.
- “*The AONB Partnership is still very concerned about the proposal to extinguish the public Right of Way that runs southwards along the west side of the cemetery across the application site. Whilst the proposed replacement would provide a longer route it also severely limits the options of walkers from either the cemetery or the Warminster end of Cannimore Track. In either case the existing round walk, either from the cemetery to the eastern part of Cannimore Track and back in a clockwise or anticlockwise direction or from the track to the cemetery and back round to the track, is extinguished. If approved, in future walkers will only have the choice of a significantly longer (about 50% more) walk or no walk. That may be of special concern to cemetery visitors.*
- The scale of such a proposal might fit with the locality. However it seems that the scale of the current application, with its focus on additional resort facilities, including a water park and immersive animal centre, provides a significant increase in scale, not just in physical structures but in activities during operation. Those factors lead the AONB Partnership to question the advisability of approving the current proposals in this

sensitive edge of AONB situation, without full details of both the extent of development and mitigation. For such a substantial project it is important to be able to identify those elements that cannot be mitigated and to identify the long term impacts of the operation of the development.

8. Publicity

The application has been publicised via neighbour notifications, site notices and local paper advertisement. This publicity has resulted in 22 written representations from interested third parties, including the National Trust.

Of these, the 20 representations that raise full objections are summarised as follows:

- Principle. Site lies outside of defined Warminster settlement in area not designated for development – it follows that this proposal is unacceptable in principle in terms of the development plan and the Warminster Neighbourhood Plan. A hotel as part of the WWUE may be more acceptable. The site is remote from Longleat in both geography and character, and imposes on landscape like nothing else on the estate (including Center Parcs, which is hidden). Another pay-to-see animal experience is unnecessary; ‘petting zoos’ not to be encouraged in 21st century. Other hotel projects in the area have failed. If to be pursued, scale is too great - smaller hotel / conference facility may be more acceptable. Center Parcs already provides accommodation, conference facilities and a water park.
- Advantages v disadvantages – the planning balance. The need for the Longleat estate to secure its future (including the future of the house and its grounds) and the employment that would be created are not outweighed by the harm this proposal would cause to the amenities of residents of Warminster and wider users of the A36/A350 & A362. New employment case not made-out – including potential harmful impact on existing businesses; it will employ mainly ‘shipped-in labour’ with only cleaners, etc., from the local resource. Warminster market town would see little ‘trickle-down’ benefits as hotel users would not visit.
- Highway safety. Folly Lane unsuitable for likely levels of additional traffic generated by the proposed development. Folly Lane / A362 junction also unsuitable, even with proposed changes – only 180m from Cley Hill roundabout; tight turns will slow traffic causing ‘back up’ on A362 & A36; A362 crossing movements will increase risks of accidents; likely long ‘tail backs’ on Folly Lane at peak times, to the inconvenience of residents & visitors to the cemetery. Center Parcs already causes tail backs, and this will be compounded by the LEL proposal. Cley Hill roundabout is becoming increasingly important in view of position on A36/A350 with additional pressure already from WWUE – regard needs to be paid to the importance of free-flowing traffic on the economic, social & cultural well-being of Warminster. Cley Hill roundabout will grid-lock; improvements required to roundabout and A36 (including some dualling), and this should be a condition in the event planning permission is given. Insufficient parking for visitors and staff – potential for further applications for more staff parking. Traffic will start using other un-suited roads in the area.
- Countryside impacts, including rights of way. Proposal will have considerable visual and environmental effect on the open countryside hereabouts, including in views from, and the peaceful enjoyment of, Cannimore Road (track), (WARM65/CORS49), this to the detriment of the countryside and Warminster’s access to it (this countryside enjoyed by Warminster for its proximity, tranquillity and ambience). A beautiful valley would be lost. Surfacing of Cannimore Road (track) would encourage illegal use by motorised vehicles. Areas of woodland & pasture in proposal would need to be kept for these purposes, with suitable controls over this. Can a footbridge be provided over the A36 close to Folly Lane?

- Extinguishment of footpath WARM66. This is a regularly used path by walkers, joggers, cyclists, etc. as part of an accessible network – it should not be extinguished as there is a need for it. The proposed replacement route is at least 2km long compared with 200m existing / 3 times longer. No good reason to not incorporate the existing path through the proposed resort. The proposed replacement for this should be a formal right of way and not a permissive path.
- Water supply and waste water disposal. Extra pressure on supply and disposal is a matter of grave concern, especially when coupled with other developments. Bradley Road sewer system preferable to the Broadway roundabout system which is already probably at capacity. Has the Centre Parcs system, which is having sewage pumped to it from part of WWUE, got capacity?
- Water courses / underground water conditions & flooding. Characteristics of flows in the nearby brook have already changed due to man's influences. Before further development takes place a proper investigation of the entire catchment is necessary. Proposal would lead to flooding in Warminster (Brook Street / Fore Street areas) as surface water will not be allowed to infiltrate the ground and contaminate the aquifer – will the Folly Lane dam cope with the extra run-off.
- Ecology – loss of hedgerows. At capacity SWT's will release chemicals into the aquifer with consequences for ecology. The site supports wildlife – badgers, newts, bats, birds, other small mammals – habitats would be lost. Detrimental impact on Cannimore main river from further development, changes to topography, drainage, etc..
- Loss of agricultural land and the existing organic farm. Farming becoming more important (with Brexit, etc.); loss of agricultural land, therefore, short-sighted. Retaining tenanted farms could be beneficial to the estate. Land shown to be left as pasture too small to be of any benefit to agriculture. Also, related loss of livery yard.
- Residential amenity. Residents' privacy at Cannimore Farm will be destroyed. Residents' privacy at, and outlook from, Tascroft Court will be adversely affected by new buildings in close proximity (loss of light, noise disturbance from those using the buildings and related activity, possible smells from animals, etc.) – these should be moved further away. Equally, boundary treatments would be intrusive, if to house animals. Potential danger from zoo animals to pets of occupiers of Tascroft Court.
- Pine Lawns Cemetery. The peaceful and private setting of the cemetery must be preserved, including during construction. It is insensitive to introduce an "active and vibrant sounding development" close to the cemetery.
- Other matters. Increase in crime. Construction disruption for nearby residents.

Two representations give caveated support. The support reasons are summarised as follows:

- Advantages v disadvantages – the planning balance. There is a need for hotel accommodation in the Warminster area. This development will provide jobs. There will be 'filter-down' benefits for the wider area.
- Pine Lawns Cemetery. Landscaping around the cemetery should be implemented very early in the development programme. And controls applied to limit construction noise.

The National Trust raises "concerns". Its representations in respect of the original submission and the amended/additional submission is set out in full, as follows.

First representation

"The National Trust is a charity and Europe's largest conservation organisation, with a current membership of nearly five million people. The Trust is responsible for the

protection of some of the most beautiful, historically important and environmentally sensitive places in England, Wales and Northern Ireland. The Trust has a statutory duty under the National Trust Acts to promote the conservation of these places.

In the vicinity of the application site, the Trust owns Cley Hill, which is a locally important landscape feature with commanding views over the Wiltshire and Somerset countryside, and forms part of the Cranborne Chase and West Wiltshire Downs AONB. Cley Hill, along with Little Cley Hill beside it, comprises 27 ha of open access land that is popular with local walkers and visitors, some of whom use the small car park adjacent to the A362, whilst others use the local public rights of way. Cley Hill is a designated heritage asset (Scheduled Monument) and a designated nature conservation site (SSSI).

In response to the planning application, we would ask the Council to consider the impacts of the proposals on the landscape and visual amenities of Cley Hill. This is particularly because, having viewed the application site from Cley Hill, it appears much closer in the landscape than shown in the relatively low resolution photograph ('view 28'), and it is in a more elevated location than the West Warminster Urban Extension (WWUE). New buildings and associated development would be clearly visible, and are likely to adversely affect the views from Cley Hill and contribute to the urbanisation of its landscape setting.

It is however acknowledged that the hotel building itself would be located further away from Cley Hill within the application site, and mitigation in the form of tree planting is proposed. Nonetheless, the hotel would be a long block of building, five metres or so taller in the landscape than the Tascroft Court buildings, and its architecture and any external lighting may draw the eye. The proposed tree planting, whilst welcomed, is unlikely to be effective in winter months in screening the development, and would take some time to establish.

Perhaps the closest and most visually prominent part of the proposals would however be the "multipurpose entertaining facilities and ancillary development" (11,000m² of D1/D2 uses in 'building zone a'). This would be on higher ground and it is questioned whether this is an essential part of the proposed development. If it is to be an immersive animal experience as indicated, such experiences already appear to be available at the Safari Park. Any noisy D1/D2 uses could also affect the experience of walkers and visitors on Cley Hill.

In respect of the impacts on the setting of Cley Hill Scheduled Monument, these are likely to be less than substantial; nevertheless the heritage assessment's assertion that the hotel building "would not be intervisible with Cley Hill" appears to contradict other parts of the application. It does acknowledge that the proposed buildings south of Tascroft Court would be visible from nearby hillforts, and refers to recently consented residential development nearby, yet this other development would all be within the A36 as it bypasses Warminster. In terms of potential direct impacts, it should be noted that there is currently pressure from footfall on the earthworks, and our rangers have had to repair this with packed chalk. We raised concerns in respect of the WWUE development, which will involve a 20% increase in the population of Warminster, for whom Cley Hill will be a significant draw. The proposed hotel complex may well add to this increased footfall suggesting that this needs to be a material consideration.

In respect of Cley Hill SSSI, we also have concerns about potential physical impacts from increased footfall from the proposed hotel complex, and in association with the WWUE development (NPPF para. 118 states that adverse impacts on SSSIs should be considered individually and in combination with other developments). The SSSI is designated because of its high biological value as rich chalk grassland, which includes rare and endemic species such as early gentian as well as frog orchid, marsh fritillary and

other nationally notable species. These are highly susceptible to trampling and compaction, as well as enrichment of the ground from dog faeces. This situation and the potential impacts do not feature strongly in the ecological impact appraisal, yet we consider that a family-orientated hotel, as proposed, is likely to contribute to the increasing visitor footfall on Cley Hill and we would ask the Council to give particular consideration to these potential impacts.

Finally, in respect of the principle of major development within the open countryside and adjacent to a nationally protected landscape, we would ask the Council to carefully assess the justification for new hotel and conference facilities in this location, and their compliance with the relevant planning policies. This should include consideration of the proposed D1/D2 uses in 'building zone a' that are referred to above.

In conclusion, we have a number of concerns regarding the scale and extent of the proposed development within open countryside, its impacts on the views and setting of Cley Hill (and the AONB), the effects of increased visitor footfall on important ecological interests and the scheduled earthworks, and the effectiveness of proposed mitigation. We consider that it is important for the Council to be clear on the likely impacts as well as the benefits of the proposals before it makes its decision. As things stand we object to the planning application, for the reasons set out in this letter, but we could review our position should further information or amendments be submitted”.

Second representation

“The Trust’s position on this application was originally set out in our letter dated 10th March and the comments and concerns in that letter continue to apply. However, having discussed the proposed landscaping with our wildlife and countryside adviser and our estate manager, as well as with Geoffrey Wheating (representing the Longleat Estate), I would like to make the following additional points on behalf of the Trust:

- It is acknowledged that the Longleat Estate is proposing extensive landscaping in association with the proposed built development, which over a period of up to 15 years and beyond would help to screen and soften the impact on views from Cley Hill and the AONB. It is also noted that it would be possible to accelerate the process of the ‘strategic’ planting associated with the proposals.*
- However, it would take some time for the planting to mature, leaving an interim period within which the construction site and then the new buildings would be very noticeable in the landscape.*
- Furthermore, the assertion that once the new planting has matured “very little of the proposed development is likely to be visible” is questionable given that the trees would lose their leaves for half of the year. Caution should therefore be applied to the suggestion that the long term residual visual effect would be minor adverse and becoming negligible as the landscape matures.*
- Without prejudice to the concerns that we have raised regarding this application, should the Council be minded to support the proposals, in whole or in part, we would advocate mixed coniferous and deciduous tree planting as part of the new landscaping. This would tie in with the adjacent coniferous woodland and would allow some of the trees to retain their foliage during the winter.*
- Again without prejudice to the concerns that we have raised, we would also request that the proposed turning circle shown indicatively on the south-west side of Tascroft Court is pulled back into the site and away from the adjacent fields that would be left undeveloped, and that it is also screened by planting.*
- Notwithstanding the proposed landscaping, the proposed development would still be of a considerable scale within open countryside and would cause a significant*

change to both the intrinsic character of the landscape and the views experienced from Cley Hill and the AONB”.

9. Planning Issues

The issue to be considered in this case are, firstly, the principle, and then matters of detail as follows:

- Landscape impact and visual amenity;
- Highway safety;
- Rights of way;
- Heritage assets;
- Ecology;
- Agricultural land;
- Other infrastructure (water supply and surface & foul water disposal);
- Residential amenity and tranquillity in general.

Principle

The Wiltshire Core Strategy sets out a Settlement Strategy for the county through Core Policy 1. It identifies four tiers of settlement – ‘Principal Settlements’, ‘Market Towns’, ‘Local Service Centres’, and ‘Large and Small Villages’. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Beyond the limits is countryside. The application site lies beyond the limits of development of any defined settlement, and so is within the countryside.

Core Policy 2 of the Wiltshire Core Strategy sets out a ‘Delivery Strategy’. It identifies the scale of growth appropriate within each settlement tier. The policy states that within the limits of development of those settlements with defined limits there is a presumption in favour of sustainable development; but outside the defined limits, other in circumstances as permitted by other policies of the Plan, development will not be permitted, and that the limits of development may only be altered through identification of sites for development through subsequent site allocations Development Plan Documents and neighbourhood plans. *Other circumstances permitted by other policies of the Plan* are considered further below.

Core Policy 31 of the Wiltshire Core Strategy sets out the specific ‘Spatial Strategy’ for the Warminster Community Area. It states that development in the Area should be in accordance with the Settlement Strategy set out in Core Policy 1. The explanatory notes with Core Policy 31 further state that the strategy for Warminster is to increase the level of employment, town centre retail and service provision, along with residential development, as part of sustainable growth, this to include the allocated West Warminster Urban Extension. It further states that where relevant development in the Area will be delivered with regard to the overall objective of conserving the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), with a ‘modest and sustainable level’ of development accordingly.

The National Planning Policy Framework (NPPF) states at paragraph 14 that there is a “.... *presumption in favour of sustainable development*”, and that proposed development that is sustainable should be approved without delay. The NPPF states that there are three dimensions to sustainable development – economic, social and environmental – and that these are mutually dependent. Specifically in relation to the rural economy the NPPF states at paragraph 28 that planning should support economic growth in rural areas in order to create jobs and prosperity. Moreover, it requires local plans to

“... support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres”.

Relevant ‘other policies of the Plan’ (referred to in Core Policy 2 above) are Core Policy 38 (retail and leisure), Core Policy 39 (tourist development) and Core Policy 40 (hotels, bed and breakfasts, guest houses and conference facilities). Core Policy 39 states that within the Principal Settlements and Market Towns proposals for tourist development will be supported (subject to sequential assessment); Core Policy 38 has a similar requirement in relation to proposed leisure developments. Core Policy 39 further states that outside of the Principal Settlements and Market Towns tourist and visitor facilities should be located in or close to Local Service Centres or Large and Small Villages and, where practicable, in existing or replacement buildings. Exceptionally the policy supports development away from the settlements where the following criteria are met:

- (i) There is evidence that the facilities are in conjunction with a particular countryside attraction;
- (ii) No suitable alternative existing buildings or sites exist which are available for re-use;
- (iii) The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas;
- (iv) The building is served by adequate access and infrastructure;
- (v) The site has reasonable access to local services and a local employment base.

Core Policy 40 is similar to Core Policy 39. It lends support to proposed hotels, conference facilities, etc. in defined settlements, but requires demonstration that proposals will not have a detrimental impact on the viability of town centres and will avoid unacceptable traffic generation.

Applying the Core Policy 39 criteria to the proposal, on (i) it is evident that the planned facilities are to be used at least in part in conjunction with a particular countryside attraction – namely, Longleat. This is explained in the Planning Statement which accompanies the planning application in the following terms:

“This application is being made by LEL [Longleat Estates Ltd], the commercial arm of the Longleat Estate. Longleat is a popular and successful countryside attraction and is the second largest visitor attraction (by number of visitors) in Wiltshire (behind Stonehenge).

....

The proposed offer of the Hotel Resort has evolved to meet the expectations of quality, and the appeal of the Longleat visitor. It will be managed by LEL and will be inextricably linked with the Longleat operation. It will be the centre of a regional tourist ‘hub’ with day tickets services and its new facilities, from which visitors to Longleat stay but also ‘base’ themselves to visit Wiltshire’s other attractions and explore the local area. The family orientated accommodation will encourage visitors to extend their visits beyond that which is needed to see the Longleat Safari Park, and the seasonal events, such as the Festival of Light. The additional accommodation provided would also allow for ‘staying’

conferences to take place, further strengthening the business during off-peak and weekday periods.

For attractions, and indeed the wider visitor economy, to remain sustainable and viable, it is necessary and expected that new attractions are required to enhance offer. As has been the case at other major leisure and tourist attractions (such as West Midlands Safari Park and Alton Towers), significant investment has been in the development of new hotel and other forms of accommodation, on or near to the main attraction (and some of these feature water parks). To remain competitive, it is considered essential that LEL invests in the proposed form of development to ensure that it is not disadvantaged in terms of the attractiveness of its offer and the resilience of the business”.

It is considered that the link with the Longleat visitor attraction satisfies the circumstance in (i) which exceptionally gives support to new tourist development in the countryside when in conjunction with a countryside attraction. Put simply, some of Longleat’s visitors will stay at the hotel to fulfil its intended principal purpose, and that is the ‘link’ required by (i). It is not considered that this position is muddled by intended other uses of the hotel and its facilities, such as for conferences and related stay-overs, as these are necessary to sustain such a development ‘out of season’ in any event, and this is a material consideration relevant to the overall application of the policy. Separately it is also relevant that there is a shortfall in such accommodation anyway (which is considered later in this report).

Turning to (ii), the Planning Statement confirms that LEL considered other sites on the estate for the proposed development but found none to be suitable. This is in view of the sensitivity of much of the estate (most of it (with the exception of the application site) lies within the AONB and/or a Registered Park and Garden and/or the setting of listed buildings); other established uses (such as the safari park); and/or the unsuitability of other sites in terms of their size/shape/access/etc.. It is also relevant to (ii) that the site has been demonstrated ‘to work’ in terms of the impacts on matters of acknowledged importance in any event, (considered later in this report).

On (iii), (iv) and (v), the application particulars demonstrate that the scale of the proposed development is acceptable on the site without causing harm to the landscape, highway safety or residential amenity. Although in the countryside, the site is close to Warminster which provides local services and, theoretically, an employment base. These considerations are also addressed in more detail later on.

Regarding Core Policy 40, its principal purpose is to ensure new hotel and related development outside of the defined settlements does not have a detrimental impact on the vitality of the town centres and does not lead to unacceptable traffic generation. Core Policy 38 applies similar impact principles to new leisure developments. In response to these the Planning Statement accompanying the application says the following:

“It is recognised that both the NPPF and Core Policy 38 [and 40] would require the proposed development (because it comprises ‘town centre uses’) to be accompanied by both an impact assessment and the demonstration that it would comply with the sequential approach to ensure that the development is on the most central site available. In the case of this planning application, the development is being proposed as an integral part of the existing Longleat attraction, in accordance with Core Policy 39. By definition, the development needs to be located adjacent to the Park. This is essential to secure the wider benefits of the development of a resort at this location, and the applicant would not build it in any other location. The Hotel Resort proposition is a unique one that has specific locational requirements, not least close proximity to the existing Longleat Park. Locational requirements aside, in any event, there are no other sites within the

Town of Warminster which could facilitate a hotel and leisure development of the proposed scale and type”.

Again, these conclusions are accepted. Fundamentally the chosen location provides the required link with Longleat. But of equal relevance, there are no other sites suitable in Warminster in terms of the sequential test, and knock-on effects are likely to benefit the wider economy anyway. The knock-on effects are referred to in the Planning Statement through reference to various recent tourism assessments and reports. Notably, these include the ‘Wiltshire & Swindon Visitor Accommodation Futures, Hotel Solutions’ report from 2014 which identifies ‘gaps’ in the current hotel and visitor offer, including ‘*the possible development of a hotel at Longleat*’. The Planning Statement says:

“[The ‘Futures’ report] indicates that the existing supply of hotel rooms [in the county] is heavily focused in Swindon and, to a lesser extent, Salisbury. Warminster, despite its proximity to Center Parcs and the Longleat Estate, is served by only two hotels with a total number of 85 rooms. Longleat and Center Parcs are identified as existing visitor attractions and draws that could provide an opportunity for complementary hotel developments.”.

.... and the ‘Wiltshire & Swindon Destination Management & Development Plan 2015-2020’ by Visit Wiltshire which acknowledges the benefits of investment in high profile products in view of the transformational impact on the visitor economy, accelerating growth and job creation. It says:

“.... new investment will create a new hub of visitor activity stimulating other business investment in the immediate vicinity, and can encourage visitors to explore further and spread the economic benefit across more of Wiltshire”.

Warminster Neighbourhood Plan

The Warminster Neighbourhood Plan (WNP) was ‘made’ in November 2016. It forms part of the Development Plan and so its policies must be given full weight when assessing planning applications that affect land covered by the Plan.

The objectives of the WNP include the need for the following:

- *Sensitive development which protects and enriches the landscape and built environment, preserving the unique character and heritage of Warminster in the process.*
- *Appropriate integration of new developments with the existing infrastructure and facilities of the neighbourhood area. This includes the suitability and adequacy of transport, cycling and pedestrian links that draw residents into the centre of town.*
- *Address traffic issues both in the town centre and around its periphery.*
- *Support and strengthen economic activity.*
- *Enhance access to the local countryside.*
- *Protect green spaces, the landscape and support nature conservation.*
- *Encourage the building of a quality hotel and improved family restaurant facilities.*

Policy E5 (Surrounding Environment) requires new development to respect local character – “.... Improvements to the natural environment, green space and biodiversity will be supported”. Policy GA4 (Rights of Way) states that public rights of way will be protected and their enhancement will be supported, and that improvements to pedestrian and cycle access to the countryside will be supported.

It is considered that the proposal accords with the WNP – notably, the proposed development has been demonstrated to be sensitive to its landscape setting, is able to address integration and traffic issues, and will enhance access to the countryside. The proposal will comprise a ‘quality hotel’ which by its nature will support and strengthen economic activity in the wider Warminster context.

Principle - conclusions

So, overall the proposal is considered to comply with the policies of the development plan relating to matters of principle. Within the countryside the Delivery Strategy set out in Core Policy 2 supports new rural tourism development where compatible with the separate Tourism policies, notably Core Policy 40, and where it is specifically in conjunction with an established visitor attraction such as Longleat. In terms of economic impact, various recent reports acknowledge the shortfall in hotel provision within the county and the benefits that can accrue from such developments for the wider economy; indeed, the Warminster Neighbourhood Plan has as an objective which is to encourage the building of a quality hotel. The proposal, therefore, complies with Core Policies 39 and 41 of the Wiltshire Core Strategy and the policies of the Warminster Neighbourhood Plan in this regard, as well as the sustainable development principles of the NPPF which confirm that sustainability has social and economic dimensions as well as environmental.

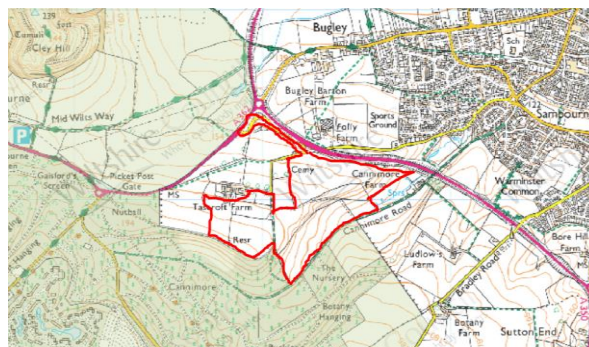
Detailed considerations

Matters of detail relevant to the consideration of the application are as follows:

- Landscape impact and visual amenity;
- Highway safety;
- Rights of way;
- Heritage assets;
- Ecology;
- Agricultural land;
- Other infrastructure (water supply and surface & foul water disposal);
- Residential amenity and tranquillity in general.

Landscape impact and visual amenity

The application site lies outside of, but adjacent to, the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act 2000 places a duty on local planning authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.



AONB (shaded green)

Core Policy 51 of the Wiltshire Core Strategy refers to landscape in general requiring development to protect, conserve and where possible enhance landscape character, with negative impacts mitigated as far as possible through sensitive design and landscaping measures. The policy requires matters including locally distinctive patterns and species composition to be taken into account, together with visually sensitive skylines and topographical features; landscape features of cultural, historic and heritage value; important views and visual amenity; and tranquillity.

The application itself is in outline form with all matters reserved except access. This said, the application does provide in the Design and Access Statement a Land Use Parameter Plan and a Scale and Massing Parameter Plan indicating the locations and scale of the planned buildings. The Plans indicate the hotel and water-park, and their associated parkland, positioned more or less centrally on the site, to the south-east of the cemetery, in 'Zone B' (the zones shown on the plans in the 'Proposal' section of this report). The height ranges of buildings in Zone B are indicated to be between 8m and 22m above ground level. The 'multi-purpose entertainment and associated parkland' and related supporting development is indicated to be located to the south-east of Tascroft Court in 'Zone B'; here the height range of buildings would be between 4m and 8m.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). It identifies the landscape and visual characteristics of the site and surrounding area, and assesses the effects of the proposed development on landscape and visual receptors, and considers mitigation measures to prevent, reduce or offset any impacts. 29 key views are considered in the visual assessment. The LVIA is considered to be a robust document which applies best practice in its assessments.

The LVIA provides baseline analysis which concludes that the open landscape in the vicinity of Tascroft Court and the cemetery is 'ordinary' with a moderate sensitivity to change. The open land to the north-east of the site ('inside' the A36(T)) is 'ordinary or poor' with moderate or low sensitivity to change. The dense woodland to the south within the AONB is 'high' quality with high sensitivity to change although this sensitivity diminishes where conifer forestry operations take place and to the east where traffic noise increases. The open land to the north-west, which sweeps upwards into the AONB and towards the Cley Hill scheduled ancient monument is assessed to be 'good' quality, reducing to 'ordinary' closer to the roads. Its sensitivity to change is moderate to high, with Cley Hill itself being 'high (national)'.

The LVIA summarises the 'landscape effects' of the proposal in the following terms:

"A development of this nature and scale on a greenfield site will inevitably bring about substantial change to the site itself, hence the Major Adverse effect at completion of the scheme. However given the moderate sensitivity of the site, the retention of existing trees, hedgerows and grassland, and allowing for the establishment of the extensive areas of new planting, it is considered that the long term, residual affect of the scheme on the application site itself will be Moderate Adverse. The valley landscape to the west of Cannimore Farm and north of Cannimore bridleway (CORY49) is valued locally and typical of the small scale, enclosed valleys described in the LCAs; noise from the A36 detracts significantly from the quality of the landscape though. The proposed hotel building and water park, while designed to take advantage of the topography to sit comfortably within its landscape, are large buildings that will permanently alter the landscape. The nature of the topography however means that the impact on the wider landscape can be contained largely within the site and close context. The proposed planting of large areas of broadleaf trees will in time ensure the buildings are well integrated and not visible in the wider landscape. The proposed planting along the north

side of the Cannimore bridleway (CORY49), with the possible addition of appropriately designed bunds, will partially obscure the development from the bridleway but the views from the bridleway over this open pasture valley will be changed to a more wooded and enclosed nature. In time the buffer planting will obscure all views of the proposed buildings but this will take a few years. The bund(s) could be designed in an informal and natural way, as a series of asymmetrical mounds of varying height, width and length, with native trees and shrubs planted on so as not to appear out of character. The existing hazel understorey along Cannimore bridleway could be coppiced on a 5 year rotation to increase lower-level density. The Longleat Estate's proposal to open up and improve the views to the south of Cannimore Track will enhance the views from the bridleway. The Estate's recent woodland and landscape management witnessed at Cannimore and its adjoining areas of woodland, where they are using the 'continuous cover' system to encourage a natural re-generation of the woodland, is certainly a landscape enhancement.

The buildings to the east and south of Tascroft Court are similar in size to the existing farm buildings. The proposal to bury the existing overhead power lines which cross the application site is a positive intervention.

Long term, residual effects on the surrounding landscape and its component features vary between Moderate Beneficial and Minor Adverse (i.e. not significant adverse landscape effects). The proposed extensive planting of broadleaf trees is significant not only in mitigating the adverse landscape effects of the proposed development but also in delivering one of the key objectives of the local Landscape Character Assessments (LCAs), i.e. softening the coniferous woodland edge to the AONB with broadleaf planting. As the scheme is in outline only, there are no detailed lighting proposals. The landscape to the west of the A36 is predominantly dark and any proposed lighting should be kept to an absolute minimum to avoid light pollution.

The loss of c.280m of hedgerow along the A362 is necessary to achieve the required road width and visibility. Just under half the length to be removed is young (probably planted c.1989) and therefore less significant. The rest is older and therefore more significant, however the entire length is to be replanted with mixed native species so the long term adverse effect is reduced. As mitigation it should be possible to transplant some sections of the hedgerow once it has been coppiced. The residual landscape effect is considered minor adverse since the same length of removed hedge will be replanted.

The cemetery itself will not be unduly affected by the proposed scheme: it is a self-contained site, surrounded by mature planting, with minimal inter-visibility with the surrounding landscape. The new planting will, in fact, enhance its position and in time enable an easy transition into the land owned by Wiltshire Council to the immediate south of the current Cemetery boundary. The proposed planting and site design will ensure the cemetery becomes more enclosed by trees and no significant residual adverse landscape effects are anticipated. This planting will also help protect the site from wind. Traffic along Folly Lane (west of the A36) will increase between the A362 and the access point to the application site. Traffic past the cemetery entrance will not increase".

The LVIA summarises the 'visual effects' of the proposals in the following terms:

"... the long term, residual visual effects of the proposed development on the representative visual receptors vary between Minor Beneficial and Minor Adverse, i.e. there are no significant residual adverse visual effects. The development will result in a number of Moderate Adverse effects in Year 1. This is not surprising given the scale and nature of the proposed scheme. By Year 15, the extensive tree planting will have

reached early maturity and in all cases Moderate Adverse effects will have reduced to Minor Adverse and in some cases, Negligible.

The site is crossed and surrounded by many public rights of way but it is surprising how well contained the site is visually. Woodland to the south (within the AONB) prevents any intervisibility with the Grade I registered park at Longleat to the south, including the Longcombe Drive entrance by Pickets Post roundabout which is part of the Grade I registered area. Trees and hedgerows in and around the site, and especially the planting along the A36 and A362, prevent visibility between the site and surrounding areas. Sensitivity of these receptors is generally high (moderated to a certain extent by road noise) but the residual effects are largely mitigated by existing and proposed planting.

The inclusion of the new permissive footpath, to replace the part of WARM66 which is proposed to be stopped up, will add 480m to the local footpath network and connect CORY48 with the currently rarely used WARM1, an old road into and out of Warminster, now evidenced as a holloway. The mature trees and hedgerow will be retained allowing for a more effective and safe management of this part of the Hotel Resort and the service road and animal access across the site to be unimpeded across two areas of the stopped section.

The proposed hotel building is a large structure: its northern elevation will be up to 22m high. The visual appraisal has shown however that it will not be seen from many of the closer receptors due to topography and existing vegetation. Where the buildings will be visible in the longer views north and east of Warminster (e.g. Cop Heap and some residential areas on higher ground in northern Warminster, also the high ground to the east of Warminster, all 3-5km away), the magnitude of change is reduced by the distance and the proposals will be seen in the context of the coniferous woodland behind; the adverse visual effect for these receptors is therefore reduced. In Year 1 the hotel building will dominate the skyline in View 27 and will obscure the woodland behind (AONB). In time however (say 15 years), the proposed woodland planting will obscure much of the hotel building in such views; indeed views will be enhanced with the introduction of much native broadleaf woodland in the AONB setting.

Where the adverse visual effect of the proposed hotel building will be greatest is in views from the south and south east (Cannimore bridleway CORY49, Cannimore Farm and footpath WARM61). The effect on these visual receptors is considered Major Adverse in Year 1. Mitigation however includes an informal bund (or series of informal, planted bunds), a wide woodland buffer along the north side of Cannimore bridleway (CORY49) and a large new area of woodland to the south east of the proposed buildings and structures. The woodland will take a few years to establish but in time the proposed development will not be visible from these public rights of way. This may take at least 15-20 years to mitigate the adverse visual effects on visual receptors on higher ground, e.g. View 11 (footpath WARM61). The nature of the landscape will have changed and the views over the open valley will be changed to a wooded landscape, hence the minor adverse residual effects for these receptors”.

The outcomes of the LVIA assessment are agreed. The LVIA properly demonstrates that in the long term the proposed development can be accommodated on the site without significant adverse landscape and visual effects. The two adjacent roads with their roadside planting, and the dense woodland to the south, are strong, existing physical features in the landscape which restrict the potential for significant adverse landscape and visual effects. In combination with the lie of the land and new landscaping, including many broadleaf trees as proposed, the medium to long term outlook is for largely screened local views (from the Cannimore Road in particular), and broken or glimpsed views only from further afield (from Cley Hill and limited parts of Warminster, to its north-east only). The planned planting-out of

large areas of broadleaf woodland would enhance the local landscape, especially at the edge of the AONB.

Landscape impact and visual amenity – building heights

With particular reference to proposed building heights, the broad ranges, in particular for the hotel element, must be considered with due regard to the changes in levels across the existing site – notably, the maximum 22m height would be where ground levels are falling away into the Cannimore Valley, and so would be ‘read’ against this hillside in views from the valley. It also follows that in distant views from the north and west (notably from Cley Hill) the highest parts of the hotel building would actually read as being no greater than c.16-18m above the higher land lying in-between. This is explained in the applicant’s additional ‘Tascroft Clarification and Landscape Note’ in the following terms:

“Front/hotel arrival side (northern elevation) as approached from the North of Folly Lane:

The main Hotel building is identified with a maximum height parameter of 22m at its roof ridge line, which is informed by the extent of accommodation (rooms, restaurants, conference facilities, back of house, water park etc.) that is required to deliver a facility of this scale. The DAS contains some indicative sketches which provide some of the informed thinking, but it is important to note the design is not part of this submission so the architectural language, materials, scheme layout will be considered at that stage.

The enclosed Indicative Masterplan [below] is now overlaid with the contour heights labelled in meters AOD to best show the topography of the site and show that the main hotel building (i.e. at its lobby/ entrance) will be sited approximately 90m to the south (beyond) and below the ridgeline that is shown in blue on this plan.

This ridge line is 225m from the entrance of the Hotel Resort at Folly Lane. The main hotel building sits approximately 4.00m – 6.25m lower than the ridge line (shown with the blue dotted line). The maximum building height is sited at 22m above ground level between the +160-162.5m AOD contours on this indicative plan. As a result, the front elevation of this main hotel building will be partly concealed beyond and below this ridge line when approached from Folly Lane”.



Masterplan with contours

Additionally, and as already set out in the quotes from the LVIA, the height of the buildings in these important views from the north and the west would be at some considerable distance, screened to a larger extent by the existing and proposed landscaping. It follows that there would be not be adverse effects on these views.

Considering the views from the south and east, those that are critical are more local – specifically from Cannimore Road (track). Here the full 22+m height of the proposed hotel would be visible when viewed from inside the site; but from the track itself, existing and proposed local screen-planting would ultimately reduce the views to glimpses only. On this the applicant's additional 'Tascroft Clarification and Landscape Note' states the following:

"Cannimore Track perspective (southern elevation):

The lobby/main entrance building is envisaged to be seen to sit comfortably on the slope with additional split levels for the restaurant and outside terracing/open space, reducing the massing of the building. In reality, the views from Cannimore Track will be very limited due to the landscaping and planting".

Together the LVIA and the Tascroft Clarification and Landscape Note confirm the overall acceptable impacts of the proposal on landscape and visual amenity in general.

Landscape impact and visual amenity – conclusions

The proposal is, therefore, considered to meet the requirements of the landscape policy of the Core Strategy as well as the statutory duties arising from the Countryside and Rights of Way Act in that the landscape and visual amenities of the site and its wider setting would be conserved and/or enhanced without significant adverse landscape and visual effects, this in the medium to long term as the planned expansive landscaping matures.

Highway Safety

Core Policy 60 (sustainable transport) of the Wiltshire Core Strategy seeks to reduce the need to travel, particularly by car, by planning developments in accessible locations, promoting sustainable development alternatives, maintaining and selectively improving the local transport network, and assessing and (where necessary) mitigating the impact of new development on transport users, local communities and the environment. Core Policy 61 (transport and new development) requires a Transport Assessment in certain circumstances, and this must demonstrate that the needs of all transport users are taken into account. Core Policy 62 (development impacts on the transport network) requires new development to provide appropriate mitigation to offset any adverse impacts on the transport network. Core Policy 64 (demand management) requires demand management principles to be applied to new developments (for example, parking standards and control measures).

The NPPF supports a proportionate approach to promoting sustainable transport. At paragraph 29 it states that transport policies have an important role to play in facilitating sustainable development, but it also recognises that "... *different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas*". Paragraph 32 states that all developments that generate significant amounts of movement should be supported by a Transport Assessment, and that this should consider opportunities for sustainable transport depending on the nature and location of the site; safe and suitable access; and improvements to the transport network that cost-effectively limit the significant impacts of development. The NPPF points out that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*", (paragraph 32).

The planning application is accompanied by a Transport Assessment (TA) and related addendum (addressing points raised by Highways England and WC Highways); and there is also a Road Safety Audit and Framework Travel Plan. Although an outline application, access is to be considered at this stage. Consequently the application particulars include detailed drawings for improvements to the Folly Lane/A362 junction and the Folly Lane/Tascroft road junction, and potential improvements to the Cley Hill roundabout, as set out in the 'Proposal' section of this report.

The TA uses data based on week-long automated traffic counts carried out in June/July, August and November 2016 on key roads within the locality, and also manual counts on 1 July and 29 August 2016 to determine peak flow times. Data used in other TA's relating to the West Warminster Urban Extension (WWUE) has also been used to inform the analysis. All of the data enabled peak traffic flow scenarios to be understood, and then predictions to be made on the likely effects of the proposals on these, including when sensitivity is applied. Peak 'scenarios' that were tested are:

- 2019 + committed development (reference case)
- 2019 + committed development + proposed development
- 2029 + committed development (reference case)
- 2029 + committed development + proposed development

The TA sets out a number of assumptions as to how the hotel and its facilities will operate, this informed in part by a wider feasibility study undertaken by LEL. The assumptions are considered reasonable. Key assumptions, which are factored into the TA analysis, include the following –

- *"The annualised average occupation of the hotel is predicted to be 79.3% in its fifth (first stable) year of operation. This is taken to apply on weekdays including Fridays. Peaks in the summer, at Easter, Christmas and half terms will be higher, possibly as high as 95% to 98% by the first stable year. The sensitivity test assumes 100% occupation, which is not normally achievable;*
- *Normal water parks have 2.7/2.8 guests per car but the Longleat Hotel Resort will be family orientated and the water park used primarily by its hotel guests. As such, it is normal to expect each family unit (circa 3-4) to travel in one car;*
- *When the hotel is full it would be expected that there will be no availability for off-site guests to the water park. This is easily managed as all off-site access will be pre-booked on-line.*
- *LEL accepts the assumption that 80% of hotel guests travelling to Longleat will do so by car. However, the intention of the hotel will be to enable guests, who would otherwise return home, to stay and extend their visit over two/three days. Furthermore, the current level of Longleat visitors (just under 1 million in 2016) are already counted as travelling two ways on the same day within the existing traffic count data.*

In contrast, once the hotel is open, they will be able to take advantage of the convenience the hotel affords, coupled with early and late access to Longleat, to combine their journey to or from the area with a visit to Longleat. This will have two beneficial impacts on traffic, first by encouraging travel outside peak periods, and secondly, by combining trips associated with the hotel and Longleat. Neither of these

benefits has been accounted for in the traffic analysis by discounting trips, due to the difficulty of quantifying the impacts based upon evidence”.

The outcomes of the TA analysis are considered below.

Folly Lane / A362 junction -

The results of the analysis for this junction are that the existing and proposed arrangements would have adequate capacity in all the above scenarios. Improvements to this junction and related bus lay-bys are proposed in any event, and a condition requiring these to be implemented is recommended accordingly.

A36(T) / A360 junction (Cley Hill roundabout) -

The analysis of this junction set out in the TA Addendum states the following:

“Although the ARCADY software authors advise against calibration using single day data, responding to a request from HE, the analysis for the Cley Hill roundabout has been specifically calibrated against traffic count and queue length data obtained on Friday 1st July 2016.

The updated analysis for the Cley Hill roundabout indicates that if all the WWUE committed development traffic was on the local network in the predicted year of opening for the Tascroft development, 2019, the junction would be at or close to capacity in the PM peak hour on a summer Friday. However, no mitigation measures have been sought by HE to improve Cley Hill roundabout as a result of the WWUE proposal, despite the evidence to suggest that these proposals would have the above effects on capacity.

With the addition of the Tascroft development traffic in the operational scenario, additions to the queues are predicted to form on the A36(T) northbound and A362 approaches. Potential improvements at the Cley Hill roundabout have therefore been considered and are illustrated on Figure A2 [the third junction improvement drawing set out in the ‘Proposal’ section of this report]. While the potential improvements to the A36(T) northbound and A362 entries can be described as modest, they are effective in significantly increasing the length of two lanes on both approaches.

The results for the improved layout are presented for the operational scenario and demonstrate that the modest improvements significantly improve the performance of the roundabout. Comparison with the results for the unimproved layout demonstrate that the improvements would fully mitigate the impact of the Tascroft development operational scenario traffic in all but the Bank Holiday Monday tests, resulting in significant benefits to all road users.

The equivalent results for the sensitivity test, first with an unimproved roundabout and then with an improved roundabout, are presented Again, the results demonstrate that the potential improvements would significantly improve the operation of the roundabout, the with-development test showing the roundabout operating significantly better than in the without development and without improvement tests. In particular, it can be seen that with the improvements, the A36(T) entries would operate within capacity for all scenarios.

In 2019, in the with-development test of the improved layout, the A362 entry is predicted to operate just over capacity in the summer Friday peak but, in comparison with the unimproved layout, conditions are predicted to be significantly improved.

In summary, the potential modest improvements at the Cley Hill roundabout would more than mitigate the impact of the proposed Tascroft development resulting in significant benefits for all road users (including those associated with the WWUE)”.

Subject to a final response from Highways England, these conclusions are agreed, and a condition is recommended accordingly to action the improvements to this junction. Notably the modest improvements at the Cley Hill roundabout would more than mitigate the impact of the proposed Tascroft development resulting in significant benefits for all road users (including those associated with WWUE), including in the ‘extreme’ Bank Holiday additional traffic scenario.

Regarding the August Bank Holiday Monday extreme scenario, the TA Addendum states the following, which is agreed:

Department for Transport (DfT) Traffic Advice Note TA 23/81 provides advice on Junctions and Accesses: Determination of Size of Roundabouts and Major/Minor Junctions. At section 4.2 it advises on the choice of traffic flow rates to be used in assessing junction layouts – the Design Reference Flows - and paragraph 4.2.4 advises:

‘It is most unlikely that a junction designed to carry the very highest peak hourly traffic flows in a future year will prove economically viable’.

At paragraph 4.2.5 it also advises:

‘The highest hourly flow that would typically generate viable junction options on recreational roads, where the traffic flows are much greater during the high season than at other times of the year, might be the 200th highest hour, some congestion and delay being almost inevitable during the exceptionally high peak’.

On this basis, it is clear that DfT does not expect its roundabouts, including the A36(T)/A362 Cley Hill roundabout, to be designed to cater for the highest peak flows and accepts that congestion may occur at these times. Hence, any congestion identified in the assessments provided for the capacity of the assessed roundabouts on August Bank Holiday Monday should not be seen as a basis on which to require mitigation. Arguably, the same might be said of the summer Friday peak assessments ...

At the time of writing Highways England is still considering the Transport Assessment Addendum and offered improvements to the Cley Hill roundabout. The recommendation, therefore, reflects this situation.

Picket Post Roundabout -

The TA analysis concludes that this junction has sufficient capacity to cater for all the forecast 2019 and 2029 scenarios, and this is agreed by WC Highways.

Regarding WC Highways continuing concerns, and the objection raised by Corsley PC, problems experienced at the Picket Post roundabout are generally attributable locally to Center Parcs traffic on change-over days tailing back from the entrance to Center Parcs on Horningham Road. The capacity of the roundabout itself does not limit movements in the vicinity.

Center Parcs is a tenant of LEL. However, LEL does not have any control over Center Parcs policies or approaches to managing its change-overs. As LEL’s proposed hotel ‘product’ is different to that of Center Parcs (which offers a week long, ‘holiday village’ concept) it should not aggravate the problems referred to in any event as change-overs and

other traffic movements would be managed to avoid conflicts. On this the Transport Assessment Addendum states the following:

“LEL accepts the assumption that 80% of hotel guests travelling to Longleat will do so by car. However, the intention of the hotel will be to enable guests, who would otherwise return home, to stay and extend their visit over two/three days. Furthermore, the current level of Longleat visitors (just under 1 million in 2016) are already counted as travelling two ways on the same day within the existing traffic count data.

In contrast, once the hotel is open, they [guests] will be able to take advantage of the convenience the hotel affords, coupled with early and late access to Longleat, to combine their journey to or from the area with a visit to Longleat. This will have two beneficial impacts on traffic, first by encouraging travel outside peak periods, and secondly, by combining trips associated with the hotel and Longleat. Neither of these benefits has been accounted for in the traffic analysis by discounting trips, due to the difficulty of quantifying the impacts based upon evidence.

Staff hours and shift changes for a Hotel Resort of this type are varied and rarely correlate to peak hours travelling to and from work.

LEL accepts that, for simplicity in the analysis, it is reasonable to assume that hotel departures to local activities will occur equally over the two hours commencing 09.00. However, in practice LEL expect that those not taking advantage of early access to Longleat, and therefore departing after 10.00, will be spread over a longer period. The assumption is that those that have the chance to be early and want to do so, will take it. Meanwhile, those who don't, will not go to Longleat when it opens to the general public at 10.00 but will take advantage of its proximity and other attractions at the Hotel Resort (the water park and animal encounter) to choose a time of going to Longleat that suits them. Similarly, on the assumed return to the hotel (16.00 – 20.00), guests staying on the middle day of a two day stay are likely to have a flatter arrival and departure profile from Longleat, as they can be expected to stay later to take advantage of late access to Longleat and the proximity of their accommodation”.

So to summarise, the model envisaged by LEL for the new hotel and facilities can reasonably be described as being different, or more 'flexible', compared to that of Longleat House and the safari park itself and the existing Center Parcs development. By allowing guests to come and go at times which suit them – to both check-in and –out, and to, for example, visit Longleat House and the safari park potentially at earlier or later, or just different, times than 'conventional' day visitors – LEL will be able to manage its traffic entering and leaving the wider road network in a less deleterious way than perhaps the Longleat house and safari park and Center Parcs do presently. This self-regulation can reasonably be expected to avoid putting high volumes of additional traffic on to the wider road network during critical times, such as during the narrow Center Parcs change-over slots. For these reasons the conclusions of the Transport Assessment Addendum on this point are accepted. It is anticipated that the approach to self-regulating hotel traffic by LEL makes a planning condition for a transport management plan (or similar) unnecessary.

Highway Safety – other matters

In terms of parking provision, the development would meet the standard with a total of 575 spaces. Detailed design of the car park is a matter for the reserved matters process.

Regarding sustainable links with Warminster, the application includes proposals to improve the surface of Cannimore Road (track) to enable improved pedestrian and cyclist access to the site. Other suggested options, such as a cycle path via Victoria Road / A362 are

considered unworkable and/or unreasonable in the context of the tests for conditions and planning obligations.

Highway Safety – Framework Travel Plan

The application is accompanied by a Framework Transport Plan (FTP). It sets out the various options for accessing the site, in particular those which offer alternatives to the car. It demonstrates that a good proportion of the west side of Warminster town is readily accessible to the site on foot or by pedal bike, this via public footpaths and bridleways, notably Cannimore Road (track). To this end part of the proposal is to provide an improved, hardened surface to part of Cannimore Road (track). The FTP further demonstrates the reasonable proximity of the site to an established bus route and stops – no. 53 – which in turn provides access to Warminster railway station.

The 'Strategy' set out in the FTP includes the appointment of a travel plan coordinator to oversee promotion of the alternative transport options via travel information packs for employees and guests, notice boards, web information, etc.. There are also options set out for shuttle buses for guests and staff. Overall the FTP is considered to be sound, and a condition is therefore recommended for its strategy to be implemented and monitored. It is not considered that a planning obligation is necessary to achieve this.

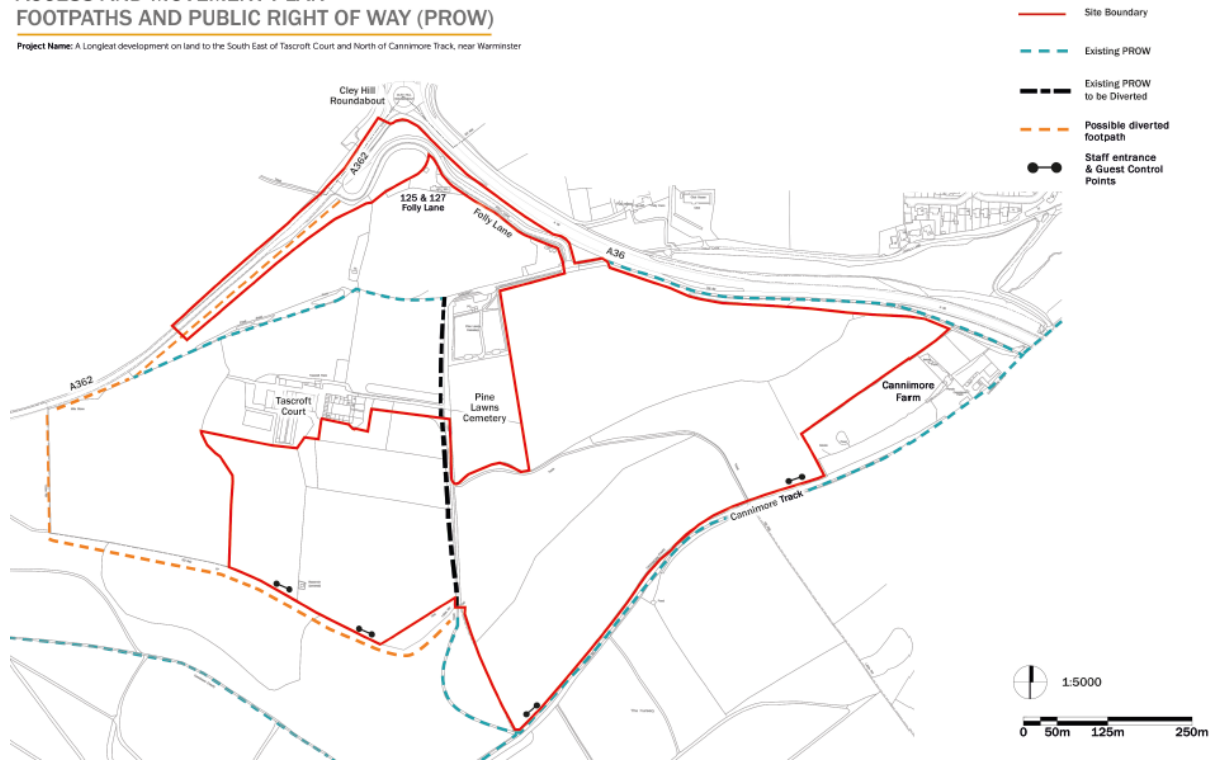
Rights of way

There are various public rights of way in and around the application site. They are affected by the proposal in the following ways (and as illustrated in the following plan):

- Footpath WARM66 is the only public right of way passing through the site. This is in a north-south direction (from Tascroft road/the cemetery to Cannimore Road ('track') (bridleway CORY49/WARM65)). It is proposed to permanently stop up footpath WARM66 (coloured black on the plan) and maintain connectivity by creating new footpath links to the west of the site (coloured orange), effectively linking Folly Lane with Cannimore Road, with connection also to WARM1.
- Cannimore Road/track (bridleway WARM65) runs along the south of the site. It is proposed that this route may be used by members of staff on foot or cycle to access a rear entrance, via bridleway WARM63 and Folly Lane. An unbound surfacing material may be applied from the A36(T) underpass to the rear entrance.

ACCESS AND MOVEMENT PLAN FOOTPATHS AND PUBLIC RIGHT OF WAY (PROW)

Project Name: A Longleat development on land to the South East of Tascroft Court and North of Cannimore Track, near Warmminster



Public Rights of Way Proposals

The WC Rights of Way Officer raises no 'in principle' objections to these proposals, subject to the separate process for stopping-up / diverting WARM66 being followed. The outcome of this process cannot be predicted.

On the stopping-up of WARM66, a separate approval process under planning or highways legislation is required. Without prejudice to this process, in isolation the proposed alternative new route would be longer than that existing when only moving between Tascroft road and Cannimore Road. However, the alternative route includes another connection between the Folly Lane / A362 junction and WARM1 (adjacent to the A362), and then the link to Cannimore Road, and so in the context of the wider rights of way network would provide improved overall connectivity. The new route would also be both attractive and safe for users. In the context of this planning application the proposed changes to the network are, therefore, considered to be acceptable.

Applying an un-bound surface to part of Cannimore Road (WARM65) is acceptable, subject to details being agreed.

Changing the status of footpath WARM92 to a cycleway would require separate legal processes to be followed, and it is not considered reasonable or necessary to require this on the back of this planning application.

Agricultural land

The application site presently supports open fields used for grazing of farm animals and horses and/or crops. The proposal would result in the loss of these fields and their related uses.

Paragraph 112 of the NPPF requires the economic and other benefits of the best and most versatile agricultural land to be taken into account. It states that where significant

development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. Agricultural land is classified in six grades – 1, 2, 3a, 3b, 4 and 5. Grades 1, 2 and 3a are the higher quality classifications – grade 1 being ‘excellent quality’, grade 2 ‘very good quality’, and grade 3a ‘good quality’.

The application is accompanied by an Agricultural Land Classification report which sets out the results of recent testing of the land. The results show that approximately 21.20 ha are grade 2, 7.53 ha are grade 3a, 1.37 ha is grade 3b and 3.74 ha are grade 4 (with a further 2.16 ha in non-agricultural use). There is no grade 1 or grade 5 land.

In conclusion the report states the following:

“Whilst a significant proportion of the site would be classified as ‘best and most versatile land’, this is in keeping with surrounding land in Warminster. A review of the West Wiltshire Local Plan 1995 ALC found that a matrix of grades 1-4 were present in the surrounding areas, with approximately 50% of agricultural land surveyed classified as ‘best and most versatile’.

Furthermore, the principal hard or built development is centred around the area of grades 3b and 4, as highlighted by the ‘Scale and Massing Plan’, with the majority of construction taking place directly on or adjacent to this ground. Whilst a change of use will be constituted on areas of ‘best and most versatile’ ground, an irreversible loss to agriculture would not occur on 18.2 hectares (51%) of the proposed site. This is due to new and enhanced strategic landscaping and retained green space or parkland, as per the ‘Proposed Land Use Plan’.

The impact of the loss of areas of ‘best and most versatile’ agricultural land must be balanced against the economic benefits of providing the proposed hotel and other facilities on the site. In this instance the necessity to evolve the Longleat ‘product’, the recognised need in Wiltshire for additional hotel facilities, and the wider benefits to the economy arising from visitor spend and new employment are considered to tip the balance in favour of the proposal, this notwithstanding the loss of the land from agriculture. Also relevant is the extent of other ‘best and most versatile land’ in the wider area and the resulting limited opportunities to deliver the development on lesser quality land. In the context of the NPPF the proposed development is considered to be ‘necessary’ with its economic and other benefits outweighing the loss of the agricultural land.

Heritage assets

Core Policy 58 (ensuring the conservation of the historic environment) of the Wiltshire Core Strategy states that new development should protect, conserve and where possible enhance the historic environment.

Paragraph 132 of the NPPF states that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation; and the more important the asset, the greater the weight should be. Substantial harm to or loss of designated heritage assets of the highest significance (notably here, scheduled monuments) should be wholly exceptional.

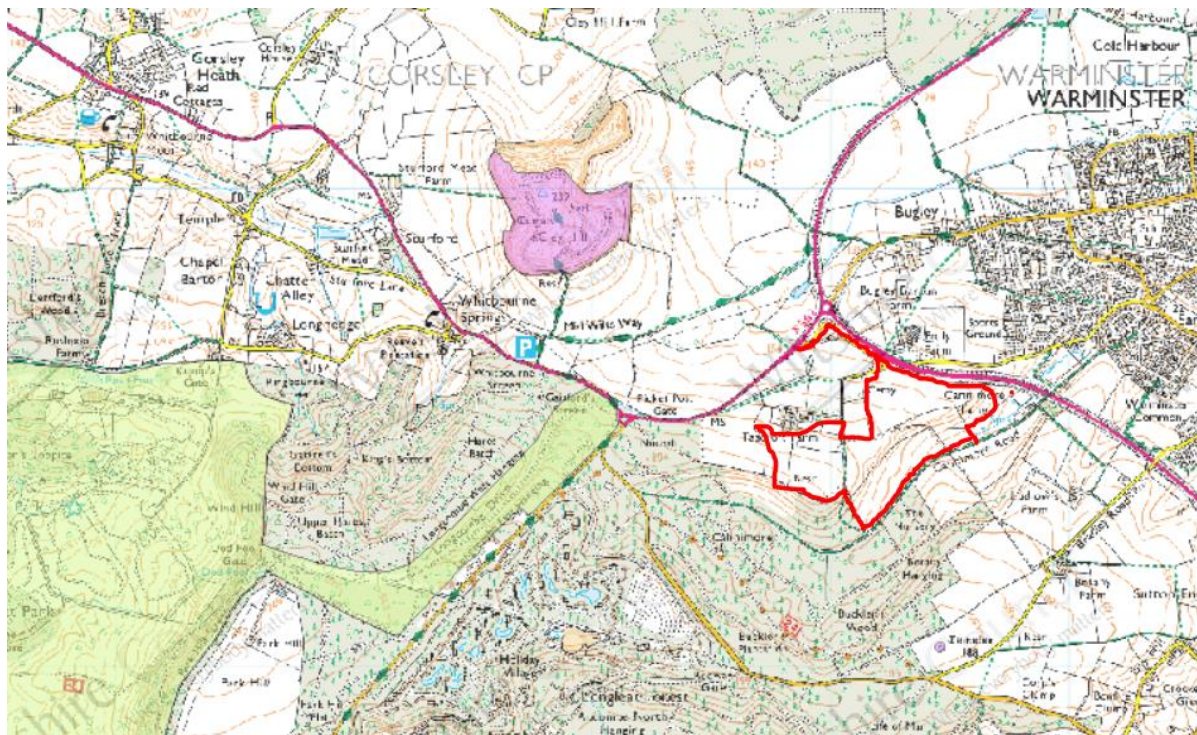
Paragraph 133 states that where a proposed development would lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that, in particular, the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 134 states that 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. Paragraph 135 continues that the effect of an application on the significance of a non-designated heritage asset should be taken into account and a balanced judgment made.

Historic England defines significance as “*the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting*”. Setting is defined in the NPPF as “*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*”.

The application is supported by an Archaeological and Historical Assessment. It identifies the archaeological potential and historical significance of the site, its buildings and other heritage assets, and the likely impact of development on that potential and significance. Designated heritage assets in the vicinity of the site include a listed 19th century milestone alongside the A362, and slightly further afield the Cley Hill Scheduled Monument and the Longleat Registered Park and Garden. The setting of Cley Hill is defined locally by its prominence in views inwards from public roads and other rights of way; the monument continues to dominate these views. Its setting looking outwards is also dominated by mainly open and lower-lying countryside although with Warminster town as a distant backdrop to its east side, and the woodlands and forestry plantations of Longleat similarly distant to its south and south-east sides.



Designated Heritage Assets – ‘MS’: listed milestone; shaded mauve: Scheduled Monument; shaded light green: Longleat Registered Park & Garden

Un-designated heritage assets include a lynchet (a ridge formed by ploughing a hillside) on the site and other man-made topographical features (ditches, etc.) off-site, and the traditional dwellings in Folly Lane and Cannimore Road. There may also be 'hidden', or unearthed, archaeology, but this is unknown.

In terms of the likely impacts on the heritage assets the Archaeological and Historical Assessment states the following:

“The impact of the proposed development on 'heritage assets' is potentially two-fold: (1) material change to archaeological remains; and (2), change to the setting of monuments and historic buildings. Whilst the application site adjoins one Listed Building and several non-designated historic buildings, these would remain materially unaffected by the development, so the potential impact on them is one of 'setting' only. Similarly, whilst there is a second Listed Building within the study area at Bugley Barton Farm, it is distant and separated from the application site by the A36 and not intervisible with it. No one's experience of Bugley Barton Farm house would be affected by the development. Material change to archaeological remains would be restricted to construction of the hotel along the north slope of Cannimore Bottom. This would occupy and remove most of the lynchet. The lynchet is not a visually significant or good example of this type of monument and it is unlikely to encompass interpretable archaeological remains such as those derived from settlement or burial. The archaeological impact of this would be negligible, or 'less than substantial' to use the terminology of the NPPF.

The impact of the development on the setting of 'heritage assets' such as monuments, designed landscapes and historic buildings is less easily assessed, primarily because the development would incorporate woodland planting that would screen the site from external view and blend-in with the existing woodland background, but also because setting is essentially subjective and dependant on the 'experience' of the beholder. Three classes of Heritage Asset are potentially affected by the proposals: (a) Longleat Park, (b) Cley Hill, and (c) the non-designated historic buildings at Tascroft Court, Folly Lane and Cannimore Track.

(a) Longleat Park. The development would not encroach upon or be intervisible with any part of the Registered Historic Parkland, most of which is geographically and aesthetically separate from the surrounding farmland and the application site. The nearest element of the parkland to the application site - the northeast end of Longcombe Drive, which is one of the vehicular entries to the parkland – lies approximately 750m west of the westernmost end of the application site at Picket Post roundabout, where it is marked by large three-dimensional multi-coloured signage. Because of the natural relief and dense woodland surrounding the parkland, the entrance to Longcombe Drive is not intervisible with the application site. Whilst visitors to the park from the A36 would pass the entrance to the development, the new buildings and infrastructure would remain hidden by landscape, the existing buildings of Tascroft Court and the dense woodland of Longleat. It is unlikely that visitors would notice the new entrance and their experience of Longleat would not be affected by it. There would be no impact on the setting or significance of Longleat Park.

(b) Cley Hill. The development would not encroach upon Cley Hill or the fields surrounding it. The animal compounds and associated woodland forming the northern and western half of the development would be intervisible with Cley Hill. As these would be essentially agricultural and low density in character, these would not affect views from or to Cley Hill deleteriously. The hotel and water park would be contained predominantly within Cannimore Bottom, most of which is not intervisible with Cley Hill. It is possible that the roofline of the hotel would be visible from Cley Hill and that it might fall within views to Cley Hill from the southern approaches along the A36, subject to detailed

design. However, given the existing character and extent of Tascroft Court and the farm and residential buildings already established along the western edge of Warminster, it is unlikely that most people would notice the change or have their experience of Cley Hill affected. The rural landscape and setting of Cley Hill would remain essentially unaffected by this development. There would be slight change, but it would be 'less than substantial'.

(c.) Non-designated heritage assets at Tascroft Court, Folly Lane and Cannimore Track. The development would not materially affect any of the non-designated historic buildings at Tascroft Court, Folly Lane or Cannimore Track. It would encroach upon them by modifying the vehicular approach along Folly Lane; by establishing the animal compounds and woodland planting south of Tascroft Court; and by construction of the hotel and water park in Cannimore Bottom. Modification of the vehicular approach along Folly Lane and establishment of the animal compounds and woodland planting south of Tascroft Court would be consistent with recent highway and farm management history here. There would be change, but the essential character, principal views and experience of these entities would not be affected deleteriously. It would constitute 'less than substantial' change to the setting of these entities and, thereby, their significance. Construction of hotel and water park in Cannimore Bottom would be a more concrete change, but one that would not encroach within 200m of the farm house. More distant views from along Cannimore Track to and from Cannimore Farm house would be affected, but the appearance and experience of the farm buildings and their immediate rural setting would remain essentially unaltered. This would constitute 'less than substantial harm'.

In summary, it would be reasonable to conclude that, whilst the proposed development would change discrete elements of the landscape around Tascroft Court, those changes would constitute 'less than substantial harm' to the material fabric, setting and, thereby, significance of affected heritage assets”.

These impact assessments are broadly agreed.

In relation to the listed and other traditional (un-designated) buildings, their degree of separation from the site, and the extent of existing and/or proposed landscaping at the site would ensure that the 'less than substantial harm' caused to their settings is at the lesser end of this spectrum; and that, in any event, the public benefits accruing from the proposal, primarily in terms of its sustainability, outweigh the less than substantial harm. No harm would be caused to the registered park and garden which effectively finishes where the wide forestry plantations between it and the application site start. The setting of the listed milestone is limited to its roadside proximity and related functionality, and this would not change as a consequence of the proposals.

Regarding the Cley Hill Scheduled Monument, less than substantial harm would be caused to its setting although, again, in view of the separation between it and the application site, the indicated locations of new buildings and related landscaping on the site in the application particulars, and the juxtaposition of these new buildings with existing development close-by, it is not considered that the less than substantial harm is sufficiently significant to justify a refusal decision, particularly in view of the public benefits accruing from the proposal in any event. The proposals would not greatly change the circumstances of the existing setting of Cley Hill, which to its south-east side is dominated by the areas of long established woodland on the Longleat Estate; the intended extensive landscaping as part of the development would maintain this setting and so ensure a neutral impact on the asset. Notwithstanding the concerns expressed by Historic England, under the circumstances described above, the level of detail in the outline application (notably on the Proposed Land

Use Plan and the Scale and Massing Plan, and in the Design and Access Statement) is sufficient, or suitably 'proportionate', to enable these conclusions to be reached.

Regarding potential un-earthed archaeology, the WC Archaeologist has expressed the view that a field evaluation of the site should be carried out in advance of any grant of planning permission. The applicant will not agree to this at this time, relying on the findings of the 'desk-based' assessment in the Archaeological and Historical Assessment which concludes that the site is unlikely to encompass significant interpretable remains. The Assessment states the following:

“Examination of publicly accessible archaeological and historical sources, together with visual survey, suggests that the parcels of land south and south east of Tascroft Court and north of Cannimore Track on the western edge of the parish of Warminster are unlikely to encompass significant interpretable archaeological remains”

And more particularly

Whilst the spatial distribution of unstratified artefacts is undoubtedly skewed by the estate's embargo on metal detecting on its land, resulting in an apparent dearth of material from the application site, the majority of the material found across the western areas of Warminster and adjoining parishes is consistent with 'casual discard' or manuring and does not necessarily indicate areas of settled or prolonged cultural activity. The comprehensive investigations at Folly Farm have demonstrated this. Notwithstanding the proximity to Cley Hill and the unconvincing enclosure cropmark southeast of it, there is no prima facie archaeological evidence for settled activity of prehistoric date within or adjoining the site.

A possible exception is the curved field boundary west of Tascroft Court. This boundary was established by 1760 and likely to have been created during early private enclosure of the land during the Post-medieval era and prior to the intense cultivation that followed it. It is atypical for the site in not being rectangular or determined by topography or land use, which means it must have been diverted around a landscape feature that is no longer visible. It is also the only field to be named in the estate's 18th century archives, which suggests a particular and greater antiquity of use. The origin of the placename is not known, but Gover suggests the element 'Tas' in other placenames derives from the Anglo-Saxon 'taese', meaning 'convenient'. As Anglo-Saxon boundaries invariably utilised landscape features such as prehistoric burial mounds or linear earthworks for permanence and ease of reference, it is not impossible that the curved western boundary of 'Tascroft' is respecting a now-flattened monument, possibly a burial mound/barrow, that the Saxons found 'convenient' as a boundary marker. If so – and this could only be corroborated by evaluation – the monument is constructed of unstable siliceous soils and likely to have been severely degraded by millennia of cultivation. Its archaeological potential and significance would be only 'moderate' and would be derived from its material fabric and spatial layout only.

The artefactual material recovered from the eastern aprons of Cley Hill, is qualitatively and quantitatively different from that recovered from the rest of the study area and it is likely that it indicates the presence of a farmstead or villa of Roman date. As such establishments were often situated on, or derived from, native Iron Age settlements, it is possible that the material derives from a chronologically complex settlement site. Such settlements were relatively small in spatial extent and widely spaced geographically. So, while it is possible that outlying features such as field boundaries or cemeteries extended into the application site, it is unlikely that settlement remains per se do. Notwithstanding the collection bias in the HER data, it is unlikely that the site encompasses significant interpretable remains of later prehistoric or Romano-British date.”

Paragraph 128 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting, with a level of detail proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on the significance. The paragraph further states that in doing this as a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise. It concludes by stating that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

In this case it is considered that the desk-based assessment presented by the applicant provides a complete and thorough examination of the site's archaeological potential, with soundly drawn conclusions that it is unlikely to present any meaningful remains. Consequently a condition requiring field evaluation prior to commencement is recommended rather than requiring this to be undertaken prior to the grant of planning permission. Notwithstanding the assessment's 'limited potential' conclusions, should the field evaluation latterly find anything then there is scope at the reserved matters stages to 'move', or adjust, elements of the planned development in any event, this in view of the large areas within the site where no development is planned. This circumstance of the site further de-risks the archaeology issue and stands the site apart from other sites where 'normal' comprehensive development makes such flexibility difficult.

Other infrastructure

Core Policy 67 (flood risk) of the Wiltshire Core Strategy states that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

The application is accompanied by a Flood Risk Assessment and a Drainage Strategy which covers both surface and foul water discharges. At the request of the WC Drainage Engineer the site has also more recently been subject to infiltration testing – to demonstrate the ability of the site to manage water run-off – and the Drainage Strategy has been updated to reflect the results.

The circumstances of the site in terms of risks of flooding are set out in the Flood Risk Assessment. The Drainage Strategy sums them up in the following terms:

“From the Flood Risk Assessment (FRA) ref. “036109 Longleat Tascroft – Flood Risk Assessment” the development has identified that the proposed development is located within Flood Zone 1, considered to be at a low risk of fluvial flooding. All other sources have also been identified to be at a very low to low flood risk with the exception of localised areas of low and high risk for surface water flooding along Cannimore Stream and Folly Lane (A362) respectively with the remainder of the site being at a very low risk. It also demonstrated that construction of the development will introduce flood risks to the new buildings in the form of surface water runoff on steep slopes that will need to be mitigate by appropriate interception drainage.

The FRA concludes that large areas of the site are not at risk from flooding leaving lots of potential to mitigate and reduce the developments impact to off-site areas through the implementation of a sustainable drainage strategy”.

Informed by the Flood Risk Assessment, the Drainage Statement says the following in relation to surface water run-off:

“The proposed development currently consists of largely greenfield site, which drains in two directions; named as the north sub-catchment across the A36 and southeast sub-catchment towards Cannimore Stream. The existing, greenfield, site run-off rate for the site, for the 1 in 100 year event, is 5.55 l/s/ha.

The proposed development site within the red line boundary is approximately 36ha, of which it is proposed that only 6.45ha will be developed as areas of hardstanding. This increase in hardstanding will result in an increase in runoff from the site. Infiltration tests have been performed on site indicating relatively good infiltration rates. Therefore, the drainage strategy proposes that all surface water runoff is allowed to infiltrate to the ground via infiltration techniques and no runoff is discharged off the site. Reducing the rates of runoff to zero (for events up to the 1 in 100 year event) will help alleviate known surface water issues downstream of the site at Cannimore Farm and Cannimore Stream to the east of the A36.

To achieve the above discharge restrictions, infiltration and attenuation measures are proposed. Discharge will be achieved through infiltration devices such as infiltration basins, infiltration trenches or soakaways and permeable pavement above underground soakaways”.

And, in relation to foul water the strategy states the following:

“No public foul water sewers exist on the site and a new system will therefore need to be constructed for the proposed development. It is anticipated that the proposed development will generate approximately 0.6Ml/day of foul water, equating to an average flow of 7l/s. The new sewer will follow the topography of the site to drain foul water via gravity to a common low point on the southern boundary of the site, with small scale pumping stations being employed as necessary where gravity sewers are non-viable.

At the common low point there are four options for discharging foul water from the site have been identified. Of the four, two of these are considered the most viable, both of which require connection to the public sewer that serves Centre Parcs along Bradley Road; Wessex Water have confirmed at this stage that the capacity of their system is unlikely to need upgrading. Further consultation will be required with Wessex Water to ascertain which of the two routes is best not only for the site, but whether benefits can also be gained by developing the foul water connection concurrently with other developments to the west of Warminster”.

The final response from the WC Drainage Engineer was not available prior to completion of this committee report. But on face value, the surface water strategy confirms that run-off from the site can be managed on site to minimise the risks of surface water flooding to both the site and to the surrounding area. Indeed, by managing run-off on site the strategy expects the development to significantly reduce, or even eliminate run-off rates leaving the site, to the betterment of the wider environment. The attenuation techniques are likely to include infiltration basins or trenches for building roofs, permeable pavements with underground soakaways for car parks, and trenches for access roads. Where surface water has the potential to come into contact with pollutants such as roads and car parking areas pollution prevention methods would be employed to improve the water quality prior to discharge such as oil interceptors.

Options for workable foul water systems have been presented, and are agreeable to Wessex Water.

Ecology

Core Policy 50 (biodiversity and geodiversity) of the Wiltshire Core Strategy requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features will be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long term; and where they cannot be retained, removal or damage will only be acceptable where the impacts have been mitigated. More specifically, Core Policy 69 (protection of the River Avon SAC) requires new development to incorporate measures during construction and operation to avoid and prevent pollution and to mitigate potential disturbance effects. Where additional sewage discharge to a STW cannot be accommodated without measures to offset phosphate loading, development will be required to undertake proportionate measures to demonstrate that the proposals would have no adverse effects on the SAC.

The application is accompanied by an Ecological Impact Assessment. Its non-technical summary states the following:

“The site supports opportunities for the following notable habitats/species:

Badger

Bats

Dormice

Small mammals

Nesting Birds

The overall Tascroft site is comprised of four sections of farmland which are separated by public footpaths, avenues of trees and the main entrance to the site.

The site is dominated by species-poor improved grassland fields which provide limited opportunities for wildlife. However hedgerows provide suitable opportunities for bats and dormice as well as other wildlife, particularly in conjunction with the Cannimore bridleway and forest to the south of the application site. A number of the hedgerows are native species rich intact and as such are UK BAP habitats. A badger sett was recorded off site to the north west of the site boundary and has an annex and outlier hole with a number of disused holes.

Low to moderate levels of bat activity were recorded throughout the site and within the survey area. The majority of bat activity was along the southern boundary, north-eastern corner, and along some of the internal hedgerows on site. Bats were also recorded off site, around the farm buildings at Tascroft Farm.

Ten species were recorded on site, including common pipistrelle, soprano pipistrelle, brown long-eared, Leisler's, noctule, serotine, Myotis species, and three Annex II species; barbastelle, lesser horseshoe and greater horseshoe. The majority of bat activity on site was from Pipistrelle species with 90% and 72% of activity from Transect A and Transect B respectively. Low numbers of barbastelle and lesser horseshoe, Annex II species, were recorded using the site during activity surveys. Activity was recorded along the southern boundary and near the north-western corner of the site. Barbastelle, lesser horseshoe and greater horseshoe bats were detected in low numbers (1-2 passes a night) on all the statics deployed on the site showing that these hedgerows are used by these Annex II species.

Whilst buildings were located within the survey area they are located outside of the site boundary. Building 1 has Moderate suitability for roosting bats and is a confirmed roost due to the presence of bat droppings. The farm buildings (Building 2) were assessed as having Negligible suitability for roosting bats.

The dormouse nest tube survey commenced in June and was completed in November. This survey included land to the south of the application site, including the Cannimore Track and Bridleway. No dormice or evidence of dormice was recorded on any of the checks during the survey period. However it is likely that dormice are present within the adjacent woodland, therefore low numbers could utilise the site occasionally for commuting. The adjacent commercially managed forest is currently being heavily used by Warminster dog walkers using the Cannimore bridleway, off-road mountain bikes, walkers and horses in livery to Tascroft Court that therefore, increase the disturbance levels to these habitats.

The southern and northern hedgerows will be retained in the plans with a 10m buffer and maintained as a dark corridor for light-sensitive species. Where possible hedgerows within the site should be retained to allow bats to commute through the site. The majority of hedgerows are to be retained in the plans, including the hedgerows where Annex II species were recorded. A buffer of at least 15m in width will be retained along the woodland edge habitat to maintain foraging and commuting opportunities for wildlife, including bats.

A lighting scheme is required for the site with measures to maintain dark corridors along the southern and northern boundaries and to reduce light spill on to adjacent and retained habitats.

It is likely that dormice are present in the adjacent forest to the south of the site, however current disturbance levels from recreational activities could have an impact on this. A buffer will be planted with a mix of appropriate coniferous and native species to enhance opportunities for dormice.

Access to the Cannimore bridleway will be restricted from the application site and a landscape and ecological management plan will be required for the application site and development proposals at the reserved matters application stage. This will include measures for dormice.

Hedgerows should be retained on site where possible and enhanced for dormice by planting of fruit and nut bearing species. Hedgerows should also be protected during the works, including root protection zones. Buffers of at least 10m will be retained and enhanced adjacent to hedgerows on site. Where this is not possible it is recommended that hedgerow clearance works follow a Precautionary Method of Working, to include sensitive timings of works to avoid hibernation and nesting bird season, supervision of clearance works by an Ecological Clerk of Works.

The landscaping scheme for the site will include new appropriate native/coniferous planting which are beneficial to wildlife. This should include night scented species and fruit and nut bearing species.

Provision of additional nesting and roosting opportunities on the site will be achieved through including built-in bat roosts (bat bricks) on buildings, bat boxes on trees, nesting tubes for dormice along woodland buffer, and nesting features for birds on buildings and retained trees.

Ecological Management plan for the site to ensure that newly created habitats are managed for wildlife in the long-term.

This is a robust assessment of the ecological interests of the actual site, and its recommendations to safeguard species are, therefore, sound. Conditions are recommended accordingly – to deliver the CEMP, a LEMP and appropriate lighting schemes - in accordance with Core Policy 50. The recommended buffers and wildlife corridors at the edges of the site are matters to be considered, and designed into, the reserved matters application.

Regarding the River Avon SAC, Tascroft comprises commercial development and therefore is already included in the Nutrient Management Plan (NMP) phosphate model which is based on predictions arising from “population equivalents” (i.e. population arising from the Wilts Core strategy + a factor derived by Wessex Water to allow for associated commercial growth). Modelling already completed for the projected quantum of development arising from the Housing Allocations Sites Plan DPD and this shows that development arising from the DPD in combination with the Core Strategy and the Warminster Masterplan, will not exceed phosphate loading predictions in the NMP. It follows that this development will not lead to likely significant effects on the River Avon SAC.

Residential Amenity and Tranquillity

Other than close to the A36(T) and A362, this is a relatively tranquil location. WC Public Protection is satisfied that this tranquillity can be maintained once the development is operational, but recommends a condition requiring Noise Management Plans. These should also ensure that the privacy of the few nearby residential properties is safeguarded, together with the peaceful enjoyment of the cemetery.

A Noise Assessment which accompanies the planning application confirms that with careful consideration of building envelope specifications (glazing and ventilation) and adequate attenuation of external plant, noise should not be a barrier to development, and this is agreed.

The application is also accompanied by a Air Quality Assessment. Its executive summary states the following:

“Wiltshire Council has declared eight air quality management areas for exceedances of applicable air quality objectives within their jurisdiction. The proposed site does not fall within any of these AQMAs, with the nearest being more than 5km to the north of the site.

During construction, site activities will have the potential to affect local air quality in particular from dust deposition and increase in particulate matter concentrations. Mitigation measures are recommended for implementation to ensure that any impact on local air quality is insignificant.

With regards to operational impacts, air pollutant emissions from traffic generated as a result of the proposed development have been assessed. The change in pollutant concentrations at surrounding sensitive receptors has been predicted using air dispersion modelling at residential properties where the impact associated with the development is likely to be greatest. Results indicate that the predicted impact at all modelled receptors is considered is negligible.

All relevant air quality objectives are predicted to be met at all modelled receptor locations.

With the implementation of recommended mitigation measures, the impact of the proposed development on local air quality, during both construction and operation, is considered insignificant”.

The conclusions of the AQA are accepted, and a condition is recommended requiring its recommended ‘mitigation measures’ to be actioned.

In terms of other aspects of residential amenity, the proposed development is sufficiently distanced from neighbouring dwellings to ensure no adverse overlooking, over-shadowing or overbearing relationships.

Other matters

A condition is recommended to ensure the requirements of Core Policy 41 (sustainable construction) are satisfied.

The condition proposed by the Environment Agency regarding potential unknown contamination on the site is also recommended.

Conclusion

This proposed development will provide new hotel accommodation, business conferencing facilities and leisure facilities of a type that is presently absent in Wiltshire. It is likely to have significant economic benefits which will help support the local community by providing direct and indirect employment, and which will help to secure the long term viability of the Longleat Estate. The principle of such development is supported by the core policies of the Wiltshire Core Strategy – notably CP1, CP2 – and the sustainability principles of the National Planning Policy Framework.

The application particulars demonstrate that the proposal can be accommodated on the site without detriment to matters of acknowledged importance – notably, visual amenity (including the AONB), highway safety, other infrastructure (including foul and surface water disposal and water supply), ecology, heritage assets and amenity in general. It follows that the proposed development is policy compliant and deliverable in all technical and environmental respects.

For these reasons approval of the application is recommended, subject to conditions.

RECOMMENDATION

That subject to Highways England raising no objections, the Associate Director Economic Development and Planning be authorised to grant planning permission using delegated powers, subject to the conditions set out below and any additional and reasonable conditions required by Highways England.

In the event that Highways England objects, the Associate Director Economic Development and Planning be authorised to negotiate amendments and, using delegated powers, either grant planning permission with or without additional and reasonable conditions or refuse planning permission depending on the outcome of the negotiations.

Conditions -

- 1 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of

approval of the last of the reserved matters to be approved, whichever is the later.

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

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

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

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

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 The details of the 'layout of the development' to be submitted under condition no. 2 shall be broadly in accordance with the Proposed Land Use Plan (no. PL02 (rev 1)) dated 24 March 2017.

REASON: To clarify the terms of the planning permission and to accord with the documentation that supported the application, this in the interests of amenity.

- 5 The details of the 'scale of the development' to be submitted under condition no. 2 shall be strictly in accordance with the Scale and Massing Plan (no. PL03 (Rev 1)) dated 24 March 2017. In particular, buildings/structures to be erected in 'Zone B' shown on the Plan shall not exceed 22m in height and project above 184m AOD; and buildings/structures in 'Zone A' shall not exceed 8m in height and project above 188m AOD.

REASON: To clarify the terms of the planning permission and to accord with the documentation that supported the application, this in the interests of amenity.

- 6 The details of the 'layout of the development' and the 'appearance of the development' to be submitted under condition no. 2 shall include plans of all proposed earthworks including screen bunds. The details shall include the proposed grading and mounding of land areas and the levels and contours to be formed, and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall not be first occupied by guests or visitors until such time as the earthworks have been carried out in accordance with the details approved.

REASON: Earthworks and screen bunds are proposed but there is insufficient detail in the outline application to enable approval of the details at this stage. Detailed approval is required at the reserved matters stage in the interests of ensuring the amenities of the site and surroundings are safeguarded.

- 7 The details of the 'layout of the development' to be submitted under condition no. 2 shall include internal vehicular accesses, turning spaces and parking provision in accordance with the standards set out in the Wiltshire Council Local Transport Plan 2011-2026, or any plan replacing this. No part of the development shall be first occupied by guests or first used by visitors until the internal accesses, turning areas and parking spaces have been completed in accordance with the approved plans. The areas shall be maintained for their planned purposes at all times thereafter.

REASON: In the interests of highway safety.

- 8 No part of the development hereby approved shall be first occupied or first used by paying guests or visitors until the 'means of access to the site' has been completed and all associated works carried out fully in accordance with the details set out in drawing no 0745-010 Rev C by KTC dated 17/01/17 ('Proposed Junction Improvements for Folly Lane/A362 Junction') and drawing no. 0745-009 Rev A by KTC dated 17/01/17 ('Proposed Entrance Layout from Folly Lane') forming part of the Design and Access Statement by Longleat Enterprises Ltd dated February 2017, and drawing no. 'Figure A2' by KTC dated 04/17 ('Potential Junction Improvements to Cley Hill Roundabout').

REASON: To accord with the terms of the planning application, and to ensure highway safety and maintain the free flow of traffic on the wider highway network.

- 9 Prior to Folly Lane being used by any construction traffic associated with the development hereby approved, a survey of the whole route of Folly Lane to be used in connection with the development shall be carried out in accordance with a scheme which shall have been first submitted to and approved in writing by the local planning authority. The scheme shall make provision for survey techniques which allow for the local planning authority to retain both a photographic record of the carriageway and roadside verges (hard and soft) and a non-invasive structural test of the integrity of the road. The results of surveys shall be provided to the local planning authority for ratification within 1 month of completion.

REASON: In the interests of highway safety, and to ensure that damage caused by construction traffic can be identified, on a comparative basis, and addressed through appropriate highway law.

- 10 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 or of any of the buildings by guests or visitors, 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.

- 11 The 'multi-purpose entertainment and immersive animal experience' elements of the development hereby approved shall function as ancillary to the hotel and conference facilities only and shall not operate as standalone destinations / visitor attractions in their

own right.

REASON: To accord with the terms of the application, and to safeguard the amenities of the locality and to avoid inconvenience being caused by additional traffic to users of the wider highway network.

- 12 Prior to the first use by paying guests or visitors of the buildings to be erected in the 'multi-purpose entertainment and associated parkland, associated development area' on the Proposed Land Use Plan, an Event Management Plan for this area shall be submitted to the local planning authority for approval in writing. The Event Management Plan will set out in generic terms the types of events that will be held, and that will not be held, in that area. For those to be held it will define how the events will be managed, this in terms of controlling numbers of guests/visitors at the events and the management of those guests before, during and after the events. Thereafter events at the site shall be managed in accordance with the approved Event Management Plan.

REASON: The application contains insufficient information to finalise an Event Management Plan at this time. The Plan is required to safeguard the amenities of the locality and to avoid inconvenience being caused by additional traffic to users of the wider highway network.

- 13 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and the paragraphs above shall have effect until the expiration of five years].

REASON: To safeguard and protect trees to be retained in the interests of amenity.

14 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority before first occupation of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Details of the Management Company responsible for implementing the plan
- b) Consolidation of all mitigation elements relevant to the LEMP from the Ecological Impact Assessment Ecosulis, February 2017, Version 8
- c) The extent of all ecological and landscape features to be managed located up on a scaled plan
- d) Aims of management for each feature
- e) Management prescriptions for each feature
- f) Monitoring, including monitoring of dormouse boxes
- g) 5 year work schedule capable of being rolled forward
- h) Mechanism for reviewing the plan

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

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 details have been submitted to and approved in writing by the local planning authority. Illumination levels shall not exceed those specified for Environmental Zone 1 as set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)". The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed without further approval under this condition.

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

- 16 (a) Prior to first use of the hotel, the water park and the conference facilities by paying guests and/or visitors an Operational Noise Management Plan (ONMP) and an Event Noise Management Plan (ENMP) for these elements shall be submitted to the local planning authority for approval in writing. Thereafter these elements of the development shall be managed strictly in accordance with the terms and limitations set out in the approved Plans.
- (b) Prior to commencement of the immersive animal experience elements of the development hereby approved an Operational Noise Management Plan (ONMP) for these elements shall be submitted to the local planning authority for approval in writing. Thereafter these elements of the development shall be managed strictly in accordance with the terms and limitations set out in the approved Plan.
- (c) Notwithstanding (a) and (b) above, at all times all building services, plant and machinery forming any part of the development shall be so sited and designed in order to achieve a Level of -10dB below the lowest measured background noise level, determined to be LA90 (15min)dB at the nearest noise sensitive receptor. For the purposes of this condition, measurements and assessments shall be carried out in accordance with BS4142:2014.

REASON: In the interests of amenity.

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 18 Disposal of foul water from the site shall be strictly in accordance with off-site network 'Option 1' or 'Option 4' as set out in the Drainage Strategy (revision 1) by Burohappold Engineering dated 19 June 2017.

REASON: To accord with the terms of the application and to ensure adequate capacity in the wider foul water network.

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

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) On-going monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

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

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

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

- 20 No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the construction phase of the development. It shall include details of the following:

- The movement of construction vehicles;
- The cutting or other processing of building materials on site;
- Wheel washing and vehicle wash down facilities;
- The transportation and storage of waste and building materials;
- The recycling of waste materials (if any)
- The loading and unloading of equipment and materials
- The location and use of generators and temporary site accommodation
- Pile driving (If it is to be within 200m of residential properties)

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

REASON: To safeguard amenity.

- 21 No construction or demolition work using machinery or power tools shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To safeguard amenity.

- 22 In the event of a stopping-up or diversion order being made in relation to right of way WARM66, within 12 months of it being stopped-up or diverted the proposed separate 'new' right of way between Folly Lane and WARM1 shall be provided in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. Thereafter, the new right of way will become a definitive right of way and retained as such thereafter.

REASON: To accord with the terms of the planning permission and ensure continued and beneficial connectivity within the local rights of way network.

- 23 During construction and thereafter air quality management controls shall be implemented in accordance with the 'mitigation measures' set out in the Air Quality Assessment report by Burohappold Engineering dated Feb 2017 and forming part of the planning application.

REASON: To comply with the terms of the application and to ensure existing air quality levels are maintained.

- 24 The development hereby approved shall be constructed and thereafter operated strictly in accordance with the 'Travel Plan Measures' set out in the Framework Travel Plan by Key Transport Consultants Ltd dated February 2017 and accompanying the planning application. Thereafter the Travel Plan Measures shall be monitored and reviewed in accordance with the 'Monitoring and Review' programme also set out in the Framework Travel Plan; and results of surveys and copies of the monitoring reports shall be made available to the local planning authority when requested. Should the reports recommend changes to the Framework Travel Plan then such changes shall be first agreed in writing with the local planning authority prior to implementation.

REASON: To accord with the terms of the application, and in the interests of highway safety and transport sustainability.

- 25 No part of the hotel building hereby approved shall be commenced until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the "very good" BREEAM standard (or any such

equivalent national measure of sustainable building which replaces that scheme).

No building shall be occupied until a final Certificate has been issued certifying that the “very good” BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for the development.

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

- 26 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors; and
 - d. potentially unacceptable risks arising from contamination at the site.

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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

- 27 The details reserved by this planning permission (the 'reserved matters') shall incorporate the ecology mitigation measures set out in the Ecological Impact Assessment (Issue 8 - 19 June 2017) by Ecosulis and forming part of the application.

REASON: To safeguard ecology interests.

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

PL01 (rev 0) dated 10/01/17 - Site Location Plan
PL02 (rev 1) dated 24/03/17 - Land Use Parameter Plan
PL03 (rev 1) dated 24/03/17 - Scale and Massing Plan
PL04 (rev 1) dated 04/04/17 - Access & Movement Parameter Plan (footpaths)
PL05 (rev 1) dated 24/03/17 - Access & Movement Parameter Plan (vehicles)
PL06 (rev 1) dated 24/03/17 - Indicative Master Plan

0745-007A dated 17/01/17 - Proposed Entrance Layout from Folly Lane
0745-009A dated 17/01/17 - Proposed Entrance Layout from Folly Lane
Fig A2 dated 04/17 - Potential Junction Improvements to Cley Hill Roundabout

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

29 INFORMATIVE TO APPLICANT:

Definitive public right of way 'WARM66' crosses the site. No works affecting this right of way and/or no stopping-up of this right of way may commence unless or until a stopping-up or diversion order has come into effect. The applicant must apply separately to Wiltshire Council for such an order, and it cannot be presumed that the granting of this planning permission will automatically be followed by the making of the order.

If Wiltshire Council makes an order and any objections to it cannot be resolved, the matter will be referred to the Secretary of State for determination. The Planning Inspectorate will make the determination on behalf of the Secretary of State.

30 INFORMATIVE TO APPLICANT:

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

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

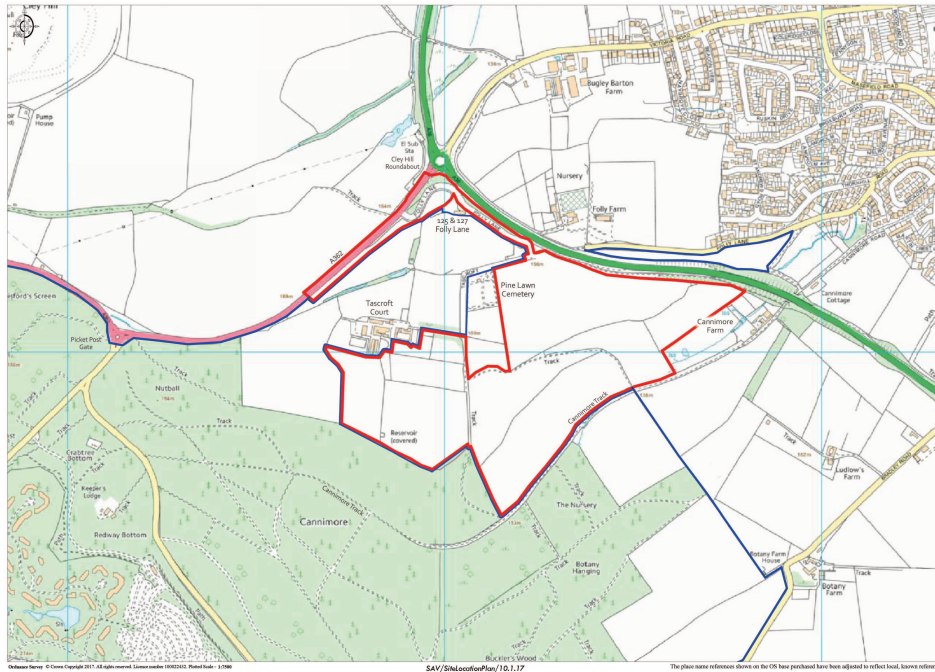
31 INFORMATIVE TO APPLICANT:

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Land on the Longleat Estate, to the South and South East of Tascroft Court and North of Cannimore Track, near Warminster
Site Location Plan



Date: 10 January 2017 Drawing Title: Site Location Plan Drawing Number & Revision: PL01 (rev 0)



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