

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 20 June 2018
Time: 10.30 am

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

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

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Membership:

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

Substitutes:

Cllr Ian Blair-Pilling	Cllr Ruth Hopkinson
Cllr Clare Cape	Cllr Chris Hurst
Cllr Matthew Dean	Cllr Nick Murry
Cllr Christopher Devine	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 - 34*)

To approve and sign as a correct record the minutes of the meeting held on 25 April 2018. (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 13 June 2018** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Friday 15 June 2018**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

- 6 **15/01800/OUT: Land at the proposed West Warminster Urban Extension North of Victoria Road & to the West of Bath Road Comprising approx. 84 hectares of land, Warminster - Demolition of a series of agricultural sheds and one residential dwelling and the delivery of up to 1,000 dwellings (Class C3); a local centre of 0.56ha (to accommodate commercial development falling under Use Classes A1-A5, C2, C3 and D1); an employment area of 5.6 hectares (to accommodate various businesses falling under Use Classes B1, B2 and B8); a primary and part-secondary school (Use Class D1); formal and informal recreational open space including children's play areas, allotments and changing facilities; car parking; hard and soft landscaping including a noise bund along part of the western boundary; storm water attenuation ponds; foul and surface water drainage infrastructure; and provision of road access infrastructure to include roundabout accesses on Bath Road and Victoria Road. (Pages 35 - 110)**

A report by the Case Officer is attached.

- 7 **17/10550/WCM: Hills HGV Relief Road, Sands Farm and Lower Compton Landfill, Calne, SN11 8RB, Applicant: Hills Waste Solutions Ltd (Pages 111 - 152)**

A report by the Case Officer is attached.

- 8 **17/10554/WCM: Retention and Change of use of Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses, Calne Quarry, Abberd Lane, Calne, SN11 8TJ: Applicant: Hills Waste Solutions Ltd (Pages 153 - 202)**

A report by the Case Officer is attached.

- 9 **17/10557/WCM: Change of Use of existing Materials Recycling and Waste**

Transfer Building to a Waste Transfer Building only, Lower Compton Waste Management Facility, Compton Bassett, SN11 8RB: Applicant: Hills Waste Solutions Ltd (Pages 203 - 238)

A report by the Case Officer is attached.

- 10 **A.17/10539/WCM and B.17/10543/WCM: A. Variation of conditions 3 & 4 of Planning Permission N/09/01497/WCM (Extension to a Sand Quarry and Infilling with Waste) to extend the end date of mineral extraction until 17 October 2029 and to extend the end date of restoration by landfill until 31 December 2042. B. Variation of condition 3 of planning permission 13/05229/WCM (Extension of mineral and landfill operations) to extend the operational end date of the landfill until 31 August 2028 and complete subsequent restoration by 31 August 2029, Lower Compton, Old Camp Farm Mineral Extraction and Landfill Compton Bassett and Low Lane Landfill, Lower Compton, SN11 8RB: Applicant: Hills Waste Solutions Ltd (Pages 239 - 284)**

A report by the Case Officer is attached.

11 **Date of Next Meeting**

To note that the next scheduled meeting of this Committee is due to be held on Wednesday 18 July 2018, in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

12 **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 25 APRIL 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Fleur de Rhé-Philippe (Chairman), Cllr Clare Cape, Cllr Ernie Clark, Cllr Andrew Davis, Cllr David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Fred Westmoreland and Cllr David Halik (Substitute)

17 Apologies

An apology for absence was received from Cllr Stewart Dobson, who was substituted by Cllr David Halik.

18 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 28 February 2018.

19 Declarations of Interest

Cllr David Halik declared a non-pecuniary interest in application no. 15/04736/OUT by virtue of being a member of Trowbridge Town Council. He stated that he would consider the application on its merits and with an open mind.

20 Chairman's Announcements

There were no Chairman's announcements.

21 Public Participation

There were no questions or statements submitted.

16/05720/FUL: Land adjacent B4040, Minety, Wiltshire, SN16 9RQ - Change of use of land to 2 permanent Gypsy pitches including 2 day rooms, 2 mobile homes and 2 touring caravans, and associated works (Resubmission of 15/12615/FUL)

The Committee received a presentation from the Head of Development Management which set out the issues in respect of the application. He also summarised late representations which had been received following publication of the agenda papers. The purpose of the report was to assess the merits of the proposals against the policies of the Development Plan and other material considerations with a recommendation to grant planning permission subject to conditions.

Members then had the opportunity to ask technical questions after which they heard a statement from Dr Simon Ruston, the agent, in support of the application.

The Chairman reported that Cllr Chuck Berry, the local Member and also Minety Parish Council had both registered their objections to the proposal.

During discussion, Members noted that a previously approved site was less than 200 yards away from the proposed site and it was underused. It appeared, therefore, that there was not a demonstrable need for a further two pitches on a separate site so close. It was also suggested that the site was outside the limits of development of the village and would not obtain normal residential permission as the building would be on agricultural land in a rural setting.

It was noted that the key issues were as follows:-

- Principle of the development.
- Impact on character and appearance of the area.
- Flooding and drainage
- Highway matters
- Residential amenity

Members were informed that the application was considered acceptable when measured against the criteria in Wiltshire Core Strategy Policy 47 and the government advice in Planning Policy for Traveller Sites.

On the proposal of Cllr Andrew Davis, which was seconded by Cllr Fred Westmoreland

Resolved:

To grant planning permission, subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Flood Risk Assessment (ref: 407.05774.00001, version 2,V.2) SLR (dated September 2017)

SLR letter (dated 14th February 2018)

1553/02D

1553/04

1553/03B

BC16-SLP

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

3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of the 'Day Room' have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

6 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been

consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

7 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

8 No development shall commence on site until details of the works for the disposal of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved foul water drainage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

9 The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites, August 2015.

REASON: Planning permission has only been granted in this rural location on the basis of a need for accommodation for gypsies and travellers assessed against the criteria in policy CP47 of the Wiltshire Core Strategy and it is therefore necessary to keep the site available to meet that need as residential development in this location without this occupancy restriction would conflict with the policies of the development plan.

10 Occupation and use of the Mobile home and touring caravan hereby permitted for each pitch shall be limited solely to and by close family members of the occupants of that pitch. Close family members defined as dependents, sons, daughters and grandchildren.

REASON: In the interests of residential amenity.

11 There shall be no more than two (2) permanent pitches on the application site.

REASON: In the interests of visual amenity and the amenity of occupants of the site.

12 No more than one (1) commercial vehicle shall be kept on each pitch for use by the occupiers of the individual caravan hereby permitted, and each vehicle shall not exceed 3.5 tonnes in weight and no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

13 There shall be no more than two (2) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968 on each pitch hereby approved, of which no more than one (1) shall be a static caravan or mobile home and no more than one (1) shall be a touring caravan, shall be stationed on each pitch at any time.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual and residential amenity in accordance with CP47 of the Wiltshire Core Strategy 2015.

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.

- 23 **15/04736/OUT: Land south east of Trowbridge - Outline planning application for mixed use development comprising: residential (up to 2,500 dwellings - Classes C3 & C2); employment (Class B1, B2, and B8); two local centres (Classes A1 - A5, D1, C2, and C3); two primary schools, one secondary school, ecological visitor facility, public open space, landscaping and associated highway works including for the 'Yarnbrook / West Ashton Relief Road' and the access junctions.**

Public Participation

Mrs Rosie Fell, representing Larkrise Community Farm, spoke against the application.

Mr Patrick Kinnersly, Secretary, White Horse Alliance, spoke against the application.

Mr John Cox, Chairman, Wiltshire West District Scout Council, spoke against the application.

Mr Glenn Godwin, agent, spoke in support of the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application, with a recommendation to grant planning permission, subject to the completion of appropriate section 106 legal agreements and conditions. He also summarised late representations which had been received following publication of the agenda papers.

The Case Officer explained that on 17 April 2018 the Environment Agency had withdrawn its holding objection to the planning application following its consideration of additional flood compensation modelling information provided by the applicant.

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

During discussion, Members generally supported the proposals but did express concern regarding:-

- The perceived increased traffic implications at the Yarnbrook junction following completion of the project.
- The danger resulting from increased traffic on Road A350 at the existing accesses to Larkrise Community Farm and the scout camp.

The officers explained that any changes to the Yarnbrook junction were outside the scope of this application and would have to be considered separately by the Highway Authority.

In response to concerns raised in representations by the Larkrise Community Farm and the scouts relating to their vehicular accesses from West Ashton Road and the A350 respectively, the presenting officer re-stated that there were no highway safety objections to the proposals. However, the committee requested that discussions should continue between officers and the applicant to consider potential further improvements in any event, this essentially as a gesture of goodwill.

The Highways Engineer was satisfied that the proposals would not cause any new danger at the junction of Road A350 and the accesses to Larkrise Community Farm and the scout camp.

After further discussion, on the proposal of Cllr David Halik, which was seconded by Cllr Fred Westmoreland

Resolved:

To grant planning permission, subject to the following Section 106 legal agreements being entered into and also the following conditions, including any subsequent changes agreed with the Head of Development Management :-

1. an obligation under Section 106 of the Town and Country Planning Act 1990 between the applicant and Wiltshire Council requiring provision of the following:

- **30% affordable housing with suitable mix;**
- **Two new primary school sites of at least 1.8 ha each. Primary education financial contribution (of £9,509,390 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) completion of two schools;**
- **One new secondary school site of 5.24 ha. Secondary contribution (of £8,463,708 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers);**
- **'Early Years' education contribution (of £3,863,313 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) or on-site provision;**
- **Health / dental care contribution of £1,108,500 (2015 figure, to be adjusted for indexation), to be used for sites in Trowbridge Community Area only and subject to such sites remaining in NHS/public ownership;**
- **Elements of open space (equipping/phasing/maintenance contributions/etc.);**
- **Ecological mitigation, to be set out in a Biodiversity Management Plan covering the management, mitigation, monitoring and enhancement of all habitats and species affected by the development during the pre-construction, construction and operational phases, both within the application boundary and on land owned by Wiltshire Wildlife Trust. To include –**
 - **Provision of, and/or provision of funding for, a Steering Group to oversee implementation of the Biodiversity Management Plan;**
 - **Provision of, and/or provision of funding for, visitor facility, and related land transfer arrangements;**
 - **Provision of ecology Green Infrastructure, related maintenance/long term management contributions, ecological monitoring including remedial works triggered by monitoring and related land transfer arrangements;**

- Provision of, and/or provision of funding for, full time wildlife warden, and mechanism for his/her perpetual funding;
 - Agreement that no public access will be allowed through the agricultural land identified for employment use other than to areas which have been developed for that purpose. An impenetrable barrier will be maintained between housing and employment land on the east side of West Ashton Road until at least 75% of the employment site has been completed at which point a public footpath will be provided between the two which will breach the impenetrable barrier at a single point.
 - Financial contribution towards the cost of monitoring implementation and maintenance of mitigation, with bond or other means of security secured against non-delivery and/or non-maintenance of mitigation.
 - Provision for revision of the Green Lane and Biss Woods Management Plan to incorporate requirements arising from the Biodiversity Management Plan and the Habitats Regulations Assessment (including Appendix 2).
- Elements of transport infrastructure in line with the Trowbridge Transport Strategy, notably –
 - Completion of funding agreement with Wiltshire Council for the provision of YWARR and commuted sum for structures maintenance;
 - Provision and completion of Yarnbrook and West Ashton Relief Road (including works to redundant A350 and all other associated highway works), phased or in entirety, subject to the timescales set out by the HIF and LEP;
 - Provide and deliver a Bus Strategy for the site, identifying how a half hourly service between the site and the town centre can be achieved, firstly through the negotiation with commercial operators for a commercial service, or, secondly, and in the event that a commercial service cannot be initiated and/or maintained, by a supported service, funded at the reasonable cost of the developer. The bus service shall be provided for a period from occupation of the 50th dwelling to up to three years following occupation of the 2,450th dwelling, the exact period dependent on the commercial viability or otherwise of the service at the time. The Bus Strategy shall set out how the funding arrangements will work in the event that a supported service is required;
 - Provision of travel plans for the separate land uses on the site;
 - Financial contributions towards the legal costs associated with making of traffic regulation orders at a cost of £6,000 per identified TRO;
 - Implementation of all made legal orders relating to highways and transport issues associated with the site;
 - ‘Contingency Plan’ for planned diversion of public footpaths NBRA9 and NBRA11;

- Design and provide a wayfinding scheme aligned to the phasing of the development;
 - Construction and improvement of off-site highway works associated with the Yarnbrook and West Ashton Relief Road, alterations to West Ashton Road and improved connectivity to the town centre and to the White Horse Business Park;
 - Connectivity (vehicular) between Drynham Lane and site, unless secured by alternative means;
- Waste collection facilities contribution.
2. A legal agreement between Wiltshire Wildlife Trust and Wiltshire Council to achieve implementation and maintenance of ecology mitigation measures relevant to the Trust via a revised Management Plan for Green Lane and Biss Woods covering the following:
- To provide an account of the role the site plays in achieving the conservation objectives of the Bath and Bradford on Avon Bats SAC, and a specific objective to maintain the population of Bechstein's bats through maintenance of the structure and function of the habitats within the plan area;
 - To incorporate all relevant land transfers to WWT and commit the trust to managing these in line with the objectives of the revised plan;
 - To define the operating constraints for the ecological visitor centre and car parking arrangements which arise from the potential for recreational pressure to reduce the value of the site for Bechstein's bats;
 - To set out types and levels of acceptable amenity and educational use and the means by which these will be monitored and reviewed;
 - To set out what constitutes acceptable and unacceptable fire making and a protocol to be followed to minimise and deal with the latter;
 - To include an objective regarding the maintenance, and where necessary, replacement, redesign and / or repositioning of bat boxes for Bechstein's bat use;
 - To recognise the role of the Steering Group in reviewing the implementation of relevant aspects of the management plan, monitoring results and implementation of remedial measures;
 - To anticipate the potential effects of increased visitor numbers and identify monitoring to be undertaken, thresholds for unacceptable change and remedial measures.

Management Plan to be implemented by Wiltshire Wildlife Trust with governance of relevant elements by the Steering Group.

The agreement will also commit the Trust to employ a full time warden to implement the plan and to engage with local residents in order to enhance understanding of local ecological features with a view to reducing impacts from potentially damaging behaviours.

Conditions

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

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

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

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

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(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of fifteen 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 outline element of the development hereby approved shall make provision for the following:

- (i) At least 13.6 ha of land for employment purposes (Class B1, B2 and/or B8 uses);**

(ii) Two separate sites of at least 1.8 ha each and two separate 14-class primary schools thereon, and a single serviced site of at least 5.24 ha for a secondary school;

(iii) Two separate sites of at least 1 ha and 0.2 ha respectively for two separate 'local centres'; in combination the local centres to provide suitable premises for a mix of convenience shops and small other shops (Class A1 uses), financial and professional services (Class A2 uses); 'food & drink', 'drinking establishments' and 'hot food & takeaway' uses (Class A3, A4 and A5 uses); if/as required, community facilities and/or 'early learning' facilities (Class D1 uses); and residential units in the form of 'flats above shops' (Class C2 and C3 uses).

(iv) Sites for public open space to be sited, laid-out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD); and to include at least 6.35 ha of formal sports pitches with pavilion / changing rooms, at least 1.2 ha of 'designation play' area, at least 44.4 ha of major open space or country park (to include an Ecological Visitors Facility), at least 14.4 ha of natural and semi-natural open space including structural planting, and at least 0.9 ha of allotments;

(v) An 'Ecology Visitors Facility'; and

(vi) Up to 2,500 dwellings (Class C2 and/or Class C3 uses) of which no more than 315 (including within the 'local centre') are to be provided on the north-east side of West Ashton Road.

'The scale of the development', 'the layout of the development', 'the external appearance of the development' and 'the landscaping of the development' (as to be submitted and approved under condition no. 2) shall accommodate all of the above substantially in accordance with the 'Indicative Masterplan' (drawing no. A.0223_77-01 Rev AC) dated 20/04/17, the parameters plans ('Land Use Parameter Plan' no. A.0223_18-1N, 'Access & Movement Parameter Plan' no. A.0223_17-2G, 'Building Heights Parameter Plan' no. A.0223_19-1L and Green Infrastructure Plan no. A.0223_16-1M) (including inset plans A.0223_105A and A.0223_72-01C)), and the Design & Access Statement (A.0223_26-2T dated April 2018).

REASON: To ensure the creation of a sustainable and balanced urban extension, in accordance with the requirements of the Wiltshire Core Strategy and the intentions of the Design and Access Statement accompanying the planning application.

5 No application for reserved matters shall be submitted until there has been submitted to and approved in writing by the local planning authority a detailed Phasing Plan for the entire application site indicating geographical Phases and/or Sub Phases for the entire development. Where relevant these Phases or Sub Phases shall form the basis for the

reserved matters submissions. Each Phase or Sub Phase shall include within it defined areas and quantities of housing and infrastructure relevant to the Phase or Sub Phase. No more than 50% of the houses (or no more than a meaningful percentage of the houses to be first agreed in writing by the local planning authority) to be built in any particular Phase or Sub Phase shall be occupied until the infrastructure relevant to the Phase or Sub Phase has been completed.

The development shall be carried out strictly in accordance with the approved Phasing Plan.

REASON: To ensure the proper phasing and delivery of the development, and in particular the essential infrastructure the development has made necessary, in accordance with the overall proposal and good planning in general.

[For the purposes of this condition 'infrastructure' is defined as the schools, local centres, open space, and ecology visitors centre; and the 'means of access' to the site including the entire Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2)].

6 Before any other parts of the development hereby approved are commenced the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'advance ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows -

(i) a scheme for strengthening of the hedgerow alongside West Ashton Road to the south-west corner of Biss Woods with thorny planting and fencing, and provision for future maintenance;

(ii) schemes for the 100m buffer between Biss Woods and the employment land and between the employment land and the east of West Ashton Road housing land, to include landscaping with appropriate impenetrable fencing and hedge planting and provision for future maintenance in accordance with Figure 6.2 of the ES Addendum Volume 1;

(iii) a scheme for the Attenuation pond based on Figure 6.1 of the ES Addendum Volume 1, creating a barrier to pedestrian access between the Green Lane Nature Park Extension and the east of West Ashton Road residential area to include landscaping, fencing and provision for future maintenance;

(b) The implementation and completion of all of the above schemes as approved and continuing maintenance thereafter in accordance with the maintenance elements of the schemes.

Before 150 of the dwellings on that part of the application site to the east of West Ashton Road are first occupied the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'further ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows –

(i) A scheme for a circular pedestrian footpath route which will be at least 3km in length and link the Green Lane Nature Park with the River Biss (with minimal use of roads). The scheme will include details of the footpath – its width, surfacing materials, fencing and signposting. The scheme may in the first instance offer a temporary route and temporary signposting, and in these circumstances it should include a related scheme and programme for delivery of the permanent footpath route.

(ii) a scheme for the laying out and equipping of the 'Biss River Corridor' and enhanced planting between Biss Woods and the River Biss and the Green Lane Nature Park Extension, to include landscaping, boundary treatments and provision for future maintenance, where relevant in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD);

(b) The implementation and completion of all of the above schemes as approved.

REASON: To safeguard ecological interests, and specifically bats and their habitats.

7 The 'means of access' to the site (which for the purposes of this condition includes the entire proposed Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2), and the West Ashton Road Cycleway Provision) shall be constructed substantially in accordance with the following 'PFA Consulting' drawings:

- P480/100 Figure 6.5 Rev F (Yarnbrook & West Ashton Relief Road Sheet 1 of 4) dated 18/08/17**
- P480/101 Figure 6.6 Rev G (Yarnbrook & West Ashton Relief Road Sheet 2 of 4) dated 18/08/17 (as amended through an email from Aspect Ecology (AB to LK) dated 2/3/18)**

- P480/102 Figure 6.7 Rev F (Yarnbrook & West Ashton Relief Road Sheet 3 of 4) dated 28/07/17
- P480/103 Figure 6.8 Rev E (Yarnbrook & West Ashton Relief Road Sheet 4 of 4) dated 18/08/17
- P480/104 Rev D (Central Roundabout (R4) Access on West Ashton Road) dated 18/08/17
- P480/105 Rev E (Northern Site Accesses & Cycleway Provision) dated 08/09/17
- P480/106 Figure 6.4 Rev F (Yarnbrook & West Ashton Relief Road Overview) dated 18/08/17
- P480/107 Rev E (Northern Junctions & Cycleway Provision Overview) dated 08/09/17
- P480/108 Figure 6.9 Rev B (Typical Section H-H through Relief Road with Elevation of Culvert) dated 07/07/17
- P480/109 Rev C (West Ashton Road Northern Cycleway Improvements) dated 09/09/17
- P480/110 Figure 6.10 Rev E (Yarnbrook & West Ashton Relief Road. Possible Planting Along Existing A350) dated 18/08/17
- P480/111 Rev C (Typical Section Through Relief Road (Roundabout R1-R2)) dated 18/08/17
- P480/112 Rev F (Primary Highway Works Plan) dated 08/09/17
- P480/113 Rev C (Access Junctions Swept Paths) dated 18/08/17
- P480/26 Figure 6.11 Rev D (Yarnbrook & West Ashton Relief Road Indicative Bridge General Arrangement) dated 18/08/17
- P480/41 Figure 6.12 Rev D (Yarnbrook & West Ashton Relief Road Southern Access Bridge General Arrangement) dated 18/08/17
- P480/51 Figure 6.13 Rev A (Northern Access Bridge General Arrangement) dated 02/04/14
- P480/114 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P480/115 Rev B (Highway Long Sections Sheet 2 of 4) dated 07/07/17
- P480/116 (Highway Long Sections Sheet 3 of 4) dated 04/14
- P480/117 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P843/08 Rev A (Biss Wood Scout Camp Site Access Visibility) dated 02/01/18
- P480/118 (Yarnbrook and West Ashton Relief Road. Minor amendment to R1 to access Paddock) dated 25/01/18

The means of access shall be provided in accordance with the Phasing Plan to be submitted and approved under condition 5.

REASON: To ensure proper and timely delivery of the means of access in accordance with the agreed scheme and in the interests of highway safety.

8 With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each Phase or sub Phase shall be

substantially in accordance with the following documents forming part of the application:

- Green Infrastructure and Biodiversity Strategy (September 2017);
- ES Addendum Volume 1 Figures 6.1 and 6.2 showing details of design of attenuation ponds and buffer between employment and residential land;
- ES Addendum Volume 1 Figures 6.4, 6.17, 6.18 and 6.19 showing details of dark corridors through mixed use development.

The details themselves shall include where relevant the following:

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

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

9 Notwithstanding the landscaping details submitted for the ‘access’ elements of the application (including the Yarnbrook / West Ashton Relief Road), no development within any Phase or sub Phase relevant to that part of the access shall commence until a scheme of soft landscaping for that part of the access has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;

- minor artefacts and structures (e.g. signs, etc);
- 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 and in the interests of wildlife.

10 All soft landscaping comprised in the approved details of landscaping for any particular Phase or sub Phase of the development shall be carried out in the first planting and seeding season following the first occupation of any building within the Phase or sub Phase or the completion of the Phase or sub Phase 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 No demolition, site clearance or development shall commence on site within any particular Phase or sub Phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within the particular Phase, 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 paragraphs above shall have effect until the expiration of five years from the date of commencement of the Phase or sub Phase].

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

12 Where a particular Phase or sub Phase of the development includes a play area(s), before 50% of the dwellings in that Phase or sub Phase are first occupied (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of a scheme for the laying out and equipping of the play area(s), to include landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment; and

(b) The laying out and equipping of the play area in accordance with the approved scheme.

REASON: To ensure that the play areas are provided in a timely manner in the interests of the amenity of future residents.

13 Before the first occupation of 1,250 dwellings on any part of the application site (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of a scheme for the marketing of the 'Proposed Employment' land and the commercial elements of the 'Proposed Local Centres';

(b) Implementation of the marketing scheme in accordance with the approval;

(c) Construction and operation of the roundabout junction (R4) and at least 20m of the spur road and related services into the 'Proposed Employment' land.

REASON: To accord with the proposal and the requirements of the Wiltshire Core Strategy in that it allocates part of the application site for employment development.

14 With the exception of the 'Advance Ecology Mitigation', prior to the commencement of the development Stage 2 Road Safety Audit(s) shall be carried out for the Yarnbrook & West Ashton Relief Road and all other elements of the 'access' (either singly or in combination), and this/these shall be submitted to the local planning authority for approval in writing before any highway construction works begin. Thereafter, no development shall commence in any particular Phase or sub Phase of the development until full construction details/drawings of the means of access within that Phase or sub Phase have been submitted to and approved in writing by the local planning authority. Following approval the 'access' shall be constructed in accordance with the approved details/drawings and agreed Stage 2 Road Safety Audit(s).

REASON: In the interests of highway safety.

15 Notwithstanding the references in the Design and Access Statement, the development hereby approved shall make provision for vehicle parking in accordance with the Wiltshire Council Local Transport Plan 3 dated 2015. In this Strategy domestic garages will only count towards the parking provision if the minimum dimensions specified in the Strategy are achieved.

REASON: To ensure sufficient vehicle parking in the development in the interests of highway safety.

16 No development shall commence within any particular Phase or sub Phase of the application site until:

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

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

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

17 No development hereby approved shall commence in any Phase or Sub Phase of the development which includes land either adjacent to the railway line or adjacent to the 'green corridor' alongside the railway line

until details of measures to safeguard the amenities of future occupants of the development within the Phase or Sub Phase from potential noise disturbance from trains have been submitted to and approved in writing by the local planning authority. The Development shall then be carried out in accordance with the approved details.

REASON: The railway line will be a potential source of noise disturbance to future nearby occupants of the development. This disturbance can be removed and/or reduced to acceptable levels through appropriate design and layout.

18 The application is supported by evidence which demonstrates that the potential for significant concentrations of contaminants to be present within the application site is low. However -

(a) If, during any Phase or sub Phase of the development, any evidence of historic contamination or likely contamination is found, the developer shall immediately cease work within the Phase or sub Phase and contact the Local Planning Authority in writing to identify what additional site investigation may be necessary; and -

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

REASON: To ensure that potential land contamination is dealt with adequately in the interests of protecting the environment.

19 Prior to the commencement of any Phase or sub Phase of the development which includes or affects public rights of way NBRA43, NBRA30, NBRA10, WASH16, NBRA11, NBRA44 and/or NBRA12 within the site, detailed schemes for the improvement of these rights of way (including, widening and/or re-surfacing) and a programme for implementing the improvements shall be submitted to the local planning authority for approval in writing. Thereafter the development shall be carried out strictly in accordance with the approved improvements and the programme.

REASON: Improvements will be required to these public footpaths as a consequence of the additional use they will endure as a result of the development. The improvements will ensure the continued safe use and enjoyment of the footpaths in the interests of amenity.

INFORMATIVE: The Design & Access Statement indicates that parts of public rights of way NBRA9, NBRA10, NBRA11 and NBRA44 may be re-routed. No works affecting these rights of way and/or no stopping-up of these rights of way may commence unless or until a stopping-up or diversion order has come into effect, unless the LPA agrees to a temporary closure or re-routing of the rights of way. 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.

20 No later than first occupation of 90% of the dwellings in any part of a Phase or Sub Phase of the development through which public rights of way NBRA11 and NBRA9 pass, a report comprising an assessment of past and present use of these public rights of way where they cross 'at level' the railway line and, if/as necessary, a scheme of measures to ensure their continued safe operation together with a related programme for their implementation, shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out if/as necessary in accordance with the approved scheme of measures and the related programme for its implementation.

REASON: To ensure the continued safe operation of the at-level railway crossings.

INFORMATIVE: The need for this condition may fall away in the event of these public rights of way being first stopped-up or diverted.

21 Prior to first occupation of the first 150 houses on the development hereby approved, a Public Art Strategy shall be submitted to the local planning authority for approval in writing. The Strategy shall set out how public art will be provided as part of the development, and a programme for this. Thereafter the development shall be carried out in accordance with the approved Strategy and programme.

REASON: To achieve a high quality living environment in the interests of amenity, and to accord with policies CP3 and CP57 of the Wiltshire Core Strategy.

22 No development shall take place within individual Phases or sub Phases of the development until a site specific Construction Environmental Management Plan, or Plans, (CEMP(s)) for that Phase or sub Phase, or an overarching CEMP for the entire application site, has been submitted to and approved in writing by the local planning authority. The CEMP(s) must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan(s) should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Public Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Construction traffic routing details.
- Ecology mitigation measures to cover –
 - protection of retained habitats;
 - creation of new habitats including provision of bat boxes;
 - management and monitoring of created and retained habitats (until taken over by management company or WWT);
 - precautionary working method statements and works to be overseen by an ecologist; monitoring requirements and details of frequency of monitoring, thresholds, remedial measures and timescales for remediation;
 - monitoring requirements for habitats, mitigation features and species including details of frequency of monitoring, thresholds, remedial measures and timescales for remediation (to cover amongst other things, establishment / width of hop-overs, habitat structure / composition of woodland in Biss and Green Lane Woods, bat use of underpasses);
 - testing and adjusting lighting, in accordance with monitoring results’;
 - compliance procedures.
- And with particular regard to the Yarnbrook & West Ashton Relief Road the following specific ecology mitigation information –
 - Long and cross sections for each underpass based on site surveyed; measurements showing the relative positions of hedgerows, existing ground levels, earthworks and underpass;
 - The timetable of works required to complete the culvert works having regard to seasonal ecological and planting constraints;
 - The programme of construction works to demonstrate how the ecological constraints of the culverts works have been fully integrated

into the project programme (i.e. Gantt chart) and how it affects the critical path.

- A protocol for constructing underpasses and hop-overs including exact timescales, demonstrating removal of as little hedgerow as possible, erection of 4m high bat fencing and establishing new planting.

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

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

REASON: In the interests of the amenities of surrounding occupiers and of wildlife during the construction of the development.

23 A Landscape and Ecological Management Plan, or Plans, (LEMPs) for the 'River Biss Corridor', the '100m buffer' between Biss Woods and the employment land, the 'Green Lane Nature Park Extension', the 'Attenuation pond ... creating barrier to pedestrian access', other barriers to control access to Biss Woods, dark corridors through the mixed use development, and the Yarnbrook & West Ashton Relief Road shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP(s) shall include the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP(s) shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be

secured by the developer with the management body/ies responsible for its delivery.

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

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

24 No development in any particular Phase or sub Phase of the development shall commence on site until a scheme for the discharge of surface water from the Phase or sub Phase, incorporating sustainable drainage details, and any related programme for delivery, has been submitted to and approved in writing by the Local Planning Authority. The development within the Phase or sub Phase shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme and related programme.

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

25 No development shall commence on site (save for the construction of the Yarnbrook & West Ashton Relief Road) until details of the works for the disposal of sewerage, including the point of connection to the existing public sewer and any off-site works, and any related programme for delivery have been submitted to and approved in writing by the Local Planning Authority. The details shall be substantially in accordance with the 'Proposed Foul Water Drainage Arrangements' set out in the Flood Risk Assessment by PFA Consulting dated September 2017. No dwelling shall be first occupied until the approved details have been implemented in accordance with the approved plans and related programme.

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

26 There shall be no surface water drainage connection from this development to the foul water system.

REASON: To safeguard the integrity of the foul water system.

27 No external lighting (other than normal domestic lighting) shall be installed on site within each Phase or sub Phase until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication Guidance Notes for the Reduction of Obtrusive Light (ILE, 2005) (or any standards updating or replacing these standards), for that Phase have been submitted to and approved in writing by the Local Planning Authority.

Where lighting is proposed in ecologically sensitive areas (such as the 'dark corridors' for bats) the lighting details and related scheme shall ensure minimum impact on the ecological interests of these areas and accord with:

- 'Interim Guidance Recommendations to help minimise the impact of Artificial Lighting' (Bat Conservation Trust 03/06/14);**
- ES Addendum Volume 1 Figures 6.4, 6.18 and 6.19 showing principles of lighting design;**
- Lighting of the Yarnbrook & West Ashton Relief Road to be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.**

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

In addition there will be no lighting above or beneath bridges except at B3 where lighting will be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.

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

28 No development shall commence in any particular Phase or sub Phase of the development hereby approved until a scheme for the provision of fire hydrants to serve the Phase or sub Phase and any related programme for delivery has been submitted to and approved in writing by the local planning authority. Thereafter no dwelling shall be occupied within the Phase or sub Phase until the fire hydrant serving the dwelling has been installed as approved.

REASON: To ensure the safety of future occupiers of the dwellings.

29 Notwithstanding the information set out in the Waste Management Strategy (May 2015) accompanying the planning application, a further more detailed waste management strategy shall be submitted to the local planning authority for approval in writing prior to commencement of the development. The more detailed strategy will add detail to the initial Waste Management Strategy, specifying in particular where and how

construction waste (notably the waste material excavated from the site to enable construction works) will be, in the first place, re-used on site (including estimates of quantities to be re-used and where); and, in the second place, removed from the site (including quantities, end disposal locations and transportation routes thereto). Additionally, the detailed strategy will provide a 'plan' for the management of other waste arising from civil and building construction, including measures to minimise such waste generation in the first place and to re-cycle wherever possible. The development shall be carried out strictly in accordance with the original Waste Management Strategy (May 2015) and the subsequent approved and complementary more detailed waste management strategy.

REASON: The original Waste Management Strategy contains insufficient detail to enable waste management to be agreed at this stage. The requirement for a more detailed waste management strategy arises from Wiltshire Council's Waste Core Strategy Policy 6 (Waste Reduction and Auditing), and in particular its requirement to demonstrate the steps to be taken to dispose of unavoidable waste in an environmentally acceptable manner and proposals for the transport of waste created during the development process.

30 Prior to commencement of the local centres hereby approved a strategic level scheme for the provision of ultra low energy vehicle infrastructure (electric vehicle charging points) and a programme for delivery shall be submitted to the local planning authority for approval in writing. The approved scheme shall inform the subsequent reserved matters applications, and shall be implemented as approved and in accordance with the programme.

REASON: In the interests of air quality and reducing vehicular traffic to the development.

INFORMATIVE: It is recommended that the ultra low energy vehicle infrastructure should be provided at appropriate publicly accessible locations such as the local centres but not for individual residential dwellings.

31 Prior to the commencement of each Phase or sub Phase of the development hereby approved a scheme of ecology enhancement measures as identified in the Environmental Statement Addendum Volume 1, to include (as appropriate) designs, locations, numbers and sizes of each measure and a programme for their delivery, for each Phase or sub Phase shall be submitted to the local planning authority for approval in writing. The scheme shall be implemented as approved in accordance with the programme and maintained thereafter.

REASON: In the interests of safeguarding other ecological interests.

32 No development in any Phase or Sub Phase of the overall development hereby approved shall commence until a scheme for water efficiency

relevant to all the buildings within the Phase or Sub Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter no building within the Phase or Sub Phase shall be first occupied until the water efficiency measures relevant to the building have been installed and are operational in accordance with the approved scheme.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

33. No development hereby approved shall be first occupied until a scheme setting out a strategy for the control / removal of Himalayan balsam has been submitted to and approved in writing by the local planning authority. The scheme shall include a programme for the implementation of the strategy. The strategy shall be implemented in accordance with the approved scheme and programme.

REASON: In the interests of ecology and to ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

24 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 23 May 2018 in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

25 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.10 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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STRATEGIC PLANNING COMMITTEE REPORT

Date of Meeting	20.06.2018
Application Number	15/01800/OUT
Site Address	Land at the West Warminster Urban Extension Site to the North of Victoria Road & to the West of Bath Road extending to circa 84 hectares Warminster
Proposal	Demolition of a series of agricultural sheds and one residential dwelling and the delivery of up to 1,000 dwellings (Class C3); a local centre of 0.56ha (to accommodate commercial development falling under Use Classes A1-A5, C2, C3 and D1); an employment area of 5.6 hectares (to accommodate various businesses falling under Use Classes B1, B2 and B8); a new primary school on a 1.8 hectare site (Use Class D1) and safeguarding a further 1.8 hectares for additional/secondary school provision; formal and informal recreational open space including sports pitches with changing facilities, children's play areas and allotments; car parking; strategic and amenity landscaping including the provision of a noise bund along part of the northern and western site boundary; new land drainage and storm water attenuation ponds; foul and surface water drainage infrastructure; and provision of new highway infrastructure to include two roundabout accesses off Bath Road and Victoria Road and provision of a strategic road through the site.
Applicant	Persimmon Homes Ltd & Hannick Homes & Developments Ltd
Town Council	WARMINSTER
Ward	WARMINSTER WEST – Cllr Pip Ridout
Grid Ref	386242 145693
Type of application	Outline Planning Application
Case Officer	Kenny Green

REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE

This application is being referred to the Strategic Planning Committee as it is a large scale major EIA development on a site extending to some 84 hectares. The proposed development raises significant issues of more than local importance in terms of housing and employment land delivery, economic investment, job creation and the provision of new highway and education infrastructure.

1. PURPOSE OF REPORT

To assess the merits of the application against the relevant national and local development plan policies and other material considerations; and to recommend that permission should be approved subject to the prior completion of archaeological trial trenching and completion of a s106 legal agreement and planning conditions.

2. REPORT SUMMARY

The key determining planning issues are considered to be:

The Principle of Development; Site Planning History; Loss of Agricultural Land; Highway Impacts; Drainage Matters; Landscape Matters, Urban Design and Neighbouring Impacts, Heritage Matters; Ecological Impacts; and, Developer Contributions and Commitments.

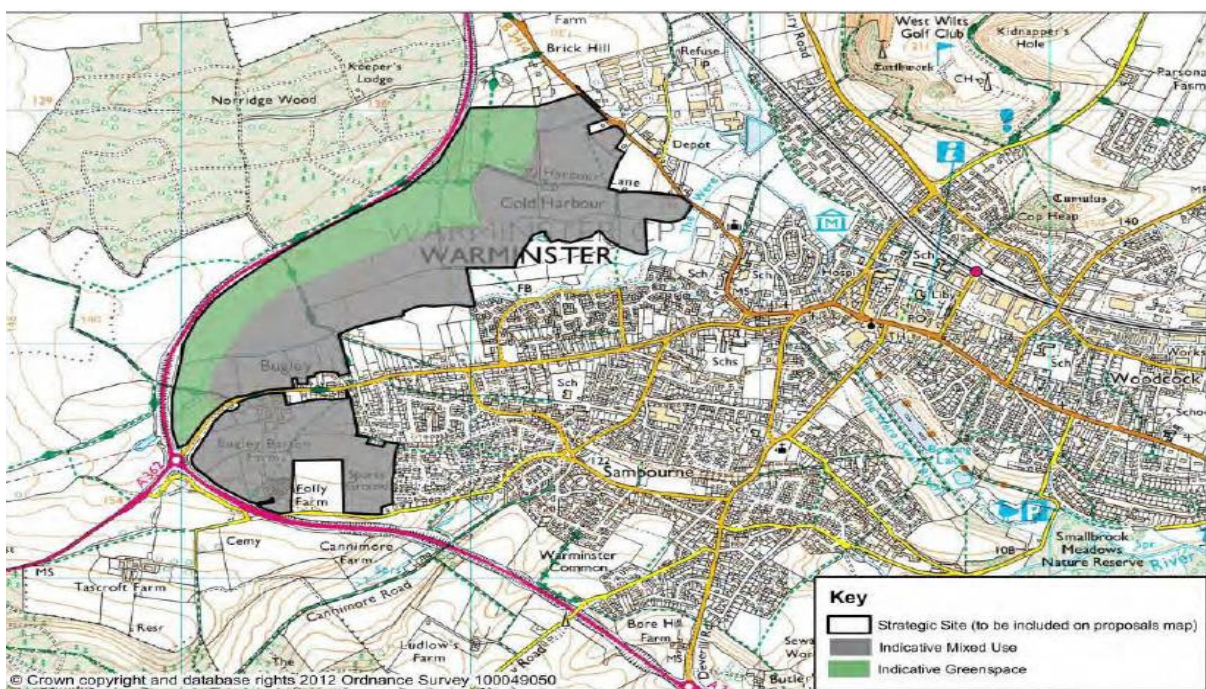
This application is submitted in outline form with all matters reserved for subsequent approval except for the means of vehicular access to the site which would be formed by two roundabouts proposed off Bath Rd and Victoria Rd. Detailed matters comprising the layout, scale, appearance/house design/storey heights and landscaping are not open for detailed consideration at this time. Future reserved matters application submissions would need to deal with such detailed considerations. This outline application is however supported by a comprehensive illustrative masterplan and parameter plans.

Warminster Town Council – Supportive of this application as set out in Section 7 of this report.

Neighbourhood Responses: This application has been subject to two formal public notification exercises that comprised over 130 individual neighbour notification letters being posted as well as 8 site notices being displayed on and around the application site in addition to press advertisements. Following the application’s 2015 submission and public notification, 55 representations were received objecting to the proposed outline proposal, with 22 representations received from 8 third parties – submitting multiple submissions since March 2015. Following the submission of a revised package of plans and supporting statements to support the amended application in November/December 2017, 4 additional third party representations were received. A summary of the received representations can be found within section 8 of this report.

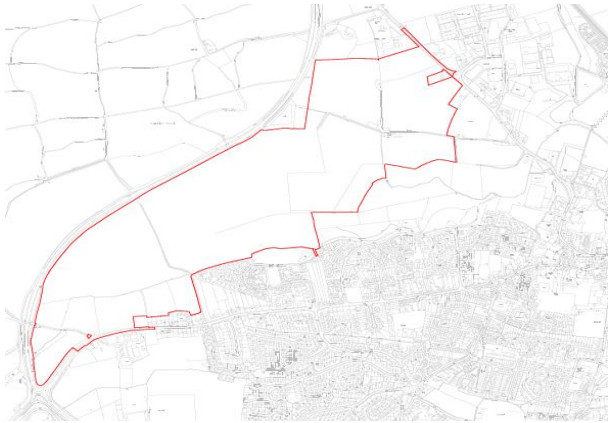
3. SITE DESCRIPTION

The application site extends to approximately 84 hectares of predominantly gently undulating agricultural land located on the western periphery of Warminster’s current settlement boundary. The application site is strategically allocated for new housing and employment land in the adopted Wiltshire Core Strategy and represents about three quarters of the full extent of the WWUE allocation. The following insert illustrates the development template plan for the entire WWUE site. The land that is the subject of this application constitutes the vast majority of the land to the north of Victoria Road and the west of Bath Road.



Source: Appendix A 'Indicative' Development Template Plan for the WWUE site

On the following page the annotated insert plan below left shows the red lined extent of the application site and the following photographs contextualise and illustrate the site’s relationship with the rest of the WWUE allocation and the wider surroundings.



Source: Application Site Parameters



Looking south west across the site from A36 layby



Looking north from Victoria Road along WARM4



Looking east across the site from WARM4 bridleway



Looking south from WARM70 near A36



Looking north along Bath Road – the site is to the left



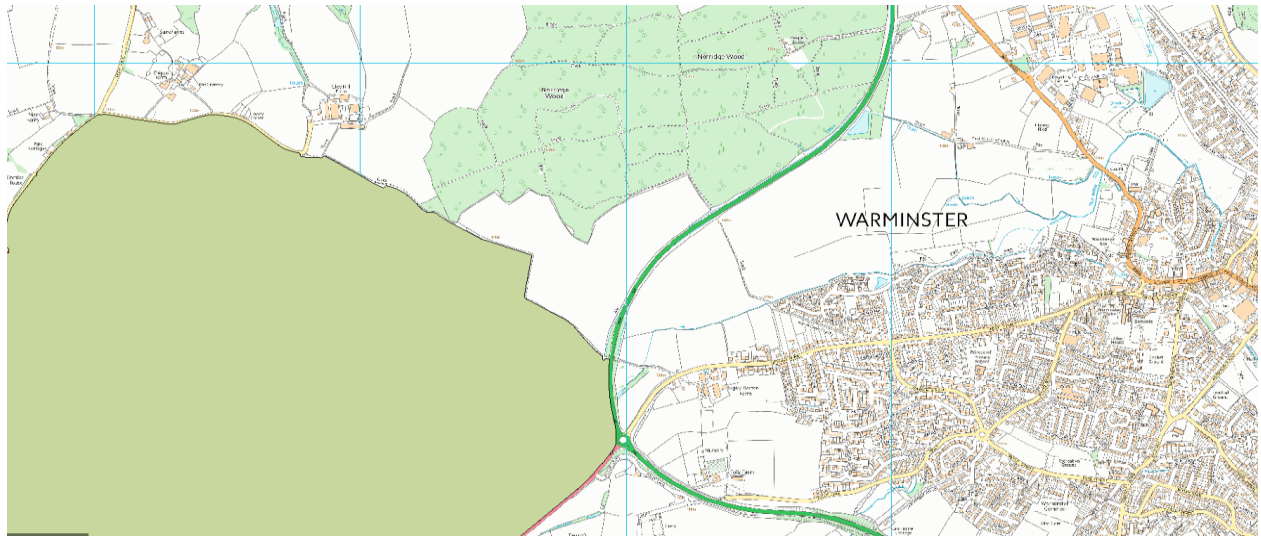
Looking west across site from WARM 10 footpath



Looking north-east to site from the Cley Hill summit

The site photos illustrate the general wide open character of the large fields that are separated by well-established hedgerows and trees with denser tree belts along the site boundaries. As illustrated by the development template insert and the plan below, existing residential properties border part of the site's southern boundary along with an undeveloped stretch of Victoria Road.

The plan below illustrates how the A36 Trunk Road (in dark green) sweeps around much of the site's northern and western boundary. Further to the west and north-west of the site, the ground rises gently towards the steep-sided Cley Hill, which forms a prominent and historic feature within the surrounding landscape and is a designated SSSI and Scheduled Ancient Monument. The land to the west of the A36 is designated AONB – which is shaded green.



Norridge Wood which is a large broadleaved modern plantation on the site of an ancient woodland and County Wildlife site is also illustrated in the map insert, located to the north of the site beyond the A36. Crusader Park and Warminster Business Park located to the north east of the site, beyond Bath Road are also identifiable. Along Bath Road on the site's north-eastern boundary, there are a scattering of residential properties with garden ground, paddock and other agricultural land adjoining parts of the site. Further to the north-east, and beyond Warminster town limits, the ground rises steeply to form a high ridgeline, which marks the edge of Salisbury Plain.

A group of well-established trees comprising Ash, Field Maple, Hawthorn, Oak and Yew located close to the application site boundary on land behind 106 Victoria Road and immediately adjacent to PRow WARM70 are protected by way of a TPO dated 14 August 2015 under ref: 2015/00015/GRP.

Vehicular access to the site is currently achieved from Bath Road (via Coldharbour Lane) and from Victoria Road (opposite an existing secondary agricultural access that serves Bugley Barton Farm). There are additional agricultural field entrances accessed off the public highway and there are several Public Rights of Way (PRow) running through the site which link the town with the open countryside. WARM4 runs in a westerly direction close to the southern boundary of the application site, crossing under the A36 via the underpass, and thereafter continuing in a north-westerly direction towards Cley Hill and the Cranborne Chase and West Wiltshire Downs AONB. Two spurs of WARM8 (forming part of the Mid Wilts Way long distance footpath which extends to circa 68 miles and stretches to the Berkshire border) traverse the site; one spur runs northwards from Victoria Fields (also known as the Swaledale Road development) via an existing farm track to the site's northern boundary and adjoins the A36 before crossing the trunk road. The second spur runs westwards from Bath Road, along Coldharbour Lane and towards the A36. The PRow continues to the west of the A36 where it runs parallel to the eastern boundary of Norridge Wood where both spurs coalesce and connect with WARM74. An additional connection is made with WARM70 which leads to Victoria Road. The WARM8 spur along Coldharbour Lane connects with WARM 9 & 10 which run southwards through the site before connecting with Grovelands Way. WARM 12 & 13 also branch from the spur of WARM 8 running in a northerly direction with WARM12 connecting with Bath Road to the north of the Crusader Park roundabout and WARM 13 linking with Bath Road further to the north, beyond the northern boundary of the site.

There are no heritage assets found within the site but there are a number within relative close proximity, with the closest being the Grade II Listed Bugley Barton farmhouse which is located on the southern side of Victoria Road. Warminster Conservation Area is located to the south-east of the site some 200m away. Brick Hill Farm – a non-designated heritage asset is located opposite the site's north-eastern boundary along Bath Road. Further along Bath Road and about 280m from the site, is the Grade II* St

Denys Church. Cley Hill Scheduled Ancient Monument is located about 1km to the west, and the Registered Park and Garden of Longleat (which is Grade I listed) lies approximately 1km to the south-west and Battlesbury Camp Scheduled Ancient Monument approximately 3km to the east. The Coldharbour Meadows (a marsh and grassland site) adjoin part of the site's north-eastern boundary accessed off Grovelands Way. The Corsley Heath to Chapmanslade Ridge Special Landscape Area is 0.2km to the north-west, and at its closest point; the Salisbury Plain SPA is 0.75km distant in a north-eastern direction.

There are very few buildings on the 84 hectare landholding. However, located in the north-eastern part of the site, there is a single storey agricultural workers dwelling and several dilapidated farm buildings at Coldharbour Farm, which are identified for demolition. The other dominating man-made features within the site comprise the high and low voltage electricity pylon infrastructure located near to Victoria Rd (located in the southern part of the site) and in the north-eastern part of the site, respectively.

As far as land drainage is concerned, the negotiated revised scheme presents all developable parcels of land for housing, employment, the school and local centre within Flood Zone 1 (i.e. on land having the lowest risk of flooding). In terms of topography, the landholding generally falls towards the Were Brook. The West Were dissects the site from the north east part of the site before connecting with the Were Brook South which runs from west to east before it discharges to the Were Brook (the Main River).

4. RELEVANT PLANNING HISTORY

W/74/00386/HIS – Agricultural covered yard for beef cattle – Approved 06 June 1974

W/80/00719/HIS – Agricultural dwelling at Coldharbour Farm – Approved 22 July 1980

W/80/01411/HIS – Industrial development (north of Coldharbour Lane) – Refused 17 February 1981

W/81/00025/HIS – Overhead electric line – Approved 04 June 1981

W/00/01381/OUT – New farmyard complex – Approved 30 November 2000

W/03/01748/OUT – Extension of time to submit reserved matters pursuant to approved W/00/01381/OUT – Approved 26 November 2003 (not implemented)

16/01323/MAS – West Warminster Urban Extension Masterplan modelled on delivering 1550 dwellings, 6 hectares of employment land and new schools - Endorsed by the Strategic Planning Committee 15 June 2016

5. THE PROPOSAL

This negotiated and revised outline application seeks to establish the principle of erecting up to 1000 dwellings of which 30% (up to 300) would be dedicated affordable housing units as well as providing 6.16 hectares of employment / commercial land (with 5.6 hectares of land being set aside for a mix of uses comprising B1 (offices), B2 (general industrial) and B8 (storage and distribution) in the north-eastern part of the site to facilitate synergies with the existing employment facilities at Crusader Park to the east of Bath Road and to avoid the need for associated HGVs to travel through the centre of Warminster and to minimise visual impacts. In addition, and to provide for a mixed range of commercial/employment generating uses, an additional 0.56 hectares of land would be set aside to deliver a Local Centre, to be located close to Victoria Road in the south-western part of the site.

The proposed development would satisfy and deliver the WCS CP3, CP31 and the WWUE strategic development template requirements in terms of providing a new link road connecting Bath Road and Victoria Road. The additional link road connection from Victoria Road to connect with the Broadway estate via St Andrews Road would be secured via the approval of separate applications for development of WWUE land to the south of Victoria Road.

Following extensive negotiations with Council officers and in accordance with the endorsed masterplan and Core Strategy, the developers are committed to dedicating land to be transferred to the Council for new education facilities in full recognition of the existing lack of capacity in the town's existing primaries and at Kingdown secondary school to service this development. As part of the outline proposals, the applicants are committed to setting aside 3.6 hectares for new school premises - which would be future proofed to allow for a new 2FE primary school and in recognition of the capacity constraints at Kingdown Academy, a 1.8 hectare parcel of land adjoining the primary school would be safeguarded as an option to deliver additional/secondary accommodation with the capability of providing a full year 7 secondary cohort (to

accommodate approximately 300 – 325 pupils) and associated facilities in addition to over £8.5 million of developer contributions being secured to help fund the new school premises.

To help illustrate the development proposals which constitute a long-term phased approach to this important adopted strategic site, the developers have developed an illustrative masterplan which is predicated on up-to-date detailed appraisal work. The Masterplan illustrates that a significant extent of the site (exceeding 50%) would not be built upon. The proposals also include the provision of a strategic landscaped earthed bund (which would vary in height between 1.5m-2.5m) to be provided along the site's north and western site boundary adjacent to the A36. The application is also supported by a comprehensive landscape framework comprising of retained hedgerows and trees, extensive new tree planting and provision of over 44 hectares of parkland and public open space and recreational sporting facilities with changing rooms, children's play areas and land for allotments. In addition, safeguarded ecological and wetland parks would provide enhanced green buffers between new and existing development and promote significant on-site biodiversity enhancement.



Illustrative Site Masterplan

The inclusion of woodland areas and advanced planting forms an integral part of the proposed landscape framework which has been negotiated and deemed necessary to best mitigate the visual and landscape impacts of the development and to provide a heavily treed landscaped setting fully mindful of the sensitivities of the surrounding landscape/countryside.

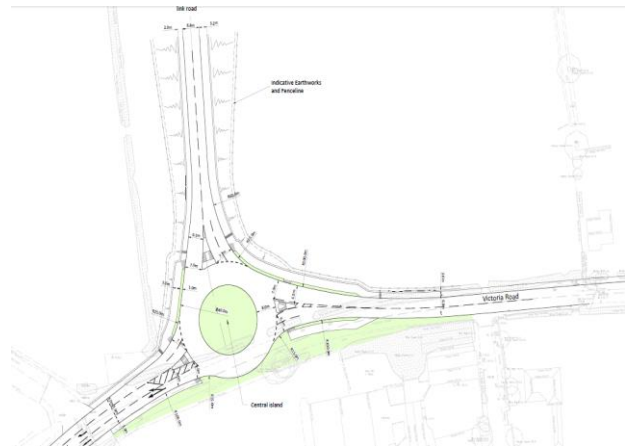
Extensive negotiations have taken place since 2015 (when the application was lodged) regarding the development of a robust land drainage and flood risk assessment and hydraulic modelling, which has taken a significant amount of time in full appreciation of Warminster's complex hydrology and flood risk and downstream network constraints. After three years, the application submission is now fully supported by a robust flood modelling understanding; and, a bespoke drainage strategy has been developed for the site which is predicated on there being no built development within flood zones 2 or 3 or the modelled on-site flood storage areas in compliance with the NPPF and the Core Strategy requirements to reduce flood risk on and off-site. The application would also deliver on-site sustainable urban drainage solutions and flood mitigation.

The only 'detailed' aspect of this application relates to the construction of two roundabouts being formed directly off Bath Road and Victoria Road. The following two inserts illustrate the two proposed roundabouts.

Proposed Bath Road Roundabout



Proposed Victoria Road Roundabout



To accommodate the development proposals, a single storey farm workers dwelling and a range of agricultural sheds (which have no architectural or historic merit) would be demolished.

In summary form, this outline application is supported by an illustrative masterplan and parameter plans which illustrate the provision of the following:

- Up to 1000 dwellings (on 24.56 hectares);
- B1-B8 employment land and local centre (totalling 6.16 hectares);
- A primary school site including land for playing fields (1.8 hectares);
- A safeguarded site for additional/secondary school facilities (1.8 hectares);
- Sport pitches including changing rooms and car parking facilities for the local community (on 5.05 hectares);
- Allotments (on 0.38 hectares);
- Strategic landscaping, parkland, woodland, ecology park, children's play areas and attenuation ponds (across 39.5 hectares); and,
- Other infrastructure (extending to 3.65 hectares)

To assist the Council with its determination of this application, the following supporting documents have been submitted:-

An Environmental Statement (with October 2017 and March 2018 Addenda); a Non-Technical Summary; a revised Design & Access Statement (dated March 2018); a Site Investigation Report; an Agricultural Land Classification Report; a Tree Survey; a Noise Assessment; a Waste Strategy Report; a Transport Assessment (with a October 2017 Addendum); a revised Flood Risk Assessment and Drainage Strategy; a Utility Infrastructure Site Appraisal Report; a Sustainable Energy Strategy; a Draft Construction Traffic Management Plan; a Landscape Strategy Implementation Plan (LSIP); a Statement of Community Involvement (SCI) with a October 2017 Addendum); and a revised Landscape and Visual Impact Assessment (LVIA).

The application is furthermore supported by the following plans:

Site Location Plan; Topographical Survey Plans – sheets 1-4; Victoria Road Roundabout Access Plan; Bath Road Roundabout Access Plan, Illustrative Masterplan; and Parameters Plans covering Land Use, Density; Access and Movement; and Maximum Building Heights.

The application has also been predicated by the WWUE site allocation Masterplan which was modelled on delivering 1550 dwellings, 6ha of employment land and 3.6ha of land for new on-site education facilities – which was endorsed by the Strategic Planning Committee on 15 June 2016.

6. PLANNING POLICY

The Adopted Wiltshire Core Strategy WCS (which was adopted in January 2015) - Core Policy 1 Settlement Strategy; Core Policy 2 Delivery Strategy; Core Policy 3 Infrastructure; Core Policy 31 Warminster Community Area; Core Policy 41 Sustainable Construction and Low Carbon Energy; Core Policy 43 Providing Affordable Homes; Core Policy 45 Meeting Wiltshire's Housing Needs; Core Policy 50 Biodiversity and Geodiversity; Core Policy 51 Landscape; Core Policy 52 - Green Infrastructure;

Core Policy 57 - Ensuring High Quality Design and Place Shaping; Core Policy 58 Ensuring the Conservation of the Historic Environment; Core Policy 60 - Sustainable Transport; Core Policy 61 Transport and Development; Core Policy 62 - Development Impacts on the Transport Network; Core Policy 63 Transport Strategies; Core Policy 64 Demand Management; Core Policy 67 Flood Risk; Core Policy 68 Water Resources; and, The Design Template for the strategic West Warminster Urban Extension Site found within Appendix A.

The development template for the West Warminster urban extension strategic site requires new development proposals to:-

1. Integrate with the existing town and town centre; 2. Protect the setting of and views to the Cranborne Chase and West Wiltshire Downs AONB; 3. Conserve and enhance the environment within and around the strategic site; 4. Provide a link road connecting Bath Road, Victoria Road and Thornhill/ St Andrews Road and new bus service to the town centre; 5. Deliver improvements to the Rights of Way identified in the IDP (which includes WARM6); 6. Provide areas of multi-functional accessible natural green space along sections of the River Were floodplain; 7. Provide for children's play, accessible natural green space, sports and allotments; 8. Retain, buffer and restore habitat corridors across the site with sensitive lighting close to hedgerows, mature trees and the riparian corridor; 9. Include sensitively designed SUDS; 10. Provide a substantial landscape buffer to screen visually intrusive urban edges; 11. Have regard to the setting to Cley Hill SAM; and, 12. Ensure the Master plan accords with the specific recommendations for the Site in the Historic Landscape Assessment.

In addition to the above, the following saved policies of the West Wiltshire District Plan – 1st Alteration (WWDP) remain relevant which have been carried across into the Core Strategy and are listed within Appendix D: C40 – Tree Planting; U1a - Foul Water Disposal; and I2 – The Arts.

The Wiltshire Waste Core Strategy (adopted 2009) is also relevant especially Policy WCS6 – Waste Reduction and Auditing.

The West Wiltshire Leisure and Recreation DPD (which was adopted in February 2009) is a material consideration with particular reference to the following saved policies: LP1 Protection and Enhancement of Existing Open Space or Sport and Recreation Provision; LP4 Providing Recreation Facilities in New Developments; LP5 New Sport and Recreation Facilities; CR1 Footpaths and Rights of Way; CR3 Green Space Network; GM2 Management and Maintenance of New or Enhanced Open Space; GM3 Future Management Partnerships; and, YP1 Children's Play Areas.

Warminster Neighbourhood Plan (WNP) which was 'made' on 10 Nov 2016 following a successful local referendum, now forms part of the statutory development plan framework.

In addition, the Council's 16 March 2018 published Housing land Supply Statement with a baseline date of 1 April 2017 merits due consideration.

The following also merits due consideration:

Wiltshire Council's adopted Statement of Community Involvement, Wiltshire Council's Community Infrastructure Levy (CiL) Charging Schedule: Draft Revised Regulation 123 List and Revised Planning Obligations Supplementary Planning Document (SPD); Wiltshire Council's 2017 adopted Waste Collection Guidance for New Development; The Wiltshire Local Transport Plan (LTP) and Car Parking Strategy; The Affordable Housing SPG; Open Space Provision in New Housing Development SPG (Adopted August 2004); and Wiltshire Council's Groundwater Management Strategy (2016).

At the national level, The National Planning Policy Framework (otherwise known as the Framework or the NPPF) was published in March 2012 and is a material consideration in the determination of all planning applications; and specific to this application, the overarching aim and 'golden thread' running through the NPPF is the delivery of Sustainable Development. Section 4 promotes Sustainable Transport; Section 6 is all about delivering a Wide Choice of High Quality Homes; Section 7 sets out the requirements of Good Design; Section 8 promotes Healthy Communities; Section 10 seeks to meet the Challenge of Climate Change, Flooding and Coastal Change; and Section 11 sets out the importance of Conserving and Enhancing the Natural Environment.

National Planning Policy Guidance (NPPG); The Cranborne Chase and West Wiltshire Downs AONB 2014-2019 Management Plan; and The Noise Policy Statement for England (2010) merit due consideration also.

The Council's Emerging Housing Sites DPD which is still be progressed and is yet to be examined in public by an independent inspector, does not yet carry any material weight.

7. CONSULTATIONS

Warminster Town Council – Supportive of this application, but made the following points and recommendations:

1. The roundabout on the A36 from Victoria Road will need to have some improvements to accommodate the Longleat hotel. Although it is argued that these would be insufficient to take the increased traffic from the WWUE development. The existing traffic flow already makes it difficult to access the roundabout from Victoria Road and there are significant safety concerns. It is suggested that traffic lights for the roundabout should be considered;
2. The AONB comments regarding the need for recessive coloured roofs and screening for this site are endorsed.
3. The commercial site is surrounded by housing and does not have an adequate separate access.

Wiltshire Council Spatial Planning Team – Supportive: Delivering development at this allocated strategic site is a critical part of the adopted WCS approach to meeting the development needs of Warminster, the Community Area and Housing Market Area as well as to satisfy the core principles of the Core Strategy. To fulfil its strategic role, the Plan requires a comprehensive approach to site delivery to ensure the plan objectives are met alongside a high quality design. In Warminster, the WWUE strategic site would comprise a comprehensive redevelopment of one side of the whole town extending up to the A36. In accordance with the WCS, the development proposals have been informed by a Masterplan and its modelling evidence. Following the endorsement of the site allocation Masterplan, the developers have undertaken additional detailed site appraisal which has resulted in deleting 200 residential units from the scheme across the 84 hectare site.

Special attention should be afforded to necessary mitigation measures to reduce the visual impacts of development and to preserve the qualities and setting of Cley Hill Scheduled Ancient Monument, the Area of Outstanding Natural Beauty and special landscape area.

There is support for the applicant's commitment to deliver energy efficiencies and water consumption limitations. The application is supported by a sustainable energy strategy which indicates the potential for future REM submissions to include small-scale photovoltaics and solar thermal installations to reduce energy demand, as well as there being the potential for a district heating / combined heat and power (CHP) / domestic-scale CHP hybrid solutions.

Wiltshire Council Economic Development Officer – Supportive: The location of the proposed employment site close to the Crusader Park and the Warminster Business Park would minimise the need for HGV vehicles to enter the town centre. It is also important for the serviced employment land to be made available as part of the early phasing. A separate 0.56 hectare parcel of land within the site would be set aside for a local centre which could offer up additional/alternative employment opportunities.

The Wiltshire Workspace and Employment Land Review reported that much of the stock is not considered fit for purpose for modern businesses. In particular, stakeholders identified that there is relatively little employment land, especially in mid and north-Wiltshire that is readily available for design & build options; and, the site in Warminster would help address some of the recorded shortfall. There is little developable space remaining on the existing estates and limited availability of good quality built premises. Whilst there is potential to intensify uses at some existing estates, there is a requirement for new allocations, particularly around the larger settlements, to meet demand for leaseholds and also to provide space for larger design and build options

Some 27,600 new jobs are projected to be created in Wiltshire over the plan period by 2026; and of these, about 21,700 are identified to require some form of B-use space accommodation. It is important that settlements such as Warminster cater for the local market, providing the right size and type of premises for

existing companies to expand or adapt. This is particularly important given the objective the Council has in terms of seeking to reduce out-commuting and to balance future housing growth with job growth.

The SWLEP Local Economic Assessment reports that Warminster is an area suffering from a shortage of 'fit-for-purpose' employment land and workspace, which may impact on its future economic growth prospects. A further issue is the lack of quality 'moving-on' accommodation for expanding firms. It is therefore important that the strategic employment site and application is supported.

The Council maintains close contact with major businesses in the County and many of them have plans to expand. All of the above supports the development of the employment/local centre elements forming part of this application to enable local businesses to move, expand and develop without having to move elsewhere to do so. The development shall create local jobs and the employment land would help to reduce out commuting.

NPCU (National Planning Unit) – No comments.

Highways England – No objection: Appointed by the Sec of State for Transport, Highways England appraised the Transport Assessment and confirmed being satisfied that the quantum of development would not result in causing detriment to the strategic road network A36.

Wiltshire Council Highways Authority – No objection. The supporting Transport Assessment for this application assesses the local road conditions, facilities, impacts, site sustainability and local safety; and the findings conclude that this development would not have severe cumulative highway impacts. A thorough appraisal of this application has taken place following several amendments and plan iterations.

Whilst the local opposition against the scheme is fully acknowledged, the site forms part of a strategic allocation; and, a central part of the allocation is the delivery of a strategic link road from Bath Rd – Victoria Rd to connect with St Andrews Rd; and given the mixed use quantum of development being proposed, two roundabout junctions are necessary to provide a safe and efficient means of vehicular access.

The concern raised by local residents about the proposed Bath Rd site access roundabout to serve the WWUE site query its necessity, given the presence of an existing roundabout a short distance to the south-east which serves the Crusader park development, and representations question whether the existing roundabout could also serve the WWUE site. This issue has been considered by the local highways authority from the outset and it formed part of the masterplanning discussions and member debate before the Masterplan was endorsed in June 2016. To reaffirm matters, and in response to the expressed local concerns submitted as part of this application, there are sound reasons why the applicants have proposed a second roundabout. The existing Crusader Park Roundabout was set up as an off-set three arm roundabout which was to some degree, compromised by land availability. The Crusader Park development was built right up to the highway boundary which is defined by the footway and the Sydenhams storage yard boundary wall which immediately abuts the back of the footway. To the west side of the roundabout, a residential property (known as Avontor) has a frontage with part of the roundabout. In order to achieve a workable four-arm roundabout to serve the WWUE site, land from Avontor would be required. It is not possible to displace the roundabout to the east (to avoid the Avontor property and land) because of the constraints of the Sydenhams site and additional third party land.

It is acknowledged that the owners of the land opposite the proposed Bath Road roundabout have also raised objections regarding the impact it would potentially have on their property, the accessing arrangements and the impacts on future development opportunities. In response to these concerns, it is the opinion of the local highways authority that the proposed roundabout would not detrimentally affect highway safety interests or the existing access arrangements serving third party properties; and, the proposed new roundabout would not preclude future development opportunities for land further along Bath Road.

The proposed roundabout position is in the optimal location as there is limited latitude to move the junction to the north because of geometric and sight distance constraints imposed by third party land ownership.

The two proposed new roundabouts have been subject to Stage 1 road safety audits, and no insurmountable issues have been identified. The need to accommodate three access points (to serve No.

48) is recognised as being a potential constraint, but it is argued that two of the access points (to the north and south sides of the roundabout) are of low level use and these are not a concern to the local highways authority. There would be adequate space for a vehicle to pull up to the main access gate to No 48 and be substantially clear of the roundabout circulatory carriageway.

The proposed roundabout designs and locations have been thoroughly appraised and Members are advised that from a practical and engineering stance, there would be no demonstrable harm arising from the provision of the roundabouts, and as far as the NPPF and local plan policy is concerned, there would be no cumulative severe transport impacts. Following the endorsement of the site allocation Masterplan, which set out the need for and the siting of the new roundabouts off Bath Road and Victoria Road, it would be unreasonable to require the developers to revise their plans and to construct an alternative roundabout or site access in the absence of any substantive harm; and, furthermore, there would be potential and unreasonable ransom issues to overcome which would severely compromise the deliverability of this strategic site.

A key objective of the WCS for the site is that the WWUE development should have enhanced integration with the existing town and links to the town centre. The WCS specifically requires that the development to deliver the following:

- Sustainable transport solutions for pupils attending Kingdown School.
- The development must not negatively impact on traffic along West Street.
- Deliver a new bus service to the town centre.
- Secure financial contributions towards safe cycle and walkways
- Deliver improvements to the Rights of Way identified in the IDP.

The Infrastructure Delivery Plan sets out site specific requirements listed under essential and place making infrastructure which include the following:

Essential Infrastructure:

- Deliver sustainable travel plan for pupils attending Kingdown Secondary School.
- Commit to mitigation measures to reduce off-site highway impacts.
- Fund a bus service to the town centre (30 minute frequency on weekday daytimes).
- Deliver new accesses and internal loop road.
- Deliver a phased link road connecting Bath Road, Victoria Road and Thornhill/St Andrews Road.

Place Shaping Infrastructure:

- Upgrade WARM6
- Upgrade circular routes formed by WARM10, WARM70, WARM74, WARM4 and CORY20 (some of which could be funded through CiL)
- Upgrade circular route formed by Cannimore Road, CORY48, CORY49, WARM66, WARM1 and WARM91 (some of which could be funded through CiL)

The above requirements would be met and achieved, inter alia, through the provision of enhanced sustainable transport options. Enhanced local footpath and cycle track provision for the site would be critical to the achievement of transport modal changes. The topography of the application site and the immediate surrounding area is generally level and is conducive to promoting walking and cycling. With new/upgraded routes, pedestrians and cyclists would be able to access the site via Victoria Road, Bath Road and Swaledale Road.

The proposed development as illustrated throughout the plan submissions, seek to promote walking and cycling through the creation of safe, direct and attractive routes for pedestrians and cyclists. A comprehensive network of footways and shared footway/cycleways are proposed across the development which would link well with the existing networks to deliver enhanced walking and cycling route options. Existing Public Rights of Way would be retained and diverted as necessary with other routes being maintained, improved and integrated into the pedestrian network to enhance the access to the wider countryside.

All roads constructed within the proposed development would be suitable for pedestrians and cyclists, via the dedicated provision of cycle lanes and footways, or through the use of shared surfaces. The tertiary

road network through the site would be designed to reduce vehicle speeds and to encourage greater awareness of road users.

Alongside the strategic link road – which would be a main thoroughfare through the site, a 3.2m wide shared footway/cycleway is proposed along its entire length connecting Victoria Road and Bath Road. In addition, a new 3m wide footway/cycleway link would be constructed southbound to connect with Swaledale Road providing access to Victoria Road.

In summary, the following infrastructure would be provided to support enhanced pedestrian/cycle access and movement that would assist with delivering sustainable modes of travel:

- A 3.2m shared footway/cycleway through the site connecting the Bath Road and Victoria Road site accesses;
- A 3m wide shared footway/cycleway southbound from the main street to connect with Swaledale Road;
- A new zebra crossing on Bath Road situated between the proposed Bath Road site access roundabout and the Crusader Park roundabout access;
- A hierarchy of direct routes comprising shared and recreational routes which connect the points of access;
- Secure, covered cycle storage for residential and employment land uses, and at the local centre and schools;
- The provision of shared surface links throughout the site;
- Internal road layout designed to ensure low traffic speeds. The design of which shall promote safe walking and high permeability through the site, and limit the potential for anti-social behaviour;
- Particular attention shall be paid to surface quality to provide a sense of safety and security for users; and,
- Appropriate signage and crossing points of roads throughout the development, to include dropped kerbs, tactile paving and guardrails as appropriate.

In addition to the above, it is necessary that the applicants do more than just connect into the existing routes. As set out within chapter 9 of the applicant's Transport Assessment a series of off-site mitigation commitments are being offered by the developer. Material improvements are required to existing routes to ensure that they are well surfaced, drained and appropriately lit to encourage their use. Developer contributions are also required to achieve the cycling route upgrades; and, the highway authority recommends specific measures are undertaken in relation to the upgrade of existing public rights of way which lead directly from the site to the town; in addition to the off-site IDP schemes.

The PROW upgrades involved are as follows:

- WARM8 – To upgrade the footpath to a pedestrian/cycle track between the site boundary and Victoria Road, including two connections to existing development roads;
- WARM9 – To upgrade the existing footpath to a pedestrian/cycle track between the site boundary and Grovelands Way;
- WARM10 – To upgrade the existing footpath to a pedestrian/cycle track including funding a new bridge across the brook, between the site boundary and Grovelands Way;
- WARM70 – To upgrade the existing footpath to a pedestrian/cycle track between the site boundary and Victoria Road;
- To provide a new cycle track between site boundary and Swaledale Road, including a bridge over the watercourse.
- To finance off-site PROW network upgrades identified in the IDP for WARWES15 and WARWES16.

Warminster is considered to be well served by bus services, with five to six services per hour to and from the town centre at peak times. There are also frequent and direct bus services towards Bath and Salisbury available from the town centre, with an hourly bus service to Frome accessible from Victoria Road. Warminster Rail Station is located approximately 2.4 km from the centre of the site, served by First Great Western. The station has 60 car parking spaces with sheltered cycle parking adjacent to the station entrance.

Alongside several planning obligations to be secured by a s106, there is a need for a planning obligation to require the developer(s) to enter into detailed discussions with the local highway authority and bus

operators to agree a bus strategy to ensure that the site is adequately served by regular frequent bus services connecting the site with Warminster town centre and Kingdown Academy both in the short term and long term. The provision of new bus services to serve the site would significantly encourage a travel mode transfer, and there is a requirement to ensure that new bus services are provided within the development and supported for at least the duration of the total build-out period of the development. In addition to a town centre service, it would also be necessary to ensure that off-site secondary school trips are accommodated for by an enhanced bus service to help minimise the amount of cross town car traffic. A passenger strategy should form part of the public transport strategy to show how the site could be provided with appropriate (half hourly) bus facilities, and confirm what level of financial support from the developers would be required, and to assist with this requirement, regard should be made to the recent CIHT publication, Buses in Urban Areas, dated January 2018.

Within the site, there would be a need to accommodate temporary and permanent facilities for buses; with the exact arrangements being predicated by each phase of development.

It is accepted that a key concern raised by third parties relates to the highway impacts on West Street. This street would be impacted by additional trips to the town centre from the Victoria Road site access, but there is limited opportunity to provide more capacity. However, through the delivery of enhanced PRow routes and linkages and the development of a bus strategy and encouraging future occupiers and visitors to the site to use sustainable modes of transport (alongside reassigned trips) the impacts to West Street should be sufficiently mitigated.

It is proposed that the phasing of the link road delivery should be dealt with by way of a planning obligation. It would not be viable or reasonable to require the link road between Bath Road and Victoria Road to be delivered as part of the initial phase of the development. The traffic modelling indicates there would be a broadly balanced (+/- 10%) split of forecasted peak hour traffic between the Bath Road junction and Victoria Road roundabouts; and, it would however be desirable to ensure that the strategic link is delivered to ensure that all the external flows (i.e. the new housing plus construction traffic) do not exceed the forecasted full development flows at either roundabout access. The submitted phasing plan illustrates that the phasing of development would progress from both Bath Road and Victoria Road leading towards the centre of the site; and, it should be a requirement to restrict the number of dwellings in the phasing, and to establish a clear time commitment for the completion of the strategic road link.

It is recommended that no more than 300 dwellings should be allowed to be occupied from either end of the site (i.e. accessed via Bath Road or Victoria Road) before the delivery of the strategic road link is complete to avoid excessive cul-de-sacs being created. Alternatively, and whichever trigger comes first; the strategic road should be delivered within 6 years following the first occupation of any residential property. Through additional s106 obligations to secure the transfer of the school land, the developers should be obligated to provide a serviced site with vehicular access to Victoria Road within 12 months following the commencement of residential development. Enhanced on site foot and cycle linkages should also be enshrined within the s106 to allow for walking and cycling options to be available for the new school site.

The connections between the site and the wider town need to be phased in a manner to suit the development build out rate, and cycle track connections from the site would be required to be completed in accordance with a detailed phasing plan and enshrined under the provisions of a planning obligation.

As far as construction traffic is concerned, HGVs should be routed via the A36, unless the traffic is internally generated. However, owing to the location of the existing weight limit at the Victoria Road/A36 junction, it would be necessary to temporarily move the weight restriction so that the Victoria Road site access falls outside the restricted area. This would certainly help prevent any abuses and a bespoke planning obligation would be required to secure the necessary and relevant funds to allow the Council to process such Orders.

There also should be a planning condition requiring the submission of a construction traffic management plan. It is accepted that construction vehicles accessing the site would generate an extraordinary use of Victoria Road and Bath Road between the site accesses and the A36; and, in response, a planning obligation to secure a public highway condition survey report prior to any works commencing on site to ensure that any subsequent damage to the highway linked with the development can be remediated.

It is furthermore accepted that the construction and delivery of this strategic development would result in some impacts through the generation of additional traffic on the local network. The application is however supported by a detailed Transport Assessment which included a visual simulation traffic model for the whole town and it records that the overall journey times on the network would, on average, increase by about one and a half minutes during the evening peak period and about a half a minute at the am peak period by 2026. The Transport Assessment confirms that the A36 has the capacity to accommodate the site's forecasted additional traffic generation and demands; and no demonstrable harm has been identified.

It is fully appreciated that many of the local junctions in the town experience peak hour congestion, and this would continue. The applicant's traffic modelling has appraised the bottlenecks and factors in reassignment trips via quicker routes and has tested how some local improvements could improve the situation in the town centre, and in particular, provide mitigation against the evening delays. However, many of the town's existing road junctions are constrained to the point that they cannot be improved to provide increased route capacity. West Street has been identified as a particular pressure point; and it is here where the peak evening period traffic is forecasted to increase by up to 89 vehicles by 2026, (compared to 2013 traffic levels). When factoring in the entire modelled WWUE site (based on the 1550 levels endorsed by the Masterplan), following the completion of the entire modelled site, West Street would likely experience an extra 100 vehicles at peak evening periods. Meanwhile along Copheap Lane, the evening peak hour traffic would increase by about 8% with mitigation works proposed.

Chapter 9 of the TA sets out the specific mitigation measures offered by the developer which are identified as being necessary to make the development acceptable in planning and highway terms that need to be secured by planning conditions and s106 obligations. In some cases, the Council should be seeking the works to be completed by the developer rather than seek financial contributions to prevent the Council being exposed to unnecessary risks and delivery burdens. In some cases, a developer contribution is necessary where it comprises a proportionate contribution to part fund off-site infrastructure.

The development would require the following developer obligations to be secured via s106:

- To deliver the roundabout junctions off Victoria Road and Bath Road, including the necessary alterations to the existing highway arrangements to deliver a safe access.
- To secure the phased delivery of the spine road through the site connecting Bath Road and Victoria Road and requiring its completion prior to the occupation of the 600th dwelling or the occupation of the 300th dwelling from either roundabout junction, and/or before a period of 6 years from the commencement of the residential development, whichever is the earlier.
- To secure developer contributions towards the full costs of delivering the upgrades of existing rights of way, as outlined above, and in accordance with a delivery schedule to be agreed by the local planning authority;
- To deliver the Toucan controlled crossing on Victoria Road to link the site with the WWUE land south of Victoria Road (Note: the Council has already secured £68,400 from Redrow as part of consented application 14/06562/FUL which would be transferred following a contract being entered into for the works);
- To secure the delivery of a Bus and Passenger Strategy for the site to provide for a minimum half hourly service to and through the site, and a service with capacity to facilitate travel to and from Kingdown School on all school days. The strategy would also need to include details of the support funding required by the developer to support the service until at least the occupation of the final dwelling approved under reserved matters.
- To secure the delivery of travel plans for the residential, and employment uses on the site, and the school development should the developers progress to the design and build stage following REM approval, together with details of encouraging all future site occupants/users to travel to and from the site by sustainable means;
- To deliver a new roundabout at Copheap Lane/Portway/Westbury Road junction. (Note: the Council has already secured £39,000 from Redrow as part of consented application 14/06562/FUL which would be transferred following a contract being entered into for the highway works);
- To secure a developer commitment to finance all TROs, including all the Orders pursuant to amending existing road weight restrictions, prohibition of driving, and parking; and all the Cycle Track Orders in relation to PROW upgrades;
- To commit the developer to undertake improvement works to upgrade local rights of way to facilitate and encourage enhanced levels of use;
- To commit the developer to provide bus stops, shelters and real time passenger information, as required, through the development site;

- WARM9 – there is a requirement to upgrade a 290m stretch of WARM9 to the north of the Grovelands site to link with Coldharbour Lane (WARM8) to form a pedestrian / cycle route and secure a new bridge crossing over the brook (from Coldharbour Lane to the southern site boundary that abuts with the Grovelands Way proposed care home site). The maximum sum to deliver the upgrade is calculated as £222,500 to which the developers for this development would be expected to contribute on a pro rata basis which would be dependent upon a) the extent to which the northern part of the path can be delivered within the site boundary, and (b) the southern part at circa 145m in extent being delivered by the developers for 17/05360/OUT on the Grovelands site; Preliminary discussions have taken place involving the landowner and no in principle objection has been raised. The upgrade is therefore considered to be achievable; and,
- To secure the delivery and installation of improved MOVA software at the Weymouth Street, Market Place and High Street traffic signals.

Wiltshire Council Rights of Way Team – No objections subject to PRoW improvements to be enshrined within a s106 agreement. The development proposals would create considerable additional demand on the nearby rights of way network. Some of this demand would be for purposes linked to accessing schools and shopping trips, as well as for recreation. The illustrative Masterplan and site layout affords very good opportunities for site permeability around the site, and the proposed strategic footpath network is supported as it would be a good semi-urban route which would be useful for short exercise/dog walking pursuits. In order to make this attractive and useable all year round, it must be surfaced with tarmac to an adoptable standard and the routes should be 3m wide with segregated pedestrian/cycle surfacing so it can cater for both.

Footpath diversion orders would be required, which would need to follow a separate process. A diversion order must be applied for and approved before the diversions can be undertaken; and a number of cycle track conversion orders would also be required. The developer would need to cover the associated costs, including the associated advertisement charges. Officers recommend that the developers should undertake the upgrades/improvements through an agreement under s278 of the Highways Act (1980), to ensure the burdens do not fall to the authority and tax payers.



The Council's PRoW officers' notations on required PRoW upgrades and improvements

The above insert which sets out key utility linkages to and from the site and the need for upgrades are explained as follows:

- WARM8 (part 1) - requires the footpath from Victoria Road up to spine road should be converted to a 3m wide pedestrian / cycle route (although it is accepted that there may be a couple of narrower pinch points).
- WARM8 (part 2) - requires a more convenient pedestrian/cycle route to be created to enable future cyclists to travel west through future housing phases (and presumably 20mph zones), and southwards along the converted WARM8, then on along an additional stretch of pedestrian / cycle route along the north side of the spine road.
- WARM8 (part 3) - requires the route from Bath Road to the spine road (via Coldharbour Lane) to be converted to a 3m wide pedestrian/cycle route with the surface to be improved by the developer.

- WARM8 (part 4) - requires the route from spine road to the A36 bypass by surfaced in hoggin material of 2m width.
- WARM12 – a diversion order and cycle track conversion order is required. The upgrade would need to be 3m wide to accommodate pedestrians and cyclists.
- WARM13 (part 1) – the northern site boundary stiles need to be upgraded to kissing gates and the developer should be burdened by the cost of £850 to finance the new gates, materials and installation.
- WARM13 (part 2) – the proposed diversion around the employment site should be surfaced in hoggin material and be of 2m width.
- WARM70 – a cycle track order is necessary and delivery of a 3m wide pedestrian / cycle route.
- The “proposed strategic footpath routes” identified on the illustrative masterplan through the greenspaces should be surfaced using hoggin material and be of a width of 2m.
- The future maintenance of the on-site infrastructure needs to be covered in the s106.

Wiltshire Council Drainage Team (the Local Lead Flood Authority) – Supportive: subject to planning conditions. This application has been the subject of extensive land drainage investigations, discussions and negotiations spanning three years. The amended FRA and supporting submissions show the arrangements for managing storm water drainage disposal without increasing the risk of flooding elsewhere, and accordingly, the FRA & development satisfies the NPPF and WCS.

Any alteration to the existing watercourses or connections would require separate formal consent from the appropriate drainage authority (i.e. the EA where the watercourse is a main river for any works within 8m of top of bank; and, the Local Lead Flood Authority for all discharge rates where watercourse is an ordinary watercourse).

Separate discussions have been held with the sewerage undertaker relative to foul water disposal and its treatment; and, Wessex Water have confirmed the need for off-site improvements in the form of both onsite and offsite works (to be phased if required) which can be conditioned.

The sewerage undertaker has confirmed that there is some existing capacity at the sewage treatment works for this development and the undertaker has confirmed the need for a Grampian style planning condition to secure the necessary improvement works comprising the need to upgrade the emergency storage facilities at the Portway Sewage Pumping Station.

Environment Agency – No objection: subject to planning conditions and informatives. The finalised Masterplan and FRA Addendum confirm that there would be no built development within the modelled areas at risk of fluvial flooding as confirmed by the published Flood Map (Drawing No. P831/04 Rev. A) and the map shows the maximum hydraulic modelled fluvial flooding covering the 1 in 1000 year fluvial flood extent (Drawing No. P831/05 Rev. A), both of which are included within Appendix 2 of the FRA.

Wessex Water – No objection: subject to the imposition of a planning condition covering foul water disposal. The site would be served by separate systems of drainage constructed to current adoptable standards. The LLFA is the relevant authority to appraise and approve the proposed surface water drainage systems. Elements of the surface water system could be offered for adoption, but Wessex Water do not currently adopt swales, attenuation ponds & basins or create storage. The LLFA/LPA would therefore need to be satisfied with the future ownership and maintenance arrangements.

Foul water discharge generated by the development would connect to the local foul sewer. The proposed FRA and drainage strategy (produced by PFA dated Sept 2017) includes the outcome of network modelling which has confirmed that the proposed development could discharge foul flows to the public network with a gravity connection to the 525mm dia. foul sewer to the east of the site. A sewer requisition would be required for the connection and a scheme of works would be required to upgrade the emergency storage facilities at the Portway Sewage Pumping Station. A Grampian style planning condition is required to secure this necessary work to define the terms of any permission.

Surface water connections to the foul sewer will not be permitted. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

In terms of water supply, the water mains that cross the site would be diverted to achieve the projected site layout. An easement of 6m either side of the main must be maintained following any agreed diversion.

Water Supply network modelling would be required to review and determine if any off site reinforcement is required to accommodate extra demand in terms of supply generated by the development. Buildings above two storeys would require on site boosted storage.

Wiltshire Council's Landscape Officer – Supportive: After appraising the revised submission, the initial landscape based concerns were resolved through a negotiated iterative design and assessment process. The revised proposal includes provision for a robust landscaped buffer between the development site and A36 boundary (beyond which lies the AONB) and the scheme would deliver a wooded character to the edge of the development which is fully supported. The reduction in the number of houses from >1200 down to >1000 would also provide an opportunity for an enhanced landscape setting between the site and the existing edge of Warminster creating a strategic landscaped buffer. The applicants have also set out a clear strategy for advanced planting comprising a suitably diverse planting palette and management plan.

Whilst the submitted documentation refers to an allowance being made by the developers for the new school to be up to three storeys, this does not mean a three storey school would be proposed. Indeed, the applicant's landscape consultants acting on behalf of the developers, has agreed to the imposition of a condition limiting the school facilities to a maximum of 2-storeys. The application is supported by detailed appraisals and there is no reason why with good building design, sensitive massing and building material selection, any subsequent reserved matters application (possibly being advanced by the Council itself) cannot sensitively assimilate the school buildings and its facilities into the landscape.

The concerns raised by the AONB and National Trust are fully noted, however the methodology used for the LVIA, satisfies industry best practices and the full details are contained within the ES. The D&A statement also includes a constraints and opportunities plan which summarises the extensive analysis of the site and the surrounding landscape which clearly recognises the "*need to protect the AONB and sensitive views to and from the site*".

Despite the assertions made by the AONB representative, there is no necessity for a new bridge over the A36. There is already an existing safe access to the wider PRoW network which avoids the need to cross the A36 via the underpass near to the south western part of the site. This links to Cley Hill and the wider footpath network. The existing footpath across the A36 provides a means of accessing the West Wilts Way around the outskirts of the town; however, the proposed development would create a safer route for users of the West Wilts Way travelling along the boundary of the site through what would become an extensive parkland and woodland setting.

The objective of limiting light pollution is fully accepted and a planning condition should be imposed to ensure that the phased development achieves the highest possible standards of light pollution mitigation, with the highest level of control around the urban fringes where new development interfaces with open space and the open countryside beyond. It is however simply not realistic nor is it reasonable to require the entire scheme to achieve Environmental Zone E1 standards. Providing a suitable lighting scheme is secured by a condition, there is no reason why the development cannot be sensitively developed and delivered, in a manner that is sympathetic to the nearby AONB / special landscape area.

Natural England – No objection: After reviewing the revised submission and additional supporting information, Natural England withdrew their initial objection and confirmed that the scheme would not have a significant impact on the natural environment, although Natural England made the following points in terms of future Reserved Matters submissions (REM):

- In working up the designs for the new school building(s), there would be a need for appropriate tree planting;
- At REM stage, significant attention should be given to minimising light pollution across the AONB and safeguarding night time visual impacts;
- There would be some residual landscape impacts, particularly in the short term prior to the landscape planting reaching maturity. However this can, to a degree, be reduced through advanced planting - which should be secured where possible. Residual landscape impacts should be compensated for by way of off-site improvements to the landscape around Cley Hill through developer contributions;
- The linear park in the southern reaches of the site should be designed to maximise ecological, landscape and recreational value whilst minimising the maintenance costs;

- The development would benefit from a pedestrian crossing over the A36 to the public right of way in Norridge Wood. The Council should explore options to deliver a bridge with CiL funding and potentially from Highways England's designated funds; and,
- The response from the AONB should be appraised.

Wiltshire Council Ecologist – Supportive: subject to conditions. In addition to planning conditions, to secure a common approach in terms of assessing the effects of development in the River Avon Special Area of Conservation (SAC) catchment as well as having consistent approach to achieving the Nutrient Management Plan (NMP) ambition targets and identifying appropriate and proportionate mitigation measures, a Memorandum of Understanding has been agreed with Natural England, Wessex Water, the Environment Agency, Wiltshire Council and our neighbouring authorities of New Forest District Council and Christchurch and East Dorset Council.

The Council was advised by the Environment Agency (EA) and Natural England on 9 March 2018 that it can no longer fully rely on the River Avon Special Area of Conservation Nutrient Management Plan (NMP) to demonstrate that impacts from new development would be offset and thus not lead to significant effects. A joint statement advised:

“Evidence suggests that the targets in the Hampshire Avon nutrient management plan are unlikely to be delivered by 2021. We are modelling what this means for the Nutrient Management Plan, and will be providing recommendations in March 2019. We know that there will be new development and we advise that the new development within the catchment of the Hampshire Avon needs to be “phosphate neutral”. We will work with you to help you demonstrate how that can be best achieved.” (Source: 9 March 2018 email from EA to Wiltshire Council, New Forest District Council and East Dorset/Christchurch Council).

The aim of the NMP is to bring phosphate concentrations in the River Avon SAC down to the conservation targets set by Natural England in order to bring the river system into a favourable condition. This is a requirement of the Habitats Regulations. The underlying premise of the Plan is that increases in sewage derived phosphate would be more than offset by reductions from Defra's catchment sensitive farming (CSF) initiatives. However at the beginning of 2018, Natural England and the EA reported that CSF has been much less effective than that which was projected by the NMP modelling and is unlikely to satisfactorily offset the increased level of phosphates from new development.

Where CSF cannot be relied upon, the NMP requires reductions to be made at point sources (i.e. sewage treatment works) if development is to be allowed to proceed. However until the EA's modelling has been completed, it is unclear how much phosphate would need to be offset to ensure the conservation targets are met. As an interim measure therefore, EA and NE have agreed that development would not lead to significant effects if it can be demonstrated that it would be phosphate neutral. This applies to all development in the River Avon SAC catchment; and the availability of permit headroom in some sub-catchments does not set aside this requirement. Consequently the local authorities in the catchment together with the EA, NE and Wessex Water have worked together to prepare and sign up to a Memorandum of Understanding (MoU) to demonstrate how phosphate neutral development would be achieved until permanent reductions can be accommodated through the water company's asset management plan or other means such as reducing agricultural runoff.

The MoU commits the parties to deliver phosphate neutral development by:

- Imposing a planning condition on all planning permissions for new dwellings requiring their construction to adhere to the Building Regulations optional requirement of capped maximum water usage level of 110 litres per person per day;
- To have a draft Annex detailing appropriate offsetting measures within three months of the MoU being signed; and,
- To use appropriate developer CIL contributions to secure measures identified in the Annex sufficient to ensure that all development permitted up to 2025 is phosphate neutral.

The Wiltshire Council CIL Regulation 123 list includes provision to support the Nutrient Management Plan (NMP) – to address the level of phosphate in the River Avon. Annex 4 to the NMP already provides some estimates of costs for off-setting measures and it is clear that by working together, local planning authorities in the catchment are capable of funding off-setting measures (through CiL) for as long as they are needed to breach the gap when permanent measures to reduce phosphate are introduced. The MoU

lists the measures currently under consideration which are to be developed further and the approach in the MoU will be reviewed regularly with the first review planned for March 2019. In signing up to the MoU all the signatories agree that as a result of offsetting proposed in the Annex, development authorised between 9 March 2018 and the end of March 2025 is unlikely to lead to significant effects on the River Avon SAC. Consequently, permission for the current development can now be issued lawfully provided a condition is imposed requiring dwellings to be constructed to achieve the higher water efficiency standards of 110 litres per person per day.

The Council is satisfied that any ecological impacts are offset such that there would be no detrimental effects in terms of direct harm, reduced habitat range or population size. In terms of the 3 derogation tests, mitigation is can be secured through the aforementioned condition pursuant to the River Avon SAC conservation. In terms of dormice, there are imperative reasons of overriding public interest to support this development and no satisfactory alternative can be readily demonstrated as the site is a strategic housing allocation and has been through a lengthy, iterative design process. The third test requires the developer to demonstrate that favourable conservation of the species would be maintained across its natural range. The application is supported by an Outline Dormouse Strategy which provides a degree of confidence that the development can deliver an overall enhancement. The Masterplan would deliver a significant range of new planting and habitat opportunities based around a strategic framework of green infrastructure that could offset potential harm by providing a substantial increase in dormouse habitat. Three hectares of the site would be set aside as an Ecology Area – which is particularly welcome and could offer significant ecological opportunities. Lighting should be controlled through a planning condition and on-site dormice mitigation should be delivered in the form of hop-overs and underpasses.

The Environmental Statement and Outline Dormouse Strategy place considerable weight on the submission of a Construction and Environment Management Plan which is considered to be essential. The Council's ecological findings and conclusions for this application are set out below:

Cley Hill SSSI and Cold harbour Meadows CWS	Impacts partially/largely addressed through provision of extensive recreational space within the development boundary. No objections raised by NE in relation to the SSSI. Having visited Cley Hill recently, there is little sign of habitats being affected by walkers. The small car park is likely to act to restrict access at peak times. People are likely to be restricted to the path around the SUD basin which holds the majority of the wildlife interest in the CWS.
Bats	Mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will provide an overall enhancement subject to limitations discussed for dormice above. Possible EPS licence required in relation to building B7
Badger	Potential for impacts during construction to be addressed through CEMP. Mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will ensure loss of habitat is compensated, at least partially
Dormouse	Mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will provide an overall enhancement subject to limitations discussed for dormice above
Water vole	Mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will provide an overall enhancement
Other mammals	Likely to be some loss of hares, possible loss of harvest mice however mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will offset these to a greater or lesser extent. 10 hedgehog domes proposed. No reference to the effects of close board fencing in gardens which reduces habitat connectivity for hedgehogs Condition for ecological mitigation plan.
Birds	Loss of farmland species, but gains for other commoner species. Overall net loss but compensated by gains for other species groups
Reptiles	Mitigation proposed in the Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan will provide an overall enhancement
Other species and habitats	Not significant or offset/mitigated by Ecology Mitigation and Enhancement Plan and Landscape Strategy and Implementation Plan The NEAP and footpaths immediately to the north of the existing SUDS on Swaledale Road are located partly within flood zone 1 in vegetation which is marshy and has some ecological value. I strongly recommend these are relocated to avoid this habitat. This could be done through a process identified in the CEMP and resubmission of the final masterplan.

Emphasis is placed within the dormouse strategy on advance planting early in the construction phase and details would need to be provided to discharge a phasing plan condition. The Indicative Phasing Plan

which forms part of the Landscape Strategy and Implementation Plan (dated Nov 2017) identifies areas of advance planting that would be undertaken during phase 1b. It is evident from the cross-sections in the D&S that planting along the A36 towards the eastern end of the site would need to be delivered in combination with the formation of the noise bund. The phasing plan would need to demonstrate that the topsoil stripping would not delay the necessary advanced planting – which also includes planting along/near to Coldharbour Lane.

A s106 legal agreement would need to secure the creation of a management company and allocation of funds to manage the informal open space in accordance with the Landscape and Ecology Management Plan (the latter of which can be secured by planning condition).

Cranborne Chase & West Wiltshire Downs (CC&WWD) AONB – Objects: As set out by NPPF paragraph 109, the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. NPPF paragraph 14 footnote 9 also states that the ‘presumption in favour of sustainable development’ does not automatically apply within AONBs. Furthermore, paragraph 115 places great weight in terms of conserving the landscape and scenic beauty in AONBs and the conservation of wildlife and cultural heritage are also important considerations in such areas.

The application site abuts the AONB and is clearly within the setting of the AONB. It is acknowledged that development to the west of Warminster benefits from a strategic development allocation. However, the scale and nature of the development are key issues. The land to the west of Warminster is on low ground with the elevated edge of Salisbury Plain to the north east and the high ground of Cley Hill, within the AONB, to the west. A significant factor in the promotion of the site’s strategic allocation was the need for significant landscape treatment to enable it to integrate successfully with the sensitive landscapes on either side. The mitigation of adverse impacts on these important landscapes was perceived as an important issue. Indeed, the importance of providing sufficient areas for effective landscape treatments was discussed at considerable length during the formulation of the policy. The AONB has consistently advised that a development in the ‘garden city’ style might be an appropriate way to achieve the strategic objectives, creating a significantly high quality of living and working environments, and to minimise the impacts on the adjacent landscapes.

The AONB is concerned about the consequential landscape impacts of a development of up to 1000 dwellings - which represents 100 units beyond the housing allocation set by CP31 and the development template. The AONB is also concerned about the outline submission which only seeks detailed consideration of the means of access. Concerns are also raised about presentational aspects of the supporting assessment including notated dates on plans and the topographical survey. Understanding the topography of the site and the context of the site are significant issues in considering potential layouts and achieving the range and quality of landscape treatments needed to achieve the strategic objectives. Additional criticism is attached to the selection of LVIA figures and the applicant’s appraisal and consideration given to movement and access to the countryside. The AONB has consistently emphasised the importance of enabling safe crossings of the A36. The AONB would not support the diversion of Public Rights of Way that had the effect of reducing the access points to the countryside. Suitable s106 clauses and developer contributions would be required to deliver enhanced access and improvements to PRoW routes.

The AONB is concerned the applicants have not satisfied the requirements set out in WCS CP51 which requires development proposals that are within or affect an AONB to take into account the objectives, policies and actions set out in the relevant AONB Management Plan. The policy makes it clear that proposals outside of the AONB that are sufficiently prominent in terms of siting or scale must also demonstrate they would not adversely affect the setting of the AONB.

The AONB Management Plan references sustainable energy, and, whilst it is noted that a ‘Sustainable Energy Strategy’ has been submitted and small scale solar schemes have been considered as being potentially feasible; others, namely large scale solar and wind, biogas, and ground and air sourced heat pumps have been excluded. In spite of information provided by the AONB, little consideration has been given to wood fuel systems that could work on an individual, group, or community scale. The proximity of the AONB woodlands for sustainable source of wood fuel does not appear to have been given any consideration either. It is argued that there would be a mutual benefit as the utilisation of the woodland

products would help maintain the woodlands of the AONB; and, at the same time, provide a source of energy with minimal transport costs to the new development.

The indicative building phasing and delivery strategy is cause for concern in relation to landscape safeguards. The strategic allocation should be led by the landscape treatments and that landscape treatments, because they are so important, should be implemented ahead of the construction phases. If that approach is not followed, then the views from the AONB would be substantially and adversely affected for a considerable time both during the construction processes and the time thereafter for the landscape treatments to establish, mature, and provide appropriate screening.

The Landscape and Visual Impact Assessment is criticised in part although it rightly attaches considerable emphasis on the importance of planting in advance of the construction works, however details relating to the advanced planting timetabling remains outstanding. The application focuses on access matters and the Victoria Road junction that is quite close to the AONB and in full view of a key viewpoint, appears to be quite elevated. That is shown by embankment hatching and the movement of traffic at that junction would make that feature more obvious than, for example, a small building. A Local Centre is also proposed however no detail is provided in terms of the heights of buildings, activities, and the possible lighting. The LVIA puts considerable emphasis on not just landscape planting in advance of construction but also that planting maturing during construction. However, there is no evidence to support the practicalities or its effectiveness. Photographs and photomontages clearly indicate that views will experience significant areas of buildings. The provision of sufficient landscape treatment and tree planting to achieve the effect envisaged in Core Policy 31 should be followed.

A considerable amount of effort has gone into the preparation of the revised drawings and the associated documents. However the landscape planning context document quoted in both the Landscape Strategy and the Design and Access Statement shows a 'landscape setting' by a dotted black line. That explicitly excludes Cley Hill which is clearly within the AONB and a key landscape characteristic of the site and forms part of the landscape setting. Wide angled views which have the effect of showing the site further away than it would appear in reality and hence any changes appear less significant than they will, in reality, be.

Despite various enthusiastic statements in support of this application, no additional access is being provided to the countryside and the AONB. The AONB has consistently raised the safety issue and recommended that a community benefit arising from the development should be a pedestrian bridge over the A36. Furthermore the plans that show the public Rights of Way are misleading as they do not show the existing, at grade, crossings of the A36 Warminster Bypass. There is a need for improvements to these crossings to ensure the safety of users of those public Rights of Way. In addition, the plans do not show the Open Access Areas associated with Cley Hill and the high ground to the north east of the site. These are, of course, extensive areas where the public have the right to roam and are not restricted to public Rights of Way.

The latest rearrangement within the site relies on relatively narrow lines of trees rather than tree belts to achieve screening and the appearance of a wooded landscape in views from a distance. There seems to be considerable reliance on trees to be planted 'on plot'. This sort of planting cannot be relied upon for softening, screening or greening as the maintenance would rest with property owners and they may not wish to have trees in their small gardens. The Landscape Strategy should, therefore, focus more positively on the achievement of realistic tree belts and groups or clumps of trees that are in the public realm to be maintained as public benefit.

The photographs and sketches used to illustrate the landscape aspects of the proposed development seem to be overly optimistic. Tree planting seems to be significantly denser than indicated on the submitted plans and the state of growth appears to be some 15 – 20 years on from planting. At this edge of AONB location, such a substantial extension to the town of Warminster should be in the 'garden city' style, and tree planting should be of a sufficient scale and density to have an immediate screening and greening impact.

It would be prudent to ensure that clear time periods are fixed and that a very substantial proportion of the planting is semi-mature and extra heavy stock for the proposed advanced planting parts to each phase. Ideally the tree belts should be thickened up and the western half of the site planted in the first planting season following any grant of permission. One or two gaps may need to be created for the supply of

services but, nevertheless, the overall benefits of achieving realistic and substantial planting at an early stage would enable the development to progress in line with the strategic vision. A substantial landscape buffer and treatment is required to mitigate the level of harm the allocated level of housing would have upon the landscape and environment.

The Masterplan indicatively sites the school facility close to the A36 and relatively close to Cley Hill. This raises issues regarding the height of buildings – a three storey school would be of particular concern and with the limited screening currently being proposed, the school would be an extremely obvious built structure in the view close to Cley Hill. The school should be limited to the height of two storeys or be moved to a lower, less obvious, location. Whilst the potential housing areas to the south of the school are divided up by planting, which could be more substantial, a limitation on two storey buildings would be necessary to achieve the appropriate landscape integration at this point.

The indicative potential housing area to the north east of the school site seems far too big to achieve landscape integration. A further tree belt following the north south route of the access road could divide this block in such a way as to provide more effective screening. Without such screening that would be the largest housing block, it would significantly lack greening. The proposed Character Areas 1 and 3 illustrated within the design and access statement require further clarification and the proposed planting may require bolstering. The Landscape and Open Space strategy approach is contradictory because it confuses the proposed hamlets and the local centre. The height and location of buildings will require careful analysis.

The AONB is also concerned about the colour of roofs. These can make an otherwise reasonably well integrated development, stand out like the proverbial 'sore thumb'. The documentation fails to confirm that dark roofing materials would be used and that there should be strict regulation of roof colours in the employment and mixed use areas of the development. Guidance on colours can be found in this AONB's Good Practice Note on New Agricultural Buildings. The information on roof colours applies to other types of employment structures. If the applicants wish to follow a more sophisticated and detailed approach to the colouring of employment buildings then advice and guidance on colours in the landscape can be found on the Malvern Hills AONB website. It is also noted that there is no greening whatsoever in the employment area and, as can be perceived from other areas of Warminster, the external appearance as well as the internal site character would benefit from some realistic greening through tree planting.

The proposed area for allotments is criticised as offering a rather meagre provision. Furthermore, the location immediately to the west of the main employment area, near to an area of woodland, seems far from ideal for allotments, especially when trees are to be planted around it. Trees can provide protection from wind, but they also screen out sun light, extract water from the ground, and compete for nutrients. The AONB would advise that the proposed allotments might be better located on the southern side of the employment area.

It is further noted that there is reference to the production, at a later stage, of a combined landscape and ecological management plan. The AONBs recent experience with another edge of AONB development proposals indicate that separate management plans are more likely to achieve the relevant focus needed to ensure that each topic is dealt with adequately.

The AONB strongly recommends that the lighting zone criterion applies to the whole development, mindful of the dark night skies of the area and the proximity to the AONB is environmental zone E1. A planning condition could secure this.

Following the submission of additional material which was shared with the AONB, it is duly noted that a lot of attention has been given to some of the details of the proposals, and the details of the illustrative proposals have the potential to make the proposals exemplary. In particular relation to landscape matters, the planting specification should critically indicate the time frame over which the screening and integration would be achieved. It is imperative that in this sensitive location that almost instant integration is achieved. That could, of course, be achieved by advance planting in the south western sector of the site, allowing that time to mature whilst development starts in the north eastern sector. Alternatively substantial quantities of semi-mature planting would be needed.

Historic England – No objections and welcomes the fact that the applicant has taken on board EH pre-application advice in respect of minimising / softening the visual impacts of the development when viewed

from the elevated position at Cley Hill Scheduled Monument to the west (which comprises an Iron Age hill fort and two Bronze Age bowl barrows). The proposed landscaping and planting proposals, alongside the layout, land use and density of uses proposed for the western part of the site addresses the previous concerns regarding the potential setting impact of the development upon the designated heritage asset. To the east of the application site, the topography and proposed green corridor along the south-eastern flank of the development area would provide mitigation for any visual impacts upon the Grade 2* Listed Church of St Denys. The landscape mitigation would be further strengthened by existing land uses between the church and the application site. The results of the completed archaeological assessment, geophysics and field walking are duly noted.

Wiltshire Council Conservation Officer – The Council has a statutory duty, under section 66(1) of the Planning (Listed Building and Conservation Areas) Act, to have special regard to the '*desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Council to pay special attention to the '*desirability of preserving or enhancing the character or appearance of designated Conservation Areas*'.

In terms of the localised historic environment the submitted Design and Access Statement identifies that one grade II listed building at Bugley Barton Farm is close to the boundary of the proposed development site and merits careful consideration. Bugley Barton Farmhouse was listed in 1978 and is positioned on the south side of Victoria Road, on the western edge of Warminster. This is an asset of medium sensitivity; and its significance is vested in its intrinsic architectural quality. The submitted statement titled *An Impact Assessment of Proposed Development on Nearby Heritage Assets* looks at identifying heritage assets in the area and the potential impact of the development on those assets (as required by paragraph 128 of the NPPF). The report identifies that Bugley Barton was originally an isolated farmstead and tracks the historic development of the site. The present house is more recent than the original farmstead and dates from the 19th century and is designed in a neo classical villa style with an associated designed garden. The garden provides the house with a verdant setting and it is likely that the borrowed view of the landscape beyond adds to the garden setting. It is recognised that there has been some erosion to the setting of the house by residential development to the east and the redevelopment of the Bugley Barton farmyard.

The submitted heritage report states that there would be 'less than substantial harm' to the Bugley Barton designated heritage asset; and, as required by paragraph 134 of the NPPF "*this harm should be weighed against the public benefits of the proposal*". It is accepted that there would be some potential to mitigate some of the harm to Bugley Barton through appropriate landscaping and the phasing and siting of the development – which would come forward under subsequent reserved matters submissions. The future design and siting of the buildings at the proposed local centre and provision of open space and trees would require careful analysis and the impact this would have on the setting of the listed building.

The Grade II* listed St Deny's Church which is located along Bath Road, would not be negatively affected by this development through the site separation, the lack of inter-visibility and intervening development and well established property and field boundaries (which would remain unchanged). The accompanying heritage assessment accurately records that the proposed development would not detrimental harm the setting of other listed buildings in Church Street, the localised non-designated heritage assets or the Conservation Area.

Wiltshire Council Archaeologist – The Wiltshire and Swindon Historic Environment Record shows that there are no designated heritage assets within the proposed development site, however a number of features have been plotted from aerial photographs within the north-eastern part of the site and a number of finds have been recorded within the site, notably a large quantity of pottery (some of which was Roman) was previously recovered by an amateur archaeologist in the centre of the proposed development site. It is noted that the applicant has carried out a Desk-Based Assessment, geophysical and field walking survey to support the application. The field walking survey recovered a range of finds from the prehistoric to modern periods although no clear concentrations of material were reported. The prehistoric flint knapping debitage in association with burnt material is suggestive of some prehistoric activity in the immediate area and the unearthed medieval pottery from the south-western limit of the site may well relate to the Buggele settlement recorded in AD1236.

The non-intrusive investigations to date have provided limited evidence for significant archaeological remains to be present within the proposed development site. In order to substantiate the conclusions made

in the Environmental Statement, trial trench evaluations should be carried out and the results should be made available before the issuing of planning permission and any recommendation to committee should be appropriately caveated.

National Trust – Objects: The National Trust’s main interest in this planning application derives from its ownership of Cley Hill, which is located to the west of the application site area. Cley Hill is a locally iconic landscape feature and designated heritage asset that is popular with local residents and visitors alike offering open access for walkers, with great views of the surrounding countryside. It is also of particular importance for its ecology and archaeology. The adopted Core Strategy records that the WWUE area does not provide for additional development and the development quanta will comprise 900 homes and 6 ha employment. This proposed development, some of it indicatively suggested being three storeys in height (despite the local prevalence of two storey dwellings) would increase the prominence of the built development in the wider landscape, including from the perspective of Cley Hill.

The Core Strategy requires a substantial landscape buffer. The WWUE development template states that the area of land provides space for further mitigation if required, which implies that the land can accommodate both a substantial landscape buffer and further mitigation without compromise. This application proposes a reduced landscape buffer along with a matrix of planting and open spaces elsewhere in the development area. The LVIA justifies this through arguing that there are existing urbanised views from Cley Hill and that the proposals include advanced tree planting and landscape treatments, neither of which appears a strong argument against a substantial landscape buffer. The applicant’s submitted photomontage illustrate the built development as low resolution brown coloured land, which does not appear to be an accurate representation.

This proposal departs significantly from the approach set out in the Core Strategy by virtue of the increased quantum of development and the reduced landscape buffer; and it arguably fails to meet the ‘key objective’ of protecting the setting and views of the AONB (including Cley Hill). A genuinely substantial landscape buffer between the A36 and the built development should be incorporated into the scheme, preferably involving substantial tree planting which may itself help to reduce light spill from the new development into the AONB whilst providing more opportunities for wildlife. Any adverse effects on the Cley Hill SSSI should be appropriately mitigated. If approved, the proposal would involve approximately 2,880 new residents (plus more in the rest of the WWUE area) located within approximately 1 km of the Cley Hill SSSI, which would likely cause an adverse effect from increased recreational access, including trampling of vegetation and possible eutrophication issues relating to dog waste. Although ‘mitigation’ is proposed in the form of on-site recreational opportunities, due to its “topographical prominence”, Cley Hill is likely to attract additional visitors and dog walkers. The Council’s ecologist and Natural England should consider this matter in more detail to ensure that adverse effects are effectively mitigated.

Wiltshire Council Urban Designer – Supportive: The latest submission of the Illustrative Masterplan (rev 12; dated March 2018) and corresponding DAS (dated April 2018) and associated Parameters Plans set out the applicant’s response to detailed feedback from Council officials and statutory consultees.

The fundamental structure of the Masterplan, in terms of the means of access, land use and the key movement patterns had already evolved through the endorsed masterplanning process, which has many strong and valuable features. The revised proposed development would deliver a scheme having a legible coherent structure with a clear main route through the site forming a spine road which would lend itself to being well fronted by development regularly broken up by a series of features including a local centre, school, regular green fingers, a central square, public open space and an employment area. The green fingers would lead directly from the spine road to areas of POS on both the north and south sides of the development, which would mean that future residents wouldn’t be very far from the relatively large open public spaces. The development also takes up the opportunities to connect pedestrian and cycle routes into the surrounding neighbourhoods and by having the employment and local centre near the main highway accesses, new facilities/jobs would be very accessible.

Following the endorsement of the Masterplan, officers sought a package of details and improvements from the applicants to secure and deliver a high quality design. The initial urban design consultation concerns touched upon common challenges of delivering competing urban design principles (relative to built forms, convenient parking typologies, street trees and street character) promoted in the DAS’s text that were not fully or clearly illustrated in any example ‘vignette’ layouts or graphic. Requesting these ‘proofs’ has allowed the applicant to demonstrate that the outline Masterplan’s basic building blocks are appropriately

dimensioned and orientated, and that the DAS can be a valid reference tool for highlighting and securing those urban design principles for the future reserved matters applications.

The DAS now includes additional vignettes and revised illustrative information to better communicate what is envisaged and to demonstrate how this would actually be achieved during future reserved matters layouts. It has been a very productive process to foresee and avoid future 'spatial conflicts' (i.e. narrow units with frontage parking and tree lined streets). There was also the opportunity to ask for a better demonstration as to how different elevation materials and character descriptions could be used to reinforce the intended character areas and their distinct functions (i.e. the main street running through the scheme should have a different character to a cul-de-sac and a POS edge). The DAS presents a simple but more rational concept for different character areas which to prevent a homogenous form of development occurring across the whole site. The exact detail and appearance of the schemes phases will be controlled during the reserved matters applications, but the DAS's revised local character analysis now creates laudable and interesting design rationales for what and how specific characteristics of the local area should inform future designs. This should greatly assist the future house builders, designers and officers in achieving a design coherency throughout the future phases. A phasing plan needs to be conditioned.

NHS England – No objection. The proposed development would generate a significant number of new residents in Warminster requiring access to primary care services. Following the closure of the Smallbrook GP facility in September 2017, the town has 1 remaining practice at the Avenue which serves more than 16,000 patients and the pressures on primary care health services have increased as a result. There is an identified and substantive need to expand the last remaining surgery to accommodate the projected additional residential development; and under this application, 1000 houses would generate about 2300 additional patients (applying the Census average of 2.3 people per household). The remaining Avenue practice does not favour operating a satellite site and they have maximised the use of their existing building; so rather than seek a new surgery at the local centre or elsewhere in the town, NHS England seek a developer contribution of £491,440.

Wiltshire Council Arboricultural Officer – No objection.

Wiltshire Council Minerals and Waste Planning – No objection subject to a planning condition requiring compliance with WCS policy WCS6 (criterion a-i).

Wiltshire Council Affordable Housing Team – No objections. Under WCS Core Policy 43 (Providing Affordable Homes) an on-site affordable housing provision of 30% is required. As this site is proposing up to 1,000 new homes, the on-site affordable housing requirement would be for up to 300 affordable homes. From the most up-to-date local housing needs, we require a tenure split of: 60% (180) affordable rented homes and 40% (120) shared ownership homes. For the affordable rented homes, the following property type mix would meet current affordable housing needs:-

1 bed (2 person) apartments = 25%; 2 bed (4 person) houses = 35%; 2 bed (3 person) apartments = 3%; 2 bed (3 person) bungalows = 5%; 3 bed (5 person) houses = 25%; 4 bed (7 person) houses = 5%; and 5 bed (8 person) houses = 2%

The 120 shared ownership units should be in the form of 65% (78) 2 bed (4 person) houses and 35% (42) 3 bed (5 person) houses.

Regard must be given to Core Policy 45 which requires affordable housing to be well designed, deliver a range of type, tenure and size of homes to meet identified affordable housing need in order to create mixed and balanced communities. The affordable housing should be pepper-potted throughout the scheme in clusters of no more than 12-15 affordable units to ensure a mixed, sustainable and inclusive community.

The Wiltshire Core Strategy specifies that affordable housing is expected to meet high standards of design, quality and should be visually indistinguishable from open market housing. In addition to complying with The Homes and Communities Agency's Design and Quality Standards (or any other subsequent design guidance which may come into force) it is recommended that as a guide, all affordable dwellings meet the minimum space standards shown in the table on the following page:-

Number of bedrooms	Number of bed spaces	1 storey dwellings (sqm)	2 storey dwellings (sqm)	3 storey dwellings (sqm)	Built in storage (sqm)
Studio	1p	39			1.0
1b	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

(Preferred sizes highlighted)

With regard to Wiltshire Core Policy CP46, where there is a housing need identified for Extra Care, adapted properties for disabled residents or wheelchair adapted accommodation these units should be sought and built to Lifetime Homes Standards (or equivalent)/Adaptable standards (Building Regulations M4 Category 2: Accessible and adaptable dwellings standards). Based on current demonstrable need, as well as general needs affordable homes which triggers a

30% affordable housing contribution to be delivered on-site on a nil subsidy basis, there is also a demonstrable need in this community area for at least 10% of these affordable homes to be built to meet the specific needs of vulnerable and older people or those with disabilities.

It should be noted that registered providers are very reluctant to take on flats over garages due to maintenance/management issues, and for these reasons, these types of units would not be considered as affordable housing types and nor would the Council's housing team support them.

All affordable housing units need to be provided at nil subsidy and in perpetuity and would need to be transferred to a Registered Provider, approved by Wiltshire Council. When providing affordable housing, developers are advised to engage with a Registered Provider at the earliest opportunity, in order to ensure that the appropriate standards are met at the design stage. The affordable housing required generated by this development would need to be secured via a s106 Agreement and be nominated in line with the Council's current Allocation Policy and Procedures.

Wiltshire Council Education Team – No objections: subject to a s106. The proposed development generates 910 qualifying properties once the Council's discounts are taken into account which triggers the need for 282 primary school and 200 secondary school spaces. Princecroft Primary is the nominal existing local primary which will have a capacity of 210 places once the recently approved expansion is complete. As of October 2017, the number of pupils on the roll was 129 and it is forecasted that the number of pupils on the roll will increase to 132 this year. Within the 2 miles 'safe walking distance' of the site, the primaries at Princecroft, Sambourne, the Avenue and the Minster, in combination, 114 spare places. However, 57 spaces have already been secured by other registered/consented development, which leaves 57 spaces which can be allocated to this development.

In accordance with the WCS a new primary school with capacity to become a full 2FE school (providing 420 spaces) is required; and it is duly noted that a new primary school is proposed on a 1.8 hectare site that would be transferred to the Council. A developer contribution for new primary school spaces is clearly necessary for 225 spaces (the generated school space need (282) minus the existing (57) spare spaces); and, with the current 2018/19 cost multipliers for each primary school space levied at £17,545, this equates to a developer contribution of £3,947,625 (£17,545 x 225) which should be subject to indexation.

The school site would need to be fully serviced and transferred to the Council within 12 months following the commencement of residential development. This and the financial contribution would need to be secured via a Section 106 Legal Agreement, to which the Council's standard terms would apply.

In terms of secondary school infrastructure, the only designated non-private local secondary serving Warminster is Kingdown Academy which has a PAN (years 7-11) capacity of 1385 places. As of October 2017, the numbers of year 7-11 pupils on the roll was 1310 pupils and it is forecasted that the number of pupils will increase to 1335 in 2023. In addition, 48 spaces have already been secured by other registered/consented development, which leaves 2 spare spaces which can be allocated to this development. From the above, it is clear that there is very little space available at Kingdown Academy, and the existing Academy site has no capacity to expand; and, in view of the demand for places and future growth plans for the town and following extensive discussions with the head teacher at Kingdown between 2015-2018, the developers maintain their commitment to offer 1.8 hectares of land to be safeguarded which could be used to deliver additional school/ satellite school facility for the Academy. As set out within the endorsed Masterplan, the safeguarded land could provide for a full Year 7 cohort accommodating 300-325 pupils and could release capacity at the existing Academy site. It is important to appreciate that this is

an option being offered by the developers in accordance with the endorsed Masterplan. It is important to appreciate that the on-site secondary provision offer is not a WCS requirement, but it is seen as being an option to resolve the capacity issue at Kingdown. A statutory competition would need to be opened up in order to shortlist potential sponsors (academy trusts) and the Regional Schools Commissioner (RSC) would make the decision on who to appoint, although the Council can make a recommendation. The RSC is not bound by the recommendation made by the Council and has in the past appointed a Trust not recommended by the LEA. It is entirely possible that the primary school could be awarded to one Trust and would be an independent building to the secondary school. The s106 should include a clawback mechanism to cover the eventuality of the safeguarded land on the WWUE is not taken up and developed by the local education authority/Kingdown Academy. However developer contributions would be essential to fund school places elsewhere if that transpires.

A developer contribution for new secondary school spaces is clearly necessary for 198 spaces (the generated school space need (200) minus the existing 2 space spaces); and with the current 2018/19 cost multipliers for each secondary school space levied at £23,316, this equates to a developer contribution of £4,616,568 (£23,316 x 198) which should be subject to indexation.

The school site would need to be fully serviced and transferred to the Council within 12 months following the commencement of residential development. This and the financial contribution would need to be secured via a Section 106 Legal Agreement, to which the Council's standard terms would apply.

The primary school contributions associated to this application would be pooled towards the delivery of the new primary school on the site, to which there have been no pooled s106 obligations to date. The secondary contributions would be pooled as part of a dedicated expansion project for Kingdown Academy. There are two pooled s106 obligations for such a project to date.

No s106 contributions are sought for Early Years/Childcare for this application following a review of local provision and recent approved nursery developments.

Standard caveats apply to the above assessment, i.e. the assessment is specific to the site location, the housing numbers and the 30% affordable housing provision. Any change would necessitate an updated education assessment. Assessments use the pupil data, forecasts, capacities and details of other known housing in a designated area as at the time they are made, so were an application to be revised/replaced, this could affect the outcome of future assessments. Capital cost multipliers are updated annually, and consequently, those quoted are valid for agreements signed and completed in 2018/19 only, as per the standard s106 Methodology.

Wiltshire Council Land Contamination / Air Quality Officer – No objection: subject to conditions. Several environmental based planning conditions are necessary. It should be noted that registered providers are very reluctant to take on flats over garages due to maintenance/management issues, and for these reasons, these types of units would not be considered as affordable housing types and nor would the Council's housing team support them.

Wiltshire Council's POS/Cemetery Officer – No objection: The Wiltshire Core Strategy defines Open Space and Green Infrastructure as place-shaping infrastructure. WCS Core Policy 3 states that all new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from new development proposals. WCS Core Policy 52 states that development shall make provision for the retention and enhancement of Wiltshire's Green Infrastructure network, and shall ensure that suitable links to the network are provided and maintained. Where development is permitted developers will be required to:

- Retain and enhance existing on site green infrastructure
- Make provision for accessible open spaces in accordance with the requirements of the adopted Wiltshire Open Space Standards*
- Put measures in place to ensure appropriate long-term management of any green infrastructure directly related to the development
- Provide appropriate contributions towards the delivery of the Wiltshire Green Infrastructure Strategy and
- Identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire.

The Council's 2009 adopted Leisure and Recreation Development Plan Document (LRDPD) sets out the amount, distribution and quality of the existing open space and sport and recreation facilities within the district. It identifies where there is a need for more or better provision and recommends appropriate provision standards. In particular, Policy LP4 sets out the recreation facility requirements for new developments.

In order to make the development acceptable in planning terms, the proposal has a Public Open Space requirement of 4.4Ha (of which 2124m² should be equipped play provision in the form of 1 NEAP (neighbourhood equipped area of play) and 2 LEAPs (local equipped areas of play) and 1 trim trail). This has been calculated in accordance with the Leisure and Recreation Development Plan Document (LRDPD). Therefore the figures are directly related in scale to the development and the request is compliant with the appropriate legal tests.

As part of the submitted planned development, an area of Open Space extending to over 38Ha is indicatively proposed extending to nearly half the site. A s106 is required to secure the public open space land and children's play areas in perpetuity. The Council's preference would be for the land to be transferred to the Town Council (if they are willing to accept it) or for a management company to be set up. In accordance with the current Planning Policy requirements there would be sufficient Open Space provided on site. The phased provision and management of which should be secured by a s106.

The submission also includes a planned provision for formal children's play areas. It is noted that the form and location of the play areas will form part of reserved matters follow up application submissions. In accordance with the current Planning Policy the proposed development would generate a requirement for Play provision which should be secured via a s106.

In order to make it acceptable in planning terms, the proposed development has a Sport and Recreation requirement of 28320m². This has been calculated in accordance with the Leisure and Recreation Development Plan Document (LRDPD) and using the maximum number of dwellings proposed. Therefore the figures are directly related in scale to the development and the request is compliant with the appropriate legal tests. Formal and informal sports facilities are indicatively proposed to be provided on site, including changing room facilities. The siting and design shall be detailed matters reserved for future phased applications. In accordance with the current planning policy there would be sufficient Sport and Recreation facilities provided on site.

The 2013 Infrastructure Delivery Plan for Warminster specifically identifies the need for a new cemetery or to secure its extension as a community place-shaping priority. The adopted CiL Regulation 123 List stipulates that the funding delivery mechanism for "*site specific requirements for community and cultural facilities, where the requirement can be attributed to five or fewer developments*" should be through s106 contributions. The population of Warminster is currently around 23,000 (figure taken from Warminster Town Council website) and Warminster Cemetery has capacity for another 4-5 years. There are currently 23,000 residents in Warminster and the predicted additional 2360 new occupants at this site would represent just over 10% of an increase. Currently an average of 45 graves per year are used up at Warminster Cemetery, this would increase to about 50 per year following the completion of the development. CiL receipts received from this development could be used to fund the cemetery extension.

Wiltshire Council Allotments Officer – No objection.

Wiltshire Council Leisure Officer – No objection: Future CiL payments could be used to contribute towards generic off site leisure enhancements.

Scottish & Southern Energy Power Distribution (SSEPD) – No objections: the developers would however need to discuss with SSEPD the existing 11kv and Low Voltage Overhead power lines within the development site to appreciate the associated infrastructure easements. A contribution would be expected from the developer towards any necessary diversionary works. The existing Low Voltage overhead line to the north of the dwellinghouse identified for demolition may require to be moved or be removed; and to the south west of the site there are approximately 10 spans of 11kv overhead lines including a switch and pole mounted transformer with associated low voltage overheads. This supplies a number of existing properties along Victoria Road and these supplies need to be maintained which would necessitate the developer paying a significant contribution if they are to be re-routed. Along the site's southern boundary, the 11kv

line goes underground where it maintains an integral part of the surrounding high voltage network. The developers would need to enter separate discussions with SSEPD to agree on all new connections.

Wiltshire Police Architectural Liaison Officer – No objections raised but expressed an interest to be involved at REM stage.

Wiltshire Fire & Rescue Service – No objections: The emergency services are listed under “essential infrastructure” in the adopted Wiltshire Core Strategy and in line with Core Policy 3 which guides infrastructure requirements, as part of the phased development, provision should be made for fire-fighting and fire hydrants to be agreed as part of a suspensive planning condition.

8. PUBLICITY

This application has been subject to two formal public notification exercises. Firstly when the application was lodged in the spring of 2015, over 100 individual neighbour notification letters were posted, 12 site notices were displayed around and within the site and a local press advertisement was created. After a series of extensive negotiations and meetings held with the developers, and following the Council's endorsement of the WWUE site allocation Masterplan in June 2016, and following receipt of a revised submission, a second formal public consultation and notification process was carried out during November/December 2017 which again involved an updated press advert, a dozen site notices being displayed on and around the site and over 100 local properties being re-notification by letter. In total, 55 third party representations have been received, 22 of which comprised multiple submissions by eight local residents.

The third party/local resident concerns and comments are summarised as follows:

Opposition to the Principle of Development

- The development is contrary to the adopted WCS CP31 which places a limit of 900 dwellings;
- It is contrary to the neighbourhood plan and there is no Masterplan;
- The land should be kept for agricultural purposes – the country is overpopulated;
- There is land on the east side of Warminster and brownfield sites;
- The development would compromise SHLAA site ref: 1030 (for 33 units);
- There is a lack of local jobs;
- There is a lack of secondary school capacity at Kingdown Secondary;
- The development would create an imbalance to the town;
- The proposed site for the employment land is too close to existing houses;
- The submitted plans fail to illustrate some nearby dwellings (e.g. Brick Hill Farm).
- Town facilities and infrastructure need investment and improvement;
- Detailed matters should be considered now, not just the principle.
- There has been a lack of community engagement and local concerns have been ignored;
- The MP is against the development;

Highway Impacts

- There is no public confidence in the transport assessment and modelling. An independent traffic assessment should be undertaken. The projected traffic generation calculations are disputed and the trip rate analysis is confusing and lack of disaggregated individual peak hour slots. A sensitivity test should be carried out to “test” the highway effects.
- The highway design/site access proposals are not fit for purpose and provide no tolerance and scope for future growth in traffic volume. The scheme is therefore not considered sustainable;
- Concern raised about the traffic measuring equipment used whilst damaged or not working;
- The highway works/roundabout would significantly affect highway safety and residential interests;
- Previous adopted highway improvement works have failed locally;
- The existing Bath Road roundabout is sub-standard and there have been examples of accidents recorded and the proposed roundabout would increase the risks of additional accidents;
- A smaller quantum of development with a sole access off Victoria Road should be pursued;
- No confidence that any new scheme being effectively controlled/managed;
- No tangible traffic controls are proposed for Victoria / Bath Road. Long queues will develop. High Street traffic light phasing and a roundabout are the only suggestions – but these are needed just to address the current highway issues;

- The Bath Road highway works would significantly alter existing individual access arrangements without the support of those directly affected;
- Concern raised about operation of A36(T), the A350 and B3414 Bath Road;
- Highways England raised concern about impacts on A36(T);
- The developer should re-model the existing Crusader Park roundabout and create a fourth arm to serve the WWUE site – thus deleting the need for a second roundabout and avoid conflicting with several existing access points and accessing SHLAA site 1030;
- The WWUE site access is close to an accident hotspot;
- Lack of detail regarding provision of a well-lit pedestrian/cycle links;
- Opposition raised against the proposed shared access off Bath Road for both housing and the employment site;
- Vehicular access would be better served direct off the A36(T);
- The local bus / train services are not good enough and are regularly overcrowded;
- No access should be allowed via Folly Lane.
- The spine road should be completed as part of the initial phase of development. All the facilities should be provided prior to 150 houses being constructed.

Drainage/Flooding Concerns

- The proposed flood attenuation ponds are not viable or sufficient mitigation given the major drainage problems and flood risk affecting the site;
- The town's drainage system requires a comprehensive upgrade and considerable flood prevention measures;
- Bath Road and nearby properties have flooded several times in the last 2 years. The river Were has flooded twice and one local resident's house has flooded 6 times in the last 20 years;
- Concern is raised about surface water management and the high water table (at approx. 150mm-250mm below ground during autumn/winter months) and the legacy of a failing drainage a system associated to the Swaledale H12 development.
- One neighbouring landowner raises concern about Persimmon's hydrology track record and cites additional green water run-off affecting land next to a site Persimmon developed in 2007. Since Wiltshire Council is the lead local flood authority, land drainage impacts must be fully assessed with appropriate drainage strategy and flood mitigation.

Heritage Impacts

- Concern is raised about impacts on Cley Hill Iron Age Megalithic Hill Fort (which is a Scheduled Ancient Monument) and Longleat.
- The development would destroy the vista from Cley Hill and would severely handicap the National Trust's efforts persevering 100 species of wildflowers.

Urban Design Matters

- The housing should be set back much more from the A36(T);
- The housing should be of a scale, type and density that is sympathetic to the historic town (preferably built of stone with sufficient design variety and not look like a modern estate);
- More public open space is needed within the scheme;
- Houses should be a maximum of 2-storey with shallow pitched roofs;
- 25% of the housing should be single-storey for elderly people (or starter homes);
- Concern is raised about a possible future provision of a pub/restaurant near the site entrance for anti-social behaviour reasons.

Impacts on Neighbours/Adjoining Land/Property

- Significant concerns about the increased traffic generated by 1000 homes proposed under this application (in addition to the 200+ houses proposed by Redrow Homes under 14/06562/FUL) and the consequential impacts on existing residents;
- Nearby residents affected by the site access proposals would be significantly affected by the highway re-modelling proposals, noise and pollution, reduced amenity/privacy;
- Accesses serving neighbouring properties would be compromised;
- Neighbouring house prices would depreciate;
- Neighbouring housing without foundations may be significantly affected by the highway works/construction work/increased traffic generation;

- The development would have a significant urbanising effect on existing properties (fronting Bath Road);
- Concerns raised about proximity of new housing to existing property boundaries and potential of overlooking;
- Concern is also raised about provision of low cost affordable housing/any flats in relation to existing dwellings;
- The indicative position of the recreation ground is cause for concern due to noise and disturbance;
- There is a restrictive covenant affecting land adjacent to 93 Bath Road (also known as the white house) which prevents the erection of any buildings. It is appreciated that the covenant is not a planning constraint, but the developer needs to be aware of the legal restriction;
- Concern is raised by one local landowner about increased public access across private land.

Landscape and Ecology Matters

- The development would compromise/harm the nearby AONB/SSSi sites;
- A bund along Bath Road is required to screen the development;
- The existing trees and hedgerow should be retained for landscape and ecology reasons. Concern is raised about the potential impacts on well-established trees.
- What would the noise bund along the A36 (T) look like? Concern is raised about its impact and adequacy;
- Concerns are also raised about loss of wildlife, including bats and ecological impacts including to the Water Meadows;
- Light pollution would ruin bat corridors and decimate the bat community;
- Dormouse populations have been recorded on the site.

Concerns over Developer Commitments/Obligations

- There is a fundamental need for a new GP surgery, dental facilities, and a comprehensive school – will these be delivered?
- Will there be some shops in the proposed local centre?
- How will this development affect the NHS and the emergency services?
- Some concern is raised about Persimmon's "poor" track record.

9. PLANNING CONSIDERATIONS

9a 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 development plan for Wiltshire comprises the adopted Wiltshire Core Strategy, which *inter alia* identifies the site as a strategic allocation. The site is also supported by an endorsed Masterplan (which was modelled on a housing quantum of 1550 dwellings and 6 hectares of employment land, new school(s) and a local centre).

9b In addition to the strategic objectives and policies of the WCS, the saved former district plan policies of the West Wiltshire District Plan – First Alteration (contained within Appendix D of the WCS) are of material consideration. Other material considerations include the National Planning Policy Framework (the Framework or NPPF); The Community Infrastructure Levy (CIL) Regulations 2010 as amended, and The 2011 EIA Regulations¹. The emerging Wiltshire Housing Sites Allocation Plan is 'work in progress'; and, until it has been examined in public by a planning inspector, it cannot be afforded material weight.

9c Warminster has a made Neighbourhood Plan (WNP) which extends to the same 2026 Plan period as the Wiltshire Core Strategy and it forms part of the statutory Development Plan. The Neighbourhood Plan acknowledges the strategic need for the major housing and employment land allocation on the west side of the town; and within para. 4.1.2, recognises that "*the majority of housing [will] be built on land that lies inside the bypass between Victoria Road and Bath Road*" and accepts the 'far reaching

¹ The 2017 EIA Regulations which came into force on 16 May 2017 do not apply to this proposal because the application was lodged in 2015 accompanied by an Environment Statement that was informed by an adopted EIA Scoping Opinion prior to the 16 May 2017 enactment date for the new regulations; and in such circumstances, the regulations confirm that such applications should be considered under the 2011 EIA regulations.

consequences' the development will have on the Town (para 1.3). The Plan also recognises the many positives the development would deliver through building a variety of housing types, a new school and other community facilities, enhanced recreational and play provision; 6 hectares of employment land as well as delivering an economic boost through the provision of shops and services. At the same time, the WNP recognises the added pressures the WWUE development shall have on community and leisure facilities. Neighbourhood Plan Policy L1 encourages the use of principles outlined in the Building for Life 12 standard when establishing the design and layout of the urban extension and other schemes in Warminster. This application is in outline with all matters reserved other than access, so the policy will become most applicable at the reserved matters submission stages.

9d Whilst the development template for the WWUE site sets out provision for 900 housing, it is imperative to appreciate that this only extends to the Plan period of up to 2026. WCS Core Policy 31 does not place a prohibition on housing development beyond the plan period. Doing so would run counter to sustainable development principles and would be substantively unreasonable by placing unwarranted restrictions on sustainable housing growth. Furthermore, it is worthwhile reporting that back in 2016 when the site Masterplan was presented to and endorsed by members of the strategic planning committee, officers explained that the development template was informed by a level of understanding about site constraints, heritage and landscape safeguarding which has since been supplemented by more detailed appraisal work relative to land drainage, flood risk, ecology, transport impacts, and the development of a comprehensive visual and landscape impact strategy. It is also worth noting that the WWUE housing quantum was also the subject of an examination by the neighbourhood plan examining inspector in June 2016, who, as part of his review of the Warminster Neighbourhood Plan argued that:

“Core Policy 31 does not state that the West Urban Extension should not exceed 900 homes. This is an important matter; national policy sets out a requirement to “boost significantly the supply of housing” (Paragraph 47, the Framework) and requires housing applications to “...be considered in the context of the presumption in favour of sustainable development” (Paragraph 49, the Framework). Consequently, there is national policy support to increasing housing supply, subject to it comprising sustainable development. Placing an absolute limit on the number of homes to be delivered by the West Urban Extension fails to provide for flexibility and runs the risk of preventing sustainable development from coming forward. It may be that an appropriate master planning approach to the strategic site could mean that the provision of, say, more houses than the number identified in the Core Strategy, would still result in a sustainable development” (page 18, Warminster Neighbourhood Plan Examiner’s Report dated June 2016).

9e Officers have been very clear on this important matter and duly submit that the WWUE site offers the optimum opportunity for delivering sustainable development both for what remains of the Core Strategy plan period (i.e. 2018-2026) and beyond. Extensive site modelling and impact surveys confirm that this part of the WWUE can sustainably accommodate up to 1000 new dwellings, 6.16 hectares of employment land, a local centre as well as new school facilities; and this report critically analyses the material considerations.

9f Officers fully appreciate that there is some opposition to this development citing concern about the very principle and the detail. Within the following sections, the principle of the development is fully appraised; and, it is argued that through the appropriate phasing, advanced landscape planting, extensive on-site mitigation, planning conditions and developer obligations, the concerns would be fully addressed. The report also unreservedly brings to the fore the need to evaluate and consider the Council’s Core Strategy objectives in terms of delivering a significant quantum of new housing, of which 300 units would be affordable that would satisfy a diverse range of housing needs as well as stimulate the economy, support and create new jobs, deliver new education accommodation, fund improvements to the local health service, bring about an enhancement to biodiversity interests and greatly increase the recreational opportunities and access to the open countryside as well as provide a new strategic link road connecting Bath Road and Victoria Road, all of which combined, would significantly outweigh the recorded ‘in principle’ objections.

9g The key issues to consider for this application are captured under the following chapter headings: The Principle of Development; Site Planning History; Loss of Agricultural Land; Highway Impacts; Drainage Matters; Landscape Matters; Urban Design Issues and Neighbouring Impacts; Heritage Matters; Ecological Impacts; and, Developer Contributions and Commitments; and, these are set out in order as follows:

9.1 **The Principle of Development** - The 84 hectare development site constitutes about 73% of the adopted WCS strategic site allocation - which forms a critical part of the local authority’s strategy to significantly boost residential and employment development; and, is one of sixteen strategic sites across

the County. As well as positively encouraging a mixed range of housing, the WCS requires 6 hectares of employment land on the WWUE site to support the business sector to generate new jobs, with a particular emphasis placed on reducing out-commuting. The WWUE development template seeks to stimulate economic opportunities by promoting flexible and affordable workspace across all the 'B' uses, as well as planning for small and start-up units with some 'follow on' space, on accessible lease terms to provide continuing opportunities for small business, start-ups and continuation. The application accords with the Council's Business Plan objectives on growing the local economy as well as the WCS objective.

9.2 Following a detailed site selection process comprising site identification methodology and using sustainability appraisals, community consultations and an examination in public, the WWUE site was identified as the most sustainable location for significant strategic growth at Warminster. As set out within CP31, the Council is committed to supporting a large scale major development across the 115 hectare WWUE site for the plan period which runs until 2026. Due to essential infrastructure modelling and the need to address numerous on-site constraints and develop appropriate mitigation plans, the rate and scale of housing delivery across the WWUE site has so far been restricted to only a few houses that are nearing completion on the 14/06562/FUL Redrow scheme which commenced in 2017; and it has to be said that more than three years on from the Core Strategy adoption, and nearly two years on from the endorsement of the WWUE site allocation Masterplan, the housing growth rate at the WWUE site has been lower than expected.

9.3 WCS Core Policy CP1 identifies Warminster as a market town with the potential for significant development for jobs and homes. Market Towns are specifically identified as settlements that have "*the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary, enhance their services and facilities and promote better levels of self-containment and viable sustainable communities*". It is widely accepted that in Warminster, the local school and health service infrastructure are particularly stretched; and major developments such as this application, should secure substantial developer obligations through s106 contributions to improve existing infrastructure provision and to mitigate against any recognised material shortfalls arising as a result of this development to make the development acceptable in planning terms.

9.4 Under this application, Persimmon and Hannick Homes have commissioned significant detailed appraisals which have thoroughly reviewed the landscape and visual impacts, modelled flood risk and land drainage strategy requirements along with necessary mitigation, completed detailed transport and noise modelling, biodiversity and ecological analysis; and have developed, through officer negotiation, expanded urban design parameters and principles to set out a clear logical structure to inform future reserved matters applications to prevent amongst other things homogenous forms of development, and instead deliver high quality sustainable development. It is important to appreciate that all the supporting evidence expands upon the understanding that was available to the Council's spatial planning policy-makers, who completed a high level assessment of the site's capacity, when the site was put forward for adoption as a strategic allocation within the context of the plan period extending to 2026. This application has been informed by the essential need to address the town's education shortfall by setting aside 3.6 hectares of land to accommodate both a new primary school on a 1.8 hectare site (to be future proofed to facilitate a 2 form entry school) as well as setting aside 1.8 hectares to be safeguarded for a potential year 7 secondary cohort. The developers are also fully committed to providing a local centre which would provide land for a range of uses comprising A1-A5, C2, C3 and D1 offering additional employment opportunities, a retail offer as well as having the potential for community uses. The development generates significant levels of developer contributions to finance essential new infrastructure that would need to be secured by s106 obligations².

9.5 Since the application was lodged in early 2015, 200 dwellings have been deleted and a great deal of work has been dedicated to negotiating and securing improvements as well as keeping an open dialogue with the Town Council and the Unitary Ward Cllr. Whilst the WCS does not set a ceiling on the

² In relation to the safeguarded additional / secondary school site, the s106 for this application should include a clawback mechanism to cover the eventuality of an alternative school site coming forward and being approved and built elsewhere within the town or other solutions being found which would potentially negate the need for the safeguarded site on the WWUE. This development would still however need to be burdened by the necessary indexed secondary school contributions.

overall number of houses, the authority is committed to delivering a minimum of 42,000 new homes by 2026, and as part of this commitment, the WCS seeks to deliver approximately 2,060 new homes within the Warminster Community Area, with at least 1,920 being delivered at Warminster. This requirement is expressed as a 20 year provision covering the plan period of 2006-2026, and the most up-to-date March 2018 published Housing Land Supply Statement (HLSS) reveals that beyond the 900 new houses to be delivered during the plan period across the WWUE site, there would remain a residual minimum requirement to deliver an extra 165 dwellings, at least. The published housing calculations for Warminster and the remaining Community area are set out below (taken from page 122 of the HLSS). It should be noted that the indicative housing delivery target includes the Warminster sites being put forward as part of the emerging Site Allocations Plan process; and, as was reported to Cabinet on 15 May, if the Warminster sites in the emerging DPD are not to be considered or given much weight, the minimum residual requirement (in addition to the WWUE development template housing provision) for Warminster would be 351 houses.

Area	Indicative requirement 2006-2026	Completions 2006-2017	Developable commitments 2017-2026¹¹	Indicative remaining requirement¹²
Warminster	1,920	615	1,140	165
Warminster CA remainder	140	91	68	0

9.6 WCS paragraph 5.159 (which is linked to CP31) fully recognises that “[a]n increase in future housing in Warminster, compared to historic trends, will help facilitate the delivery of improved services and facilities in the town. The delivery of sustainable employment growth opportunities, alongside an appropriate mix of housing, will help improve the self-containment of the town and will strengthen the vitality and regeneration prospects for the town centre. Facilities for the young will have been improved. Warminster’s role as a service and employment centre for the surrounding rural catchment will have been enhanced. The River Wylde and the woodlands at Longleat Park will continue to provide social, environmental and economic assets as part of a wider green infrastructure network”.

9.7 Members will be fully aware of the pressing need to deliver more housing and support the local economy; and under this application, Persimmon and Hannick Homes have expressed a clear commitment towards delivering up to 470 new homes over the next 8 years and a further 530 beyond 2026 running until 2032/33.

9.8 Delivering new development at the WWUE site represents a long-term strategic solution to comprehensively accommodating Warminster’s housing and employment growth requirements up to 2026 and beyond. The employment land within the strategic allocation is crucial to help address the documented reduction of employment opportunities within the town since 2001, and to stem the extent of out-commuting. Central Government heavily supports housing delivery and it is an essential planning objective as part of the Government’s drive to build more housing and to support extended home ownership. The NPPF, within the context of a presumption in favour of sustainable development, aims “to boost significantly the supply of housing” (NPPF para 47); and at the local level, the Council’s adopted WCS and published HLSS attach great importance to delivering new housing. Strategic sites are identified as being instrumental to sustaining housing development and to maintaining a 5-year housing land supply; and Members will be fully aware that the NPPF requires local planning authorities to identify and regularly update the supply of specific deliverable sites sufficient to provide at least 5.25 years’ worth of housing land supply measured against the housing requirements of the housing market area identified in the WCS.

9.9 The NPPF makes it clear that where this cannot be demonstrated, relevant policies for the supply of housing (which in this case would include CP2 and CP31) would not be considered as being up-to-date, and planning permission for new housing should be granted in such circumstances, unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

9.10 The Council’s most up-to-date Housing Land Supply Statement records that there is 6.25 year housing land supply available in the north and west housing market area – which the table below confirms.

Area	Housing requirement 2006-2026	Housing completions 2006-2017	Five year housing requirement 2017-2022	Deliverable supply 2017-2022	Number of years of deliverable supply
East Wiltshire HMA	5,940	3,624	1,287	2,257	8.77
North and West Wiltshire HMA	24,740	13,025	6,508	8,130	6.25
South Wiltshire HMA	10,420	5,388	2,796	3,173	5.68
WILTSHIRE HMAs	41,100	22,037	N/A	13,560	N/A
Swindon (within Wiltshire)	900	622	N/A	201	N/A
WILTSHIRE TOTAL	42,000	22,659	N/A	13,761	N/A

[source: page 10 of the 2017 HLSS]

As set out in the March 2018 Cllr Briefing Note (No. 344), The HLSS represents a snapshot in time and the assessment of housing land supply should never be read as being 'an exact science'. The estimates on housing delivery for the sites listed in the HLSS are based on evidence available up to the point of the HLSS publication. As we have seen with the slow rate of development at the WWUE site, housing trajectories and delivery rates fluctuate over time; and it is equally important to appreciate that the deliverable supply is not a maximum delivery target. As previously argued, there can be no reasonable ceiling limitation placed on sustainable development and housing growth. There will continue to be a need to replenish the supply as there will inevitably be consented schemes that will go unimplemented, and whilst some will be delivered quicker than expected, others will be delayed.

9.11 In early November 2017, the Council published and consulted with Swindon on a Joint Spatial Framework for the period 2016-2036 – which looks at the opportunities and constraints of growth for the next ten years beyond the WCS. Whilst the JSF document has limited material weight at this time, it is useful to appreciate that the JSF introduces the potential of materially revising the existing Housing Market Areas and introducing four new HMAs – with Warminster potentially becoming part of a new Trowbridge HMA in the future.³

9.12 Following extensive negotiations held with the applicants and their appointed agents, a revised suite of supporting information was lodged in November 2017 which was supplemented by extensive analysis and surveying work spanning several disciplines that was subject to a fresh public consultation and rigorous officer negotiations and appraisal. Following a comprehensive iterative process, the finalised scheme being presented to members has full officer support as well as the support of the Town Council recognising that it can deliver a highly sustainable phased development without compromising the key objectives expressed within the WWUE development template, the Core Strategy, the Warminster Neighbourhood Plan or the NPPF. Although the AONB Partnership maintains some concerns, the scheme has been identified as having the potential to be exemplary.

9.13 In accordance with the details supporting the endorsed WWUE site Masterplan, the applicants seek the Council to maintain a flexible approach to agree the principle of house building being delivered across the WWUE beyond 2026 (i.e. the current Plan period). The proposed phasing would be supplemented by advanced planting, which can be secured by planning conditions; and, through the submission and negotiated development parameters set out within this outline application, the Council and local community would secure a significant degree of confidence in terms of what to expect through the reserved matters submissions. The following record reveals the most up-to-date developer housing

³ The following website sets out the emerging detail relative to the Joint Spatial Framework which was subject to public consultation between 7 November and 19 December 2017: <http://www.wiltshire.gov.uk/planning-policy-sw-joint-spatial-framework>

trajectories for the WWUE site which respects the modelled site development parameters and the plan period housing delivery projections.

	Persimmon & Hannick	Redrow Homes	Persimmon Homes	No developer attached
Site	Land North of Victoria Road	Land West of St Andrews Rd	Land South of Victoria Road	Folly Farm
Application Ref	15/01800/OUT	14/06562/FUL	17/01463/FUL	N/A
Status	Live application	Approved	Live application	N/A

Year	Number of dwellings (indicative)				
2016/17	-	-	-	-	0
2017/18	-	23	-	-	23
2018/19	-	60	-	-	60
2019/20	-	60	47	-	107
2020/21	-	60	60	-	120
2021/22	70	-	60	-	130
2022/23	100	-	60	-	160
2023/24	100	-	-	-	100
2024/25	100	-	-	-	100
2025/26	100	-	-	-	100
2026/27	100	-	-	-	100
2027/28	100	-	-	-	100
2028/29	100	-	-	-	100
2029/30	100	-	-	-	100
2030/31	100	-	-	33	133
2031/32	30	-	-	33	63
2032/33	-	-	-	33	33

Sub-total (plan period)	470	203	227	0	900
TOTAL	1,000~	203	227	99*	1,529

9.14 The endorsed strategic site allocation Masterplan is a material consideration which was subject to significant levels of officer input, negotiation, and local community engagement a few years ago. At the 15 June 2016 strategic committee meeting, the committee endorsed the Masterplan which comprehensively established the framework to inform planning applications such as this particular case. Despite the Masterplan being modelled to deliver up to 1200 homes on the north side of Victoria Road, this application now proposes up to 1000 houses across the 84 hectare site which takes into account the existing townscape, open countryside; the nearby AONB and other site constraints, and avoid building on land that is susceptible to flooding. It is also important to fully appreciate that it was never the purpose of a Masterplan to prescribe detailed design matters. Instead, this must be left to the planning application processes.

9.15 Back in 2016, in accordance with the NPPF and the Core Strategy objectives to delivering sustainable development, the Council accepted the principle of the WWUE being developed beyond the Plan period. The tabulated housing trajectories set out above illustrate that 470 homes are now projected to be built on the 84 hectare 15/01800/OUT proposed site by 2026, with no projected development commencing until 2021/22 - which factors in the time it will likely take to complete what will be a complex and detailed s106, archaeology trial trenching as well as the need for subsequent reserved matters applications to be submitted, appraised and approved. Beyond 2026, it is envisaged that up to 530 houses could be delivered. The table includes the consented Redrow Homes application for 203 dwellings (under ref: 14/06562/FUL) as well as the other application Persimmon are advancing with separately in relation to land around Bugley Barton Farm to the south of Victoria Road (under application ref: 17/01463/FUL). The Bugley Barton application will be subject to a future SPC referral in due course. However, as set out above and mindful of the need to secure legal agreements, PRoW diversions, site enabling work, and the discharge of suspensive conditions, the projected cumulative housing quantum across the WWUE site would not exceed 900 units over the Plan period. It is also noteworthy to mention that the total housing quantum being projected across the entire WWUE site falls below the 1550 level which was modelled as part of the endorsed Masterplan. The trajectory also rightly includes an indicative housing provision for the Folly Farm site to the south of Bugley Barton – which also forms part of the WWUE strategic allocation, although it should be noted that there is no application currently lodged for that site.

9.16 The Core Strategy WWUE development template identifies 6 key objectives for the site along with additional infrastructure and sustainable planning requirements to satisfy the Council's Infrastructure Delivery Plan (IDP). The 6 objectives relate to providing: a mixed development including a range of housing (in terms of size and tenure), site integration with surroundings and the town centre, protecting the setting of and views to the AONB, reducing flood risk, safeguarding and enhancing the environment within and around the strategic site; and, to contribute towards the development and implementation of a Phosphates Management Plan or suitable on-site alternative – to compensate for additional phosphate loading from sewage discharge into the River Avon.

9.17 Since the early part of 2015, a great deal of work has gone into negotiating this application which has led to the principle of the development being fully supported by officers. This Persimmon/Hannick Homes joint application has been informed by the modelling evidence which supported the endorsed Masterplan as well as significant follow up supporting evidence in the form of detailed flood risk and re-modelling work, the preparation of a comprehensive land drainage strategy and design and build parameters. The application proposals have been further informed by a comprehensive landscape mitigation strategy which would result in the development delivering a strategic landscape buffer and bund along the northern and part of the western reaches of the site along the boundary shared with the A36; as well as a 10m wide landscape buffer to screen the proposed employment site boundary in the north-eastern part of the application. The scheme has also been predicated on making significant enhancements to the public rights of way routes and delivering enhanced access to the wider countryside. The scheme also seeks to deliver a safeguarded area for an ecology park in the south-western part of the site. In total, more than 50% of the site would be dedicated to public open space, woodland, green corridor planting, recreation/sporting facilities and allotments.

9.18 This outline submission has evolved significantly since the February 2015 submission date, and the developers have reflected upon and responded to officer requests and consultation feedback. The endorsed Masterplan and the making of the Warminster Neighbourhood Plan during the planning process resulted in further revisions. The developers remain committed to delivering 1.8 hectares of land for a new primary school and safeguarding an additional 1.8 hectares for additional/secondary school facilities. 200 residential units have been removed from the scheme following detailed flood risk analysis across the site; 44.5 hectares of greenspace in the form of parkland, woodland, public open space, dual use and public sports pitches and allotments would support the comprehensive landscape strategy that underpins the development of green wedges which would break up the built development; and it should be noted that none of the quoted 45 hectares of 'open space' include residential gardens. The 44.5 hectare provision represents nearly 53% of the entire site - which exceeds the greenspace provision identified in the endorsed Masterplan and significantly exceeds the indicative provision illustrated within the WCS development template. The scheme would deliver an employment site of 5.6 hectares near to Bath Road for B1-B8 uses and a further 0.56 hectares of land would be set aside to provide a local centre to accommodate an alternative range of employment generating land uses to be accessed off Victoria Road – with the local centre having the potential to establish opportunities for small, start-up businesses that would be more suitable within a local centre compared to an employment business park – which is envisaged in the north eastern part of the site. The link road connecting Bath Rd and Victoria Rd (to eventually link with St Andrews Rd) would also be delivered as part of a phased delivery programme - all of which is considered to be policy compliant.

9.19 As part of the extensive negotiations, the Council's planning and urban design officers have secured a commitment from the developers to adopt urban design parameters and principles which would inform the future reserved matters applications. The developers have expressed a commitment to an extensive list of s106 obligations with reasonable and necessary triggers to ensure essential infrastructure is provided ahead of, or in tandem with, the phased development. A full summary of the key developer obligations to be secured by a s106 are listed within paragraph 9.85. The developers are also committed to working alongside the Council's economic development team to implement a marketing strategy for the employment site to actively promote the site's employment and new business opportunities – which also needs to be secured by bespoke s106 clauses.

9.20 **Site Planning History** – The site's planning history is fairly limited. There have been some historic applications relating in the main to approved agricultural forms of development which date back to the 1970s/80s some of which were not implemented. Since then, planning policy at both the local and national level has significantly evolved; and significant weight must be given to both the site's strategic

allocation status in the Core Strategy, the endorsed Masterplan and the critical importance such sites have in terms of delivering new housing and employment development.

9.21 **Loss of Agricultural Land** – Whilst NPPF paragraph 112 (and annex 2) both seek to protect the best, most versatile agricultural land, the ‘loss’ of the grade 2 agricultural land at the WWUE site allocation is considered to be necessary in terms of satisfying the strategic housing and employment growth needs. Prior to proposing the site as the WWUE, other site options were analysed by the Council, but the WWUE site was identified as the most sustainable site to deliver the necessary new housing and employment land. The Strategic Environmental Assessment (SEA) which was prepared to inform the WCS identified the pros and cons and concluded that the land should be allocated for new development and deliver a strategic transport link between Bath Road and Victoria Road to the north and to connect with Thornhill Road and the St Andrews Road cul-de-sacs in the south-west of the town.

9.22 It is noted that some contributors during the public notification engagement processes have suggested that land to the east side of town should be considered for large scale development purposes instead. Little weight can be given to this public response given that the site proposals have gone through rigorous plan led processes to become strategically allocated; and the Council cannot reasonably now object to the principle of this development and favour an alternative site. Whilst the loss of farmland is regrettable, this proposed application would deliver significant strategic and public benefits which would far outweigh the loss of the agricultural land.

9.23 **Highway Impacts** – It is acknowledged that a degree of public concern has been raised by and on behalf of residents of Bath Road about the proposed Bath Road site access roundabout that would serve the WWUE site, with concerns principally raised in relation to its necessity, its proximity to the existing roundabout, the impacts on existing accesses, neighbouring land and the consequential highway impacts created by the projected new traffic volumes. As part of the local representations, questions have been raised as to whether there is potential to serve the WWUE site from the existing roundabout. This issue was fully appraised by the highways authority from the outset and at the Masterplan stage, Members were informed that there are fully justifiable reasons why the WWUE developers have proposed to serve the WWUE from Bath Road via a new roundabout.

9.24 The existing Crusader Park roundabout was set up as an off-set three arm roundabout, which to some degree, is compromised by land availability and does not lend itself to a re-design to accommodate a fourth-arm. At the time of its construction, the Crusader Park developer had restricted frontage ownership, which prevented a fourth arm being formed. When built, the Crusader Park development was built right up to the highway boundary, which is defined by the footway. The Sydenhams boundary wall functions as the boundary to their storage yard which immediately abuts the back of the footway; and to the west side of the roundabout, there is a residential property (Avontor) which has a site frontage to part of the roundabout and on the opposite side of the roundabout, land is under the control and ownership of No. 48 Bath Road.

9.25 In order to achieve a workable four-arm Crusader Park roundabout to serve the WWUE site, land from Avontor would be required. Although agents representing the owner of Avontor previously wrote to the Council arguing that the WWUE area should be served by a fourth arm, they did not offer the land that would be necessary to create a fourth arm; and moreover, the representation offered no terms on which the applicants could even consider. It is not possible to displace the existing roundabout to the east (to avoid the Avontor land) because of the constraints of the Sydenhams site and additional third party land.

9.26 The WWUE developers have to secure an access that does not rely on third party interests or ransom strips. Arguing otherwise would severely compromise the deliverability of this strategically important site. As with the Crusader Park frontage, the WWUE Bath Road frontage is relatively short for a major junction; and as a consequence, the siting of the junction within that frontage length is similarly constrained. There is limited latitude to move the proposed new roundabout further to the north because of geometric and sight distance constraints that are imposed by third party land ownership. The site photographs on the following page illustrate the location of the proposed roundabout off Bath Road.



Proposed Bath Road new roundabout access location

9.27 Owners of the land opposite the proposed Bath Road roundabout have made representations citing concerns about the impacts the new roundabout would have on their property and the need to safeguard future development potential on their land. The Council's highway authority has reviewed the representation and has confirmed that the proposed roundabout would not result in detrimental impacts to the use of the neighbouring access and nor would it compromise a potential future access to nearby land on the opposite side of Bath Road that may in the future have development potential.

9.28 The proposed WWUE roundabout has been subject to a Stage 1 road safety audit, and there were no identified issues that could not be addressed. The need to accommodate and retain the three access points serving the land and property at No.48 Bath Road was identified as a concern, but it is important to appreciate that two of the access points (that would be located to the north and south sides of the roundabout) are of low level use; and the northernmost access has been obstructed for a considerable period of time, and the potential for road safety risk is low.

9.29 The Council's highway authority furthermore advises that there would be adequate space for vehicles to pull up to the main access gate to No 48 and be substantially clear of the roundabout circulatory carriageway without resulting in highway detriment.

9.30 Whilst it would have been preferable to have the WWUE served via the existing Crusader Park roundabout, in order to reduce the number of junctions on Bath Road, site constraints and third party land ownership prevents this. Requiring this would introduce significant and unreasonable burdens on the site developers and introduce ransom strip issues; which in combination, would severely compromise the deliverability of the strategic allocation.



Crusader Park/Bath Road 3-arm roundabout



Victoria Road new roundabout location – (beyond parked car)

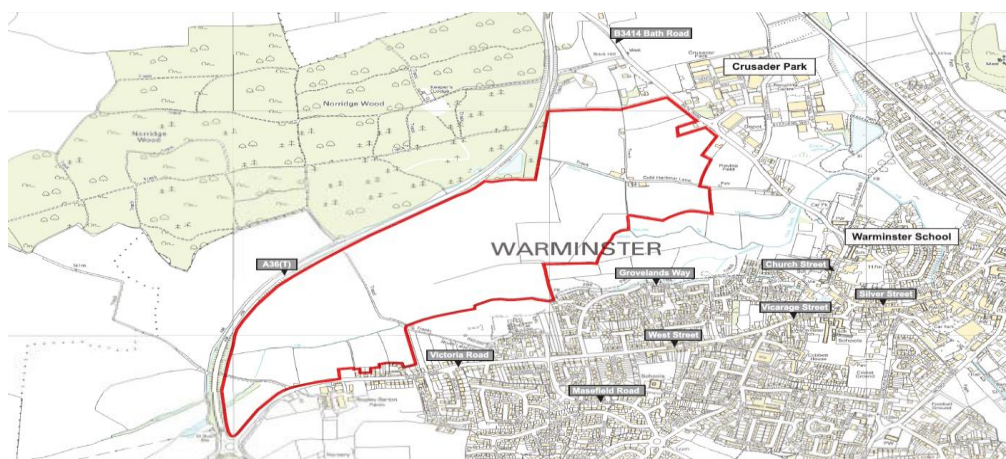
9.31 As part of the plan submission, the accessibility of the site by sustainable modes of transport has been fully assessed. With the town centre approximately 2km from the site and other facilities and amenities between 600m-1km away, the site is highly sustainable and there are several walking, cycling and public transport options for future residents to use rather than rely on using private motorised vehicles. The negotiated scheme with s106 obligations would secure further enhancements which would include an extended bus service and a bus strategy. In addition, travel plans to encourage future residents to use sustainable modes of travel would be promoted.

9.32 In order to provide a cumulative assessment of the potential highway impacts, a paramics microsimulation model of the whole of Warminster assessed the impacts of up to 1550 residential units being delivered on the entire WWUE strategic site as part of the endorsed Masterplan process. The paramics model identified that there would be some cumulative construction impacts focused along the link between the A36 and the new Victoria Road roundabout as this would be a shared link used by both the 15/01800/OUT site and the land under construction to the west of St Andrews Road (Redrow's consented 14/06562/FUL development). However, the model reports that with the limited amount of pedestrian traffic in this area and the relatively short length of road which construction traffic would use via the A36, the cumulative impacts would be categorised as minor adverse at worst. The paramics model also identified minor cumulative operational impacts across the network, especially along Victoria Road and West Street.

Table TTP9: Links With >10% Increase with Proposed Development

Link Name	AM Peak % Increase	PM Peak % Increase
B3414 Bath Road north of proposed site access	24.3	26.9
B3414 Bath Road south of proposed site access	17.1	27.7
Victoria Road west of proposed site access	41.9	36.9
Victoria Road east of proposed site access	15.1	24.3
Masefield Road	20.3	24.5
Deverill Road	11.1	13.6
Silver Street / George Street	9.3	11.6
A350 north of Warminster	12.2	12.8

9.33 During the construction phasing, the TA predicts that the overall number of HGV movements to be 18 HGV trips per day, an average of 36 two-way movements per day. This would be the equivalent of less than 4 HGV movements per hour. In addition, workforce traffic has been factored into the TA and it is reported that individually and cumulatively, there would be no significant detriment to highway interests or safety, and the impacts could be controlled through a construction traffic management plan (CTMP) that can be secured via a planning condition. The insert above is taken from the TA and it reveals the predicted increased AM/PM peak trip rate increases along the named local roads. It is observed from the insert above by way of an example, that the B3414 Bath Road (north of the proposed site access roundabout) would experience an increase in traffic flows of 24.3% during the AM peak hour and 26.9% during the PM peak hour period which is considered to be a 'Low Magnitude of Change'. Meanwhile, it is predicted that the road link Victoria Road west of the proposed site access roundabout would experience an increase in flow rates of circa 41.9% during the AM peak hour and 36.9% during the PM peak hour which is considered to be a 'Medium Magnitude of Change'. These traffic flow increases and the others reported in the TA have been carefully appraised by the highway officers and no in principle objection is raised. A series of mitigation measures would however be required.



9.34 The TA concludes that the effect of the proposed development on the A36 SRN route would be greatest during the PM peak hour for drivers travelling westbound who would experience an increase in journey time of around 45 seconds (representing a 8.2% increase), which might well be a noticeable impact on journey times, but it is nevertheless classed as a 'Low Magnitude of Change'. As the A36 is a key highway corridor which is a 'Medium Sensitivity Receptor' through applying the Assessment Matrix, the effect would be Minor to Moderate adverse. A Moderate adverse effect is defined as an increased perception of changing conditions that may require modifications to off-site infrastructure whereby a Minor adverse effect is defined as a perception of changed conditions. As far as the A350 is concerned and drivers travelling northwards, the greatest delay impact would be experienced during PM peak periods and it is projected that the WWUE development would add a further 1 minute and 11 seconds onto existing journey times (representing a 14.7% increase) which would constitute a 'low magnitude level of change'.

9.35 The TA reveals that the development would have a 'high magnitude of change' on the B3414 route during the PM peak hour for drivers travelling westbound who would experience an increase in their journey times of around 5 minutes and 22 seconds (representing a 41.1% increase), a change to existing journey time that would be noticeable to all road users. As the B3414 is another key highway corridor which is a 'Medium Sensitivity Receptor' through applying the Assessment Matrix, there is a justified need to burden the developer to deliver off-site infrastructure modifications.

9.36 In respect of severance, pedestrian delay, pedestrian amenity, fear and intimidation it has been identified that, the B3414 Bath Road south of the proposed site access would experience a minor to moderate adverse effect which requires mitigation. The proposed site access arrangements on Bath Road have been designed in a manner to facilitate walking and cycling particularly for movements from the development site to the Crusader Park and Warminster Business Parks located to the east of the B3414 Bath Road and for journeys to the town centre. To facilitate these movements, a new footpath would be provided along the west side of Bath Road in the vicinity of the access with a new zebra crossing being provided as part of the developer's off site highway improvements to deliver a safe crossing of Bath Road and to provide a connection with the existing footway which runs along the eastern edge of Bath Road towards the town centre. In addition to the proposed site access highway works it is proposed that the developer should be burdened to complete enhancements to existing pedestrian and cyclist routes. These measures would enhance the provision for pedestrians and cyclists travelling along Bath Road.

9.37 It has also been identified that along Victoria Road to the east of the proposed site access there would be a minor to moderate adverse effect which requires mitigation. The proposed site access arrangements onto Victoria Road have been designed in a manner to facilitate walking and cycling. A 3.2m footway/cycleway would be provided by the developers along the northern edge of Victoria Road for approximately 70m to connect up with the existing footway on Victoria Road which runs continuously into the town centre. In addition, a 3m footway/cycleway is proposed to be constructed from the site into Swaledale Road providing an alternative route to Victoria Road at which point there is an existing puffin pedestrian crossing. These measures would enhance the provision for pedestrians and cyclists travelling along Victoria Road.

9.38 The mitigation measures referred to above have been tested within the paramics model which would reduce the cumulative residual impacts of the proposed development. Further off-site highway mitigation is considered necessary at the Portway / Westbury Road / Copheap Lane junction to convert the existing priority junction to a compact roundabout which would operate more efficiently given the traffic movements passing through the junction and the queuing which occurs along Copheap Lane as well as delivering on site PROW upgrades and providing financial contributions towards the enhancement of other pedestrian, cycle and public transport facilities. In addition, the developers shall be burdened to deliver a 'toucan' controlled crossing along Victoria Road. Additional mitigation would be secured through the introduction of Microprocessor Optimised Vehicle Actuation (MOVA) signal controls at the Weymouth Street/High Street and Market Place junction to improve the operation of the traffic signals and reducing queuing. The PFA paramics model reveals that these measures are adequate to mitigate the cumulative operational impacts of the WWUE development so that, at worst, only a minor adverse impact would be observed as the following insert from the submitted TA reports.

Table TTP17: Effects Summary Table – Construction Phase

Receptor	Effect	Magnitude of Effect	Nature of Effect	Duration	Significance of Effect without Mitigation	Significance of Effect with Mitigation	Residual Effects
Pedestrians	Interruption to footways	Minor-Moderate	Adverse	Temporary	Minor Adverse / Moderate Adverse	Minor Adverse	N/A
Cyclists	Interruption to roads/cycleways	Minor-Moderate	Adverse	Temporary	Minor Adverse / Moderate Adverse	Minor Adverse	N/A
Motorists	Driver delay	Minor-Moderate	Adverse	Temporary	Minor Adverse / Moderate Adverse	Minor Adverse	N/A

Table TTP18: Effects Summary Table – Operational Phase

Receptor	Effect	Magnitude of Effect	Nature of Effect	Duration	Significance of Effect without Mitigation	Significance of Effect with Mitigation	Residual Effects
Pedestrians	Severance, pedestrian delay; pedestrian amenity and fear and intimidation	Minor-Moderate	Adverse	Permanent	Minor Adverse / Moderate Adverse	Minor Adverse / Neutral	Minor Beneficial
Cyclists	Severance, cyclist delay; cyclist amenity	Minor-Moderate	Adverse	Permanent	Minor Adverse / Moderate Adverse	Minor Adverse / Neutral	Minor Beneficial

9.39 The residential traffic distribution and traffic assignment analysis have been thoroughly reviewed; and, traffic impact, traffic counts/queue length analysis and capacity assessments have also been interrogated by the statutory consultees (Highways England and the Council’s Highways Authority) with the resulting conclusion that the traffic generated by the proposed development can be adequately accommodated by the existing road network without creating demonstrable harm. Subject to robust planning conditions and legal agreement obligations, this outline planning application is supported in terms of the sustainable transport and highway network implications.

9.40 **Land Drainage and Flood Mitigation** – The application is supported by a detailed Flood Risk Assessment which has been supplemented by additional information following further on-site investigations/hydraulic modelling of the South Were, West Were and the main Were River. The investigations and conclusions with proposed mitigation measures have been assessed by the lead local flood authority and the environment agency who report “no objection”, subject to planning conditions, and informatives. The extent of the modelling was supported by the local flood authority and the EA following detailed negotiations. Essentially, the enhanced FRA confirms the flood risk based on a 1 in 20 year; 1 in 100 year; and 1 in 100 year flood risk + climate change; and 1 in 1000 year events.

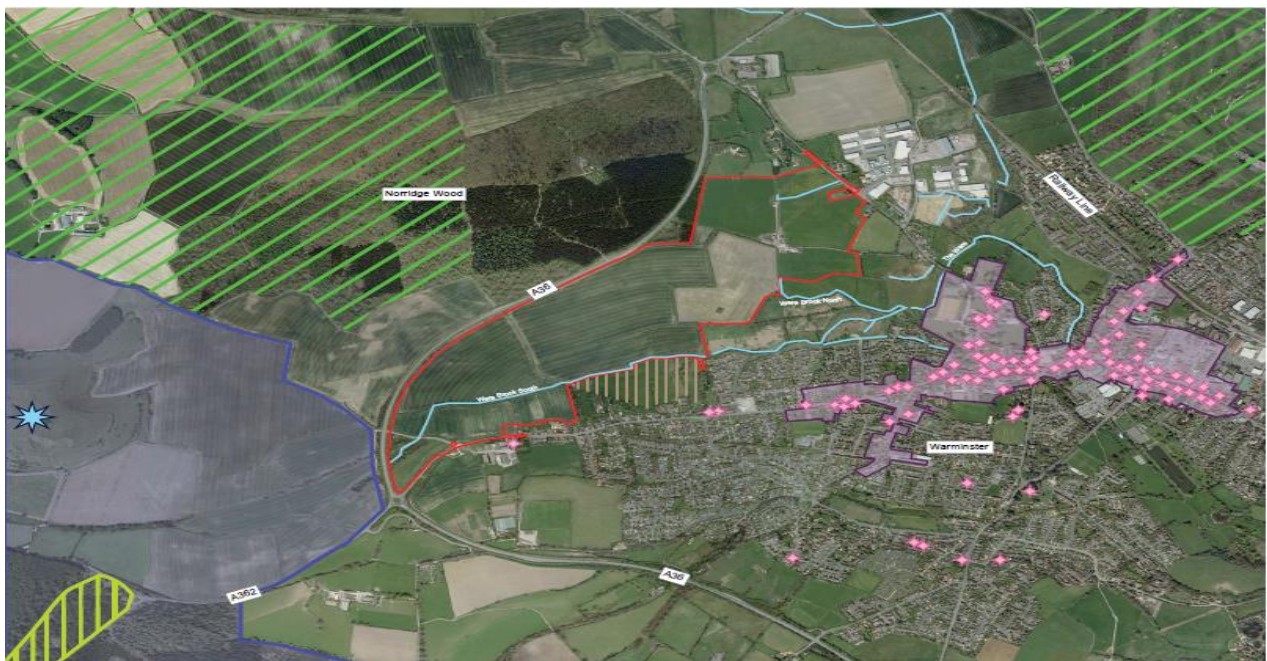
9.41 In response to flood risk, the application does not propose any built form of development in the area identified within flood zone 2 or 3 or the extent of land at risk of flooding based on hydraulic modelling. The FRA appraises the existing storage basin on the right bank of the West Were which was modelled as a reservoir. New proposed storage basins and the introduction of 0.4m high defence bunding along the West Were (above the height of the existing bank) and culvert removals are planned to reduce the out of bank flow on the South Were. The EA and the local flood authority fully support the proposed land drainage strategy and mitigation plan to attenuate flows; and, when compared to the flood evaluation outlines presented by HR Wallingford in 2014, which were adopted by the EA, the work undertaken by PFA for this application show comparable flooding mechanisms and baseline understanding pursuant to flood risk along the South Were and West Were watercourses.

9.42 Discussions have been held with the sewerage undertaker relative to foul water disposal and its treatment for this site and Wessex Water have confirmed the need for off-site improvements in the form of both onsite and offsite works (to be phased if required) which can be secured by a planning condition. The sewerage undertaker has also confirmed that whilst there is some existing capacity at the sewage

treatment works for this development, there is a need to secure necessary improvements and the upgrading of the emergency storage facilities at the Portway Sewage Pumping Station.

9.43 The amended FRA and supporting submissions show the arrangements for storm water drainage disposal without increasing the risk of flooding elsewhere, and accordingly, the FRA & development satisfy the NPPF and the WCS. Planning conditions rather than s106 obligations would adequately cover the provision of the necessary on-site essential drainage infrastructure, although a management company would be required to take on the responsibility of the infrastructure which would need to be enshrined within a legal agreement to ensure the necessary mechanisms are in place for the on-going maintenance and effective operation of the drainage infrastructure and for the responsibilities and mechanisms to be managed in perpetuity. It should be noted that any alteration to the existing watercourses or connections to them would require separate formal consent from the appropriate drainage authority (i.e. the EA where the watercourse is a main river for any works within 8m of top of bank; and, from the Local Lead Flood Authority for all discharge rates where the watercourse is an ordinary watercourse.

9.44 **Landscape Impacts** – Paragraph 115 of the NPPF advises that “*great weight*” should be given to conserving the landscape and scenic beauty of AONBs; and, paragraph 109 sets out the importance attached to “*protecting and enhancing valued landscapes*”. Adopted WCS Core Policy 51 furthermore states that “*Proposals for development outside of an AONB (like the case here) that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area’s special qualities (as set out in the management plan), must demonstrate that it would not adversely affect its setting*”. Section 85 of the Countryside and Rights of Way Act 2000 (the CRoW Act) moreover sets out the statutory duty in addition to the policy requirements for the LPA to appraise the impacts of the development and to have special regard to conserving and enhancing the scenic beauty of the AONB and valued special landscape parcels of land.



Site Constraints Plan

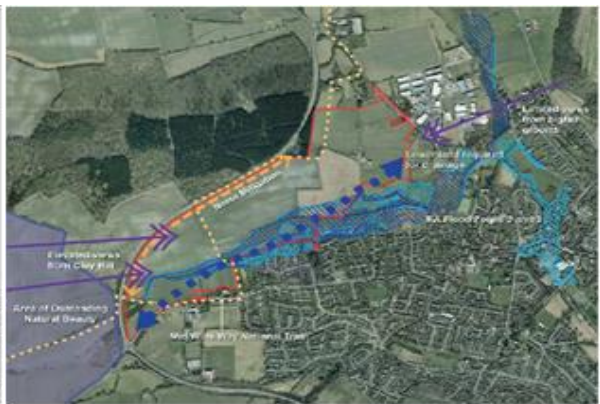
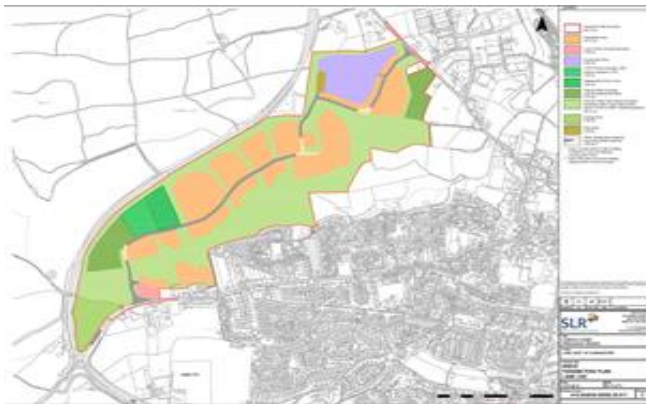
9.45 The insert plan above illustrates the application site (identified by the red site outline parameters) and records the site’s proximity to the AONB (identified by the purple shading), the special landscape areas (the green hatching), Cley Hill Scheduled Ancient Monument (the blue star), part of Longleat’s registered historic park and garden (light green hatching) and Warminster Conservation Area and spread of listed buildings (pink shading and pink stars). As illustrated, the AONB designation abuts the western verge of the A36 Trunk Road. No part of the AONB shares a boundary with the application site, but it reaches close to the site boundary. From the details presented with this application, it is proposed that the ‘developable’ land parcels within the WWUE site would be circa 65m from the AONB. Due to site topography and the presence of intervening well established boundary landscaping, especially along part of the A36 which includes a significant belt of trees and embankments, there is little intervisibility between the closest parts of the AONB and the site – as confirmed by the photo inserts on the following page. The

application site however opens up more to panoramic views from Cley Hill and Little Cley circa 1km to west, where expansive panoramas are obtained.



View looking NE along A36 with tree belts on either side Significant embankments and tree belt along southern side of A36

9.46 The application site forms part of the Cley Hill Greensand and Chalk Terrace Landscape type which contributes towards the wider Avon Vale character type. The key characteristics of this localised landscape character type are informed by the distinctive hillfort landmark of Cley Hill with its extensive views of the chalk down land, flat to gently undulating wooded farmland, settlements consisting of a few hamlets and farmsteads (NB: the town of Warminster does not form part of the set landscape type), a strong sense of rural tranquillity with distinctive patterns of medium sized agricultural fields enclosed by hedgerows with mature trees; and two significant blocks of woodland comprising Norridge Wood and Clear Wood. The site is bounded to the north-west and west by the A36; to the south by fairly modern forms of residential development and more established forms of residential development along Victoria Road to the south-east. The land to the north beyond the A36 is agricultural land and Norridge Wood plantation – which screens part of the WWUE even from views at the top of Cley Hill. Beyond Bath Road (the B3414) located to the north east of the WWUE site there are sporadic residential properties and more farmland – which the following inserts help illustrate.



9.47 The application site is predominantly characterised by gently undulating agricultural land with a mixture of arable and pasture, sub-divided by a network of hedgerows containing some scattered trees and a watercourse which crosses the south-western part of the site. Most of the on-site trees are concentrated along the existing field boundaries, adjacent to roads or along property boundaries. The site contains only two grade 'A' Oak trees (of high retention value) both located in the south-west of the site. Most other individual trees are either grade 'B' (moderate retention value) or grade 'C' (low retention value). The site's hedgerows are mostly grade 'C', with the exception of two Hazel hedgerows of grade 'B' value, located either side of the WARM8 PRoW footpath which runs through the route known as 'Nut Walk' located near the northern part of the site. There is one grade C small linear mixed species woodland located to the south-west of the site and a number of tree groups which overhang the site. In addition a group of ash, field maple, hawthorn, oak and yew trees on land outside of the application site but behind No.106 Victoria Road, are protected by a Tree Preservation Order 2015/00015/GRP.

9.48 This application has been significantly informed by the endorsed WWUE Masterplan which was modelled on a detailed understanding of the localised constraints, landscape character, impacts and necessary mitigation. Although submitted in outline, the application is supported by a significant amount of

appraisal and surveying work with a considerable amount of work dedicated to appraising the scale of the development and how it responds to the immediate site context and the protected surrounding landscape. In addition to consulting with the AONB Partnership Board, Natural England, National Trust and the Council's strategic landscape officer, extensive negotiations have taken place with the applicant's and their appointed consultants spanning several years pursuant to developing a series of significant mitigation measures to minimise the visual and landscape impacts. The discussions led to significant revisions being made in late 2017 and the submission of the finalised outline scheme which has been informed by clear, responsive landscape design parameters and principles; and within a letter dated 24 May 2018 composed by the AONB landscape and planning advisor, although still maintaining some concerns, he confirmed that the revised scheme has "the potential to make the proposals exemplary".

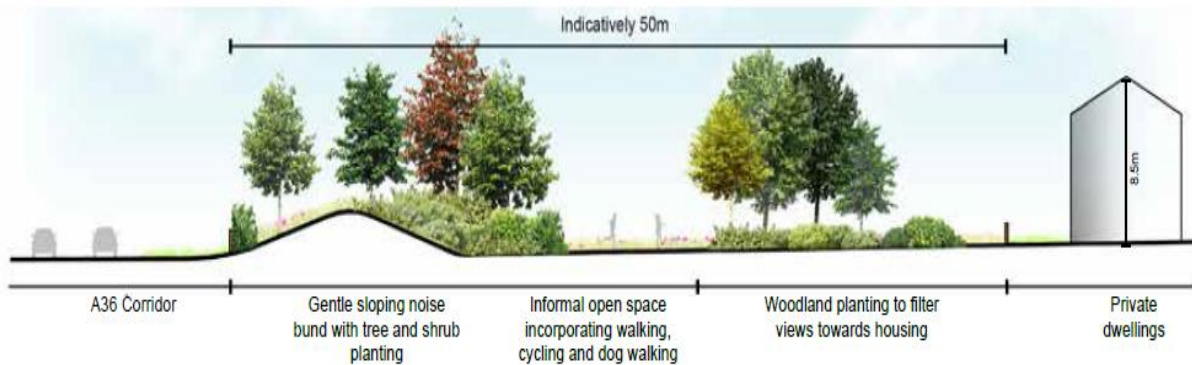
9.49 The application is supported by illustrative layout parameters that are heavily influenced and informed by landscape and ecology surveying. Extensive areas of open space and parkland would form a significant part of the proposed comprehensive green infrastructure network which is illustrated in the light green shading on the reproduced Parameters Land Use insert on the previous page.

9.50 The thick green arrowed line illustrated below represents the proposed new linear park route along the Were Brook which would provide a strategic landscape buffer between new development and the existing town limits. In appreciation of the landscape visual impacts from the AONB/Cley Hill, the insert below shows how the most sensitive south-western part of the site would not be built upon but instead be developed as formal and informal public open space. This part of the site would be strategically landscaped and set aside for sports pitches and further to the north east, 3.8 hectares of land would be set aside for new school facilities and sports provision. The submitted application sets out that over 50% of the entire site would be left 'undeveloped' - which far exceeds the requirements outlined by the WCS development template and the WWUE Masterplan.



9.51 The above diagram schematically illustrates how the proposed 1000 houses, the local centre, the school site and the employment land would be broken up and be framed by a strategic landscape strategy which would, set aside more than 50% of the site area to be dedicated for open space, woodland planting, sports provision and an ecology park. The diagram also illustrates the creation of strategic green corridors which would be formed by robust woodland planting on roughly a north-south axis that would visually break up the site's phased development and to create urban village character areas.

9.52 The insert on the following page illustrates an indicative section through part of the development site and shows the strategic landscaped buffer being proposed along the sensitive A36/ northern site boundary with an indicative 50m separation between the A36 and future housing. Alongside the green corridors illustrated in the previous plan, the plans illustrate the applicants' commitment to delivering a robust strategic landscaped buffer with a 1.5-2.5m high bund as part of the early phases of development – which would be secured by planning condition.



Indicative section (F) along A36 corridor

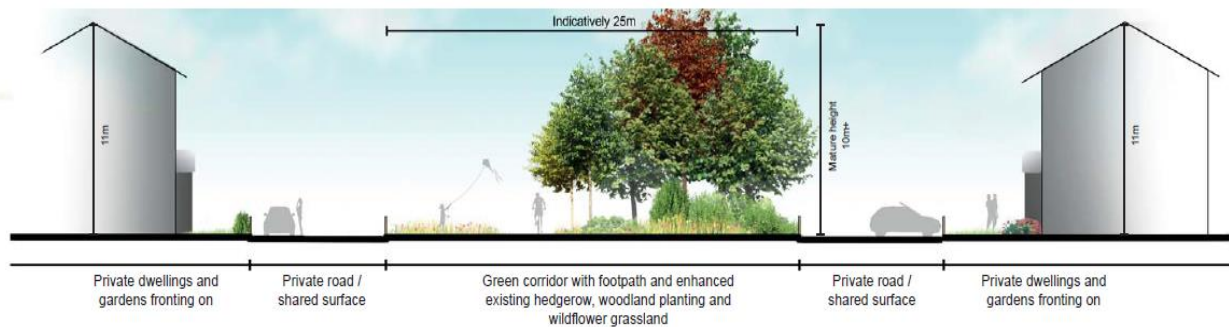
9.53 The applicants are fully committed to delivering substantial advanced woodland planting to maximise the effectiveness of tree planting to deliver substantive landscape and biodiversity benefits and visual/landscape mitigation; which would also integrate and frame the significant tracts of public open space being proposed as well as the new forms of development. Along the site's A36 northern boundary, the proposed earth bund captured in the above illustration, would be created from material excavated from the site during the first phases of development and officers would require it to be densely planted with trees and an equally dense undergrowth of shrubs to provide robust visual screening and noise attenuation from the A36. On the bund's south facing slope, a shallow gradient would help assimilate it with the public open space. On the A36 north facing slope, the bund would be diversely planted to provide a varied and interesting experience for road users. The applicants are fully committed to planting native tree and shrub species to supplement the existing roadside vegetation to provide further screening and seasonal interest. The planting mix would be diverse and should favour species known to be of high value to dormice birds and other fauna, such as hazel and other species which provide nectar, fruits, nuts or high numbers of invertebrates which can be secured by planning condition. Continuous hedgerow and woodland planting would be provided to supplement major foraging and commuting route for dormice and bats, to enhance the linkages with the off-site plantation to the north of the site to ecology area woodland area in the south.



9.54 In accordance with the adopted Core Strategy, the application seeks to establish the principle of providing 6.16 hectares of land for employment land and a local centre with the vast majority of the employment land provision being located close to the Crusader Industrial Park to be accessed off Bath Road in the far north-eastern part of the site (illustrated in purple within the above insert) comprising a tract of land that is partly screened from expansive views from Cley Hill/the AONB by Norridge Wood – which is clearly identifiable above; and would assimilate well with the existing Crusader Park, when viewed from Arn Hill/golf course and the chalk escarpment on elevated land to the east. The employment site would also have a 10m wide landscaped buffer – the exact details of which would form part of a future REM submissions. Future reserved matters applications would also need to detail the separation distances between employment buildings, additional on site landscaping within the employment land parcel and

distances to existing and future residential curtilages/gardens and buildings. The insert below helps illustrate the proposed woodland green corridors and buffers being advanced by the applicants.

Indicative section (B) through typical green infrastructure corridor

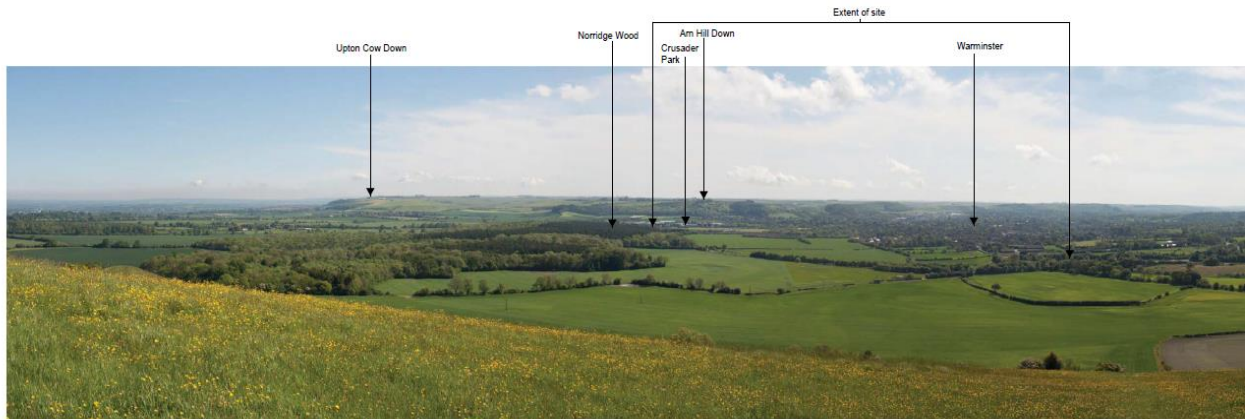


9.55 The application has been significantly informed by detailed LVIA analysis and landscape mitigation, to which both Natural England and the Council's Landscape officer confirm having no objections, subject to conditions, and as reported in paragraph 9.48, the AONB landscape and planning advisor recognises the potential this scheme has to produce an "exemplary" development. The LVIA fully considers the landscape receptors, condition, scenic quality, value, representativeness, cultural interest, recreation value, level of tranquility and associations and records and appraises the existing landform, boundaries, public rights of way and the riparian Were brook environs. The LVIA recognises and appraises the Cranborne Chase and West Wiltshire Downs AONB as being a 'high value landscape'. The site and its surroundings have been fully appraised in terms of their sensitivities, the susceptibility to change and effect magnitude and impact significance during both the construction periods as well as on completion of the development and 15 years in advance. In terms of the existing landform, the LVIA correctly records that the site's development would result in an 'adverse visual impact' through developing the existing rolling farmland for a largescale major mixed use town expansion. However, the principle is well established through the adopted core strategy and the site benefits from an endorsed Masterplan. The application has been heavily informed by a comprehensive landscape strategy which would deliver substantial tracts of woodland planting throughout the site with advanced planting being a key part of the developer's commitments as well as phasing the scheme sensitively following design principles which have the full support of the Council's landscape, urban design and planning officers. There is also a clear commitment to have a management plan pursuant to the site's proposed land uses and varying development densities, which officers have negotiated over several years and have concluded that there would be significant levels of mitigation to reduce the extent and the nature of the visual and landscape effects, as well as the reducing the magnitude and significance of the effects, especially from the protected AONB and special landscape areas.

9.56 During the past couple of years and following on from the endorsement of the site allocation Masterplan, a great deal of analysis and negotiation has taken place relative to the promotion of a detailed landscape strategy which is set out within a Landscape Strategy & Implementation Plan (LSIP) within which the applicants are committed to delivering residential build phases alongside strategic landscape woodland planting, the introduction of robust green corridors of woodland planting comprising 20-25m swathes with woodland species maturing to 10m heights to strategically break up the new development phases. The application is also supported by a thorough Design and Access Statement.

9.57 The scheme sets aside more than half of the site for expansive areas of open space, children's play areas and sports provision as well as a linear and an ecology park. It also should not be overlooked that through the site's allocation in the WCS and the endorsement of the site masterplan, the principle and quantum of development has been robustly modelled in terms of appreciating the landscape impacts and effects; and as set out above, a significant amount of time and resources have been dedicated to identifying and planning the necessary landscape mitigation that would enhance the well-established treed and hedgerow field boundaries to ensure that future phases of development deliver robust advanced planting that satisfies the Core Strategy objectives as well as being respectful of the sensitivities and setting of the AONB and the special landscape areas. The scheme would not be entirely screened from views gained from the elevated hillfort or Arn Hill. This would not be possible and is not necessary but with the advanced planting to supplement each phase, officers are fully supportive and confident that the applicant's detailed landscape mitigation commitments would deliver a scheme that is compliant with national policy, the core strategy and respectful of the AONB Management Plan and its objectives. The

delivery of development across the strategic allocation site would undoubtedly change the visual characteristics of the site and views would change from the AONB and Salisbury Plain, but the effects, with the stated and committed mitigation, would not be demonstrably harmful.



Viewpoint 11: Taken from Cley Hill Scheduled Monument within the AONB, looking north-east towards the site.

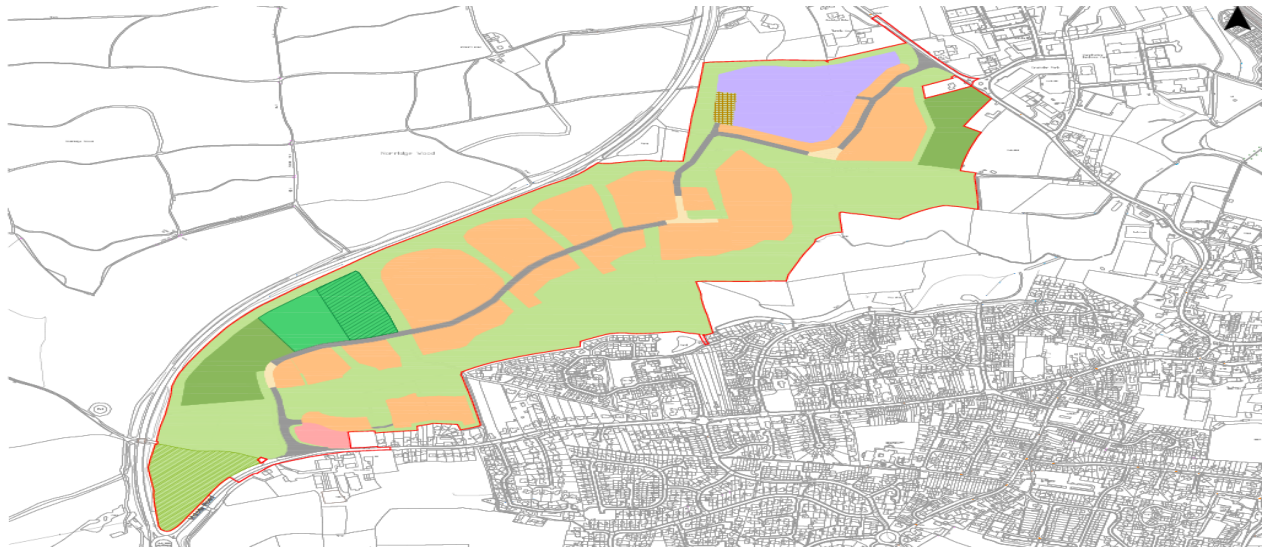
Photograph from Cley Hill hillfort looking east towards the WWUE application strategic site allocation and Warminster town

9.58 The development proposal has been thoroughly appraised in terms of the landscape and visual impacts. Due consideration has been given to the detailed comments and concerns raised about the landscape effects and impacts extending to the need to safeguard the special character and scenic beauty of the nearby AONB. It is important to appreciate that views from the AONB into and across the application site are largely limited to the elevated parcels at Little Cley and the Cley Hill Scheduled Monument hillfort, including the approaches to the top – as illustrated in the above insert. It is also worthy of note, that part of the site (the north-east tract of land where the employment site and where the largest buildings are likely to be constructed), is not open to full elevated panoramic views from the hillfort given the significant woodland plantation of Norridge Wood – which is easily identifiable. Mindful of the above, this outline application seeks to establish the phased delivery with advanced strategic tree planting and the provision of a landscaped bund which is fully supported by officers in terms of the landscape impacts. Detailed planning conditions and a series of s106 obligations are recommended to ensure the subsequent reserved matters application submissions and the phased development fully adheres to the negotiated designed parameter masterplans and advanced woodland / tree planting strategy.



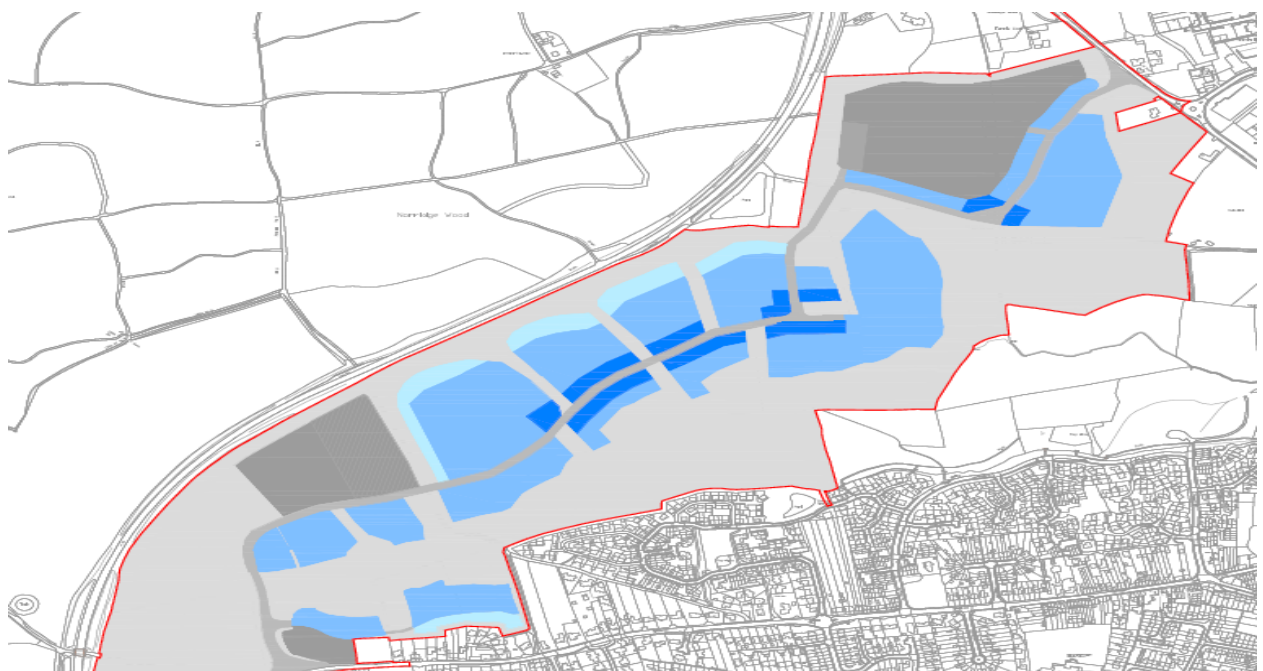
9.59 **Urban Design and Neighbouring Impacts** – The application submission is supported by a design and access statement which has chapters addressing local character analysis, constraints and opportunities; and, is informed by a detailed appraisal of site topography, the historic and natural environment and ecological and flood risk analysis, and promotes cogent design parameters and principles that would form the standards for future REM applications. Following extensive negotiations, the applicants developed a vision for the site setting out an over-arching design framework which explains how the landscape and ecology-led mitigation strategy influences and informs the land use parameters plan (which is reproduced on the next page) with the orange blocks representing the (phased) residential development, the purple block representing the employment site, the pink block representing the proposed local centre, the mid toned green and the adjoining hatched green parcel of land reflecting the 3.6 hectares of land to be set aside for a new school and playing fields. The two dark green coloured land parcels at the eastern and western parts of the site represent new sports pitch provision; and in representing over 50% of the entire site area, the lightest toned green extent represents the areas of the site to be dedicated public

open space and woodland. The ecology park is represented by the hatched green parcel in the south western part of the site – on land that is closest to the AONB.



Illustrative Land Use Parameters Plan

9.60 Comprehensive site analysis and modelling work has demonstrated that the most appropriate and sensitive framework to bind all future development is through the delivery of advanced/phased blocks of development separated and enveloped by landscaped wedges and strategic landscape planting in the form of a linear woodland along the northern reaches of the site, a linear landscaped corridor along the south, supplemented by strategic wooded corridors running through the site to break up the urban forms of development. These principles were enshrined within the 2016 endorsed site Masterplan and these have not changed. This application seeks to fix the principles and land uses to bind subsequent detailed reserved matters submissions. The above land use parameters plan illustrates the comprehensive landscape framework which would create a strategic buffer around the developable areas of the site; and in the sensitive south-western part of the site extending to some 9 hectares it would be largely free from built forms of development. Instead, it would be safeguarded for an ecology park, school playing fields a new school, woodland, parkland and public open space.



Illustrative Density Parameters Plan

9.61 The applicants are committed to delivering a low density form of residential development on the outer reaches of the southern, western and northern edges of the residential parts of the scheme

comprising 15-34 dwellings per hectare (dph) as illustrated by the light blue shading above, with potentially higher densities being directed along the spine road to create a central core which is a really good urban design principle in terms of having a coherent framework to inform place making, wayfinding and integrating a variety of development within clearly defined and different character areas across the site.

9.62 Officers encouraged the applicants and their appointed consultants to develop and establish a design framework based on a clear understanding and appraisal of existing urban street character, urban form, architectural features, boundary treatments and use of materials. The local analysis sets a useful and important baseline appreciation of the existing 'local' character in terms of the built form and the predominant range of two-storey properties with some three-storey properties around the existing edge of town, as well as appreciating the interplay between buildings, their plots, the spatial gaps and the parking arrangements. The character of Victoria Road, Bath Road and Crusader Park have been appraised along with a Town Centre character study and reviewing residential forms of development in the Newport, Giles Hollow and Grovelands Way/Swaledale parts of the town – all of which are at least in part, visible from the AONB and special landscape areas around the town, but they are not considered to be harmful.

9.63 The application is supported by clear and cohesive design parameters setting out a clear development hierarchy that provides variety and interest in terms of the arrangement of streets with active frontages and promotion of landmark spaces and buildings throughout the development to be placed at a maximum of 900m apart to aid legibility and to punctuate the development. It is important for buildings to be orientated to maximise solar gain opportunities which the framework allows for; and within each phase, there should be variety and interest in terms of the building design, elevation treatment and density; and different character areas across the scheme throughout the projected 15 years construction phase and delivery period. The framework also sets out to deliver legible road connections with a varied car parking strategy. The application parameters responds to the landscape sensitivities and delivers an extensive wildlife / wetland corridor along much of the entire site's southern site boundary abutting the northern existing town limits with dedicated and upgraded public rights of way that would maximise site permeability. The proposal would avoid building on land that is subject to flood risk and would set aside more than half of the site for open space, recreation or landscape planting. The Landscape Strategy and Implementation Plan, the Design and Access Statement and Illustrative Parameter Plans create a very clear framework to inform future REM submissions so as to ensure that every phase of development contributes to delivering a legible and consistent network of spaces, which shall be instrumental in terms of securing sustainable development and a successful scheme.



9.64 By way of example, the above insert illustrates the applicant's commitment to creating four character areas throughout the scheme – which integrates all the open space. The purpose behind setting this design strategy is based on the pursuit of creating interesting neighbourhoods that promote a sense of place and wayfinding and avoiding homogenous house/plot and street relationships. After a great deal of negotiation, aided significantly by the Council's urban designer, this application has been revised bolstered by developer commitments to deliver key gateways entry points into the scheme from Bath Road and Victoria Road, to deliver a mixed use local centre that will be accessed off Victoria Road (via the proposed new roundabout) and be designed to reflect existing key elements of the housing found along Victoria Road/Victoria Fields. Secondly, along what would become the new strategic spine road connecting Bath Road and Victoria Road, there would be opportunities to have some medium to higher forms of density with possibly three storey buildings to create a central core and central square in the heart of the

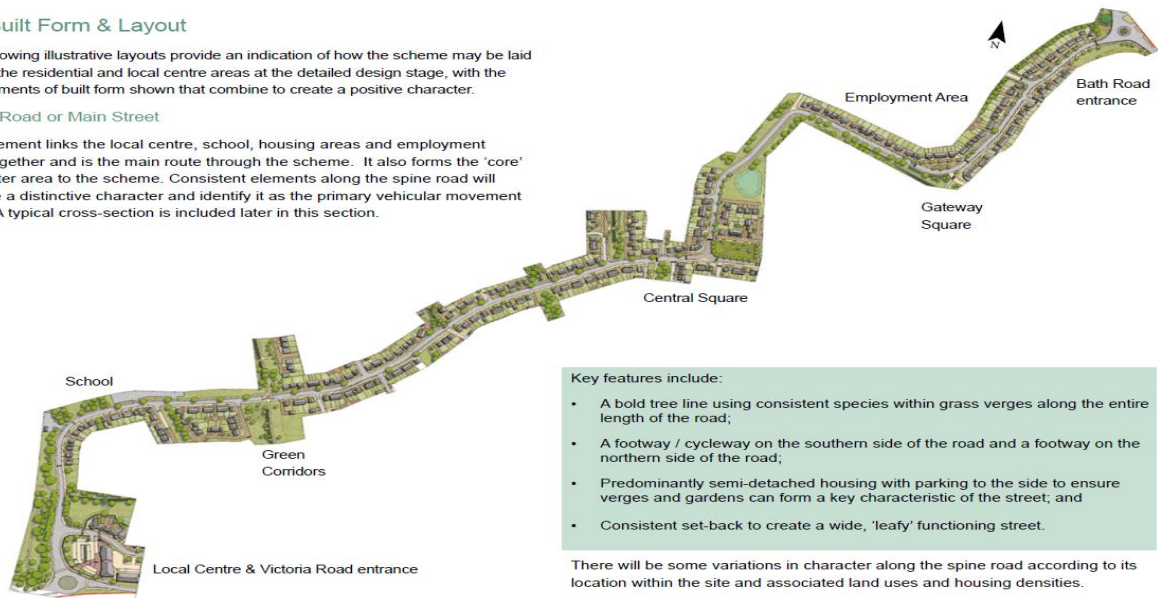
residential scheme. Lower density residential development shall be delivered on a phased manner with the lowest density range of 15-34 dph around the western and northern edge of the central part of the residential scheme to secure and deliver an appropriate transition between the residential area and the open space, woodland and open countryside beyond. The fourth key character area would be formed by the employment land parcel in the north eastern part of the scheme – which would have its own distinct land uses and built character.

5.2 Built Form & Layout

The following illustrative layouts provide an indication of how the scheme may be laid out for the residential and local centre areas at the detailed design stage, with the key elements of built form shown that combine to create a positive character.

Spine Road or Main Street

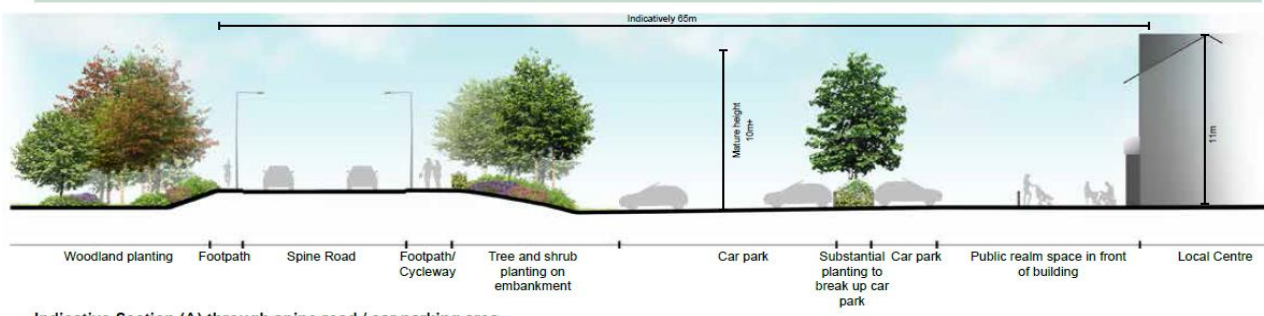
This element links the local centre, school, housing areas and employment area together and is the main route through the scheme. It also forms the 'core' character area to the scheme. Consistent elements along the spine road will provide a distinctive character and identify it as the primary vehicular movement route. A typical cross-section is included later in this section.



- Key features include:
- A bold tree line using consistent species within grass verges along the entire length of the road;
 - A footway / cycleway on the southern side of the road and a footway on the northern side of the road;
 - Predominantly semi-detached housing with parking to the side to ensure verges and gardens can form a key characteristic of the street; and
 - Consistent set-back to create a wide, 'leafy' functioning street.

There will be some variations in character along the spine road according to its location within the site and associated land uses and housing densities.

9.65 The insert above, which is taken from the design strategy contained within the design and access statement sets out a commitment to deliver variety and interest along the main spine route through the site in terms of how the built form, layout and different parking solutions can contribute towards creating a sense of place. The inserts below (aided by a series of photographic vignettes) furthermore help illustrate how various parts of the scheme could transform by following the cogent design strategy framework with new development integrated with substantial planting and open space around buildings.



Indicative Section (A) through spine road / car parking area

Green Gateway

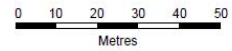
This landscape sketch illustrates the design of a gateway on one of the principle green infrastructure corridors. The gateway provides a transition zone between two character areas, the Hamlet Character Area and Core Character Area, as indicated on the sketch. It features formal tree planting, gateway features amenity and wildflower grass, way finding, planting areas and seating which create a destination and opportunity to pause at the junction of The Mid Wilts Way, cycle/pedestrian way and main spine road.

Woodland tree planting will be established adjacent to the existing hedgerows, together with grassland and wildflowers. New pedestrian routes and woodland trails will connect with the Mid Wilts Way and central spine road. A Local Equipped Area of Play (LEAP) will be provided, surrounded by a structure of trees and robust hedge planting to provide partial enclosure. Opportunities to incorporate informal picnic areas, natural play and trim trail equipment within a wooded setting will be utilised.



Key

- 1. Retained hedgerow with supplementary woodland tree planting
- 2. Long grass and meadow
- 3. Local equipped area of play (LEAP)
- 4. Pedestrian/cycle link along main spine road
- 5. Enhanced Mid Wilts Way
- 6. Incidental open spaces incorporating opportunities for informal play adjacent to housing
- 7. Proposed housing overlooking open space
- 8. Playing fields and outdoor space for proposed school
- 9. Gateway pillars to enhance sense of arrival



Indicative sketch perspective of the green gateway



Green Infrastructure Corridors

Green corridors will be provided through the main body of the development to provide an attractive residential environment. These will soften the appearance of the development from the surrounding areas, integrate the development with the surrounding landscape and make a positive contribution to the local vegetation pattern as well as providing new habitat for wildlife.

Design principles are as follows:

- Enhance retained hedgerows and trees with new planting using native trees and shrubs. Species will include those of high value for dormice and thorny species to deter domestic cats (see Indicative Planting List at Section 8);
- Establish wildflower margins adjacent to existing hedgerows;
- Carry out early planting to maximise the effectiveness of tree planting and provide continued habitat connectivity for dormice and bats; and
- Pedestrian and cycleway connections between Warminster and the development.

Key

1. Strategic pedestrian link / walkway
2. Retained hedgerows with supplementary woodland tree planting
3. Long grass and meadow
4. Low bollards to prevent parking
5. Proposed housing fronting on to green space



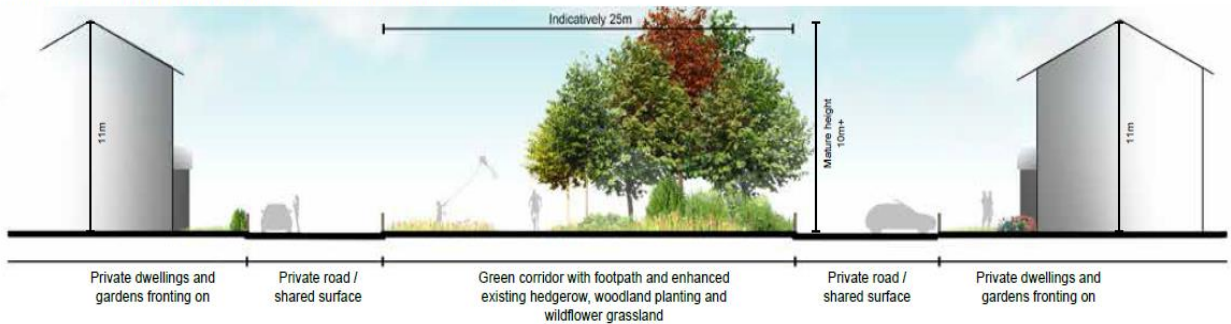
This illustrative sketch and section shows the typical character and function of the green infrastructure corridors which run north to south at regular intervals throughout the development, incorporating existing hedgerows and significant structure planting.

The corridors will be overlooked by surrounding housing and are designed to provide an attractive residential environment whilst enhancing the local vegetation pattern and providing new wildlife corridors.

Woodland tree planting will be established adjacent to the existing hedgerows, together with grassland and wildflowers. New pedestrian/ cycle routes will be provided to connect with the Linear Wetland Park to the south, the central spine road and other parts of the green edge treatment along the A36 to the north.



Indicative section (B) through typical green infrastructure corridor



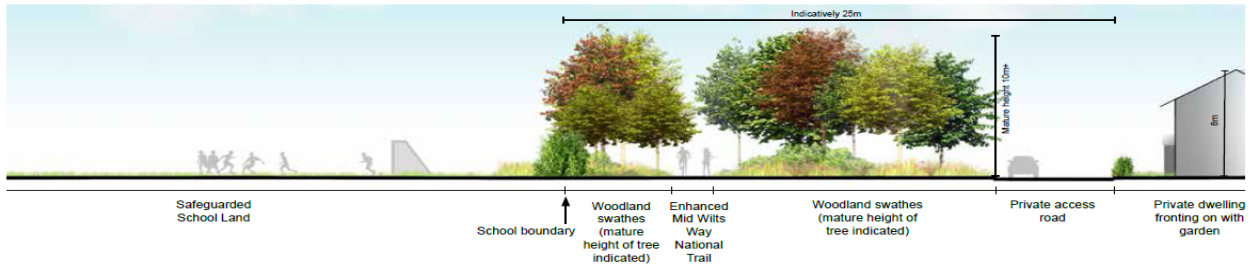
Woodland swathes between housing

Low density housing will be provided to the periphery of the development, separated by swathes of substantial woodland planting. The woodland swathes are designed to ensure that the development will have the appearance of buildings set within trees from elevated vantage points such as Cley Hill within the AONB. This acknowledges that the development will be seen, in part, but that it will be provided within a wooded setting.

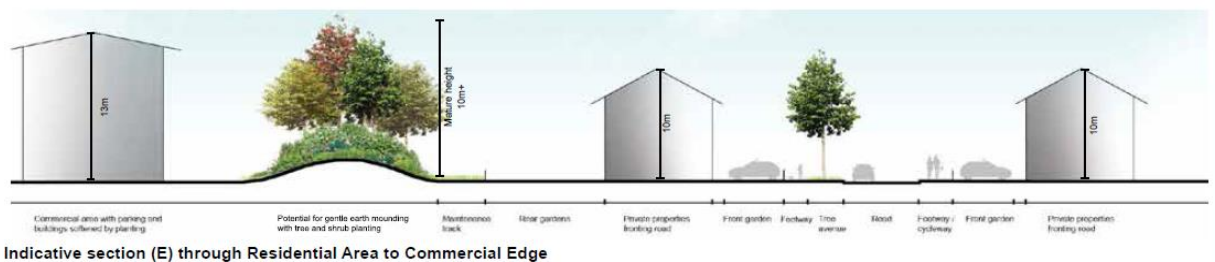
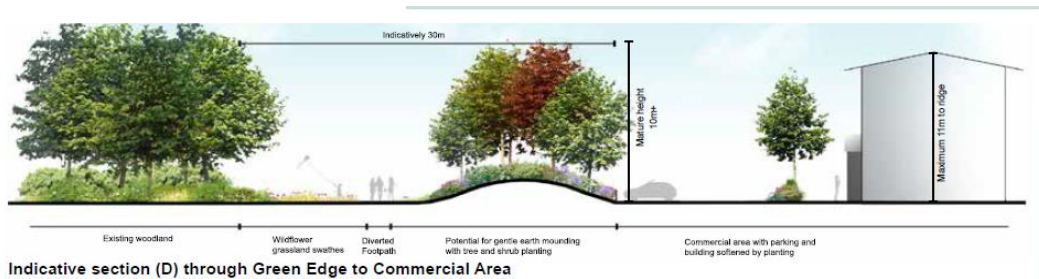


- Design principles of the woodland swathes are as follows:
1. Use of native tree and shrub species for woodland planting (refer to the Landscape Strategy and Implementation Report). The planting mix will be diverse and will favour species known to be of high value to dormice, such as hazel;
 2. Carry out early planting to maximise the effectiveness of tree planting and provide continued habitat connectivity for dormice and bats;
 3. Retain and enhance existing public rights of Way including the Mid Wilts Way long distance footpath providing enhanced opportunities for dog-walkers and other users;
 4. Provide opportunities for informal play and relaxation in context of woodland; and
 5. Provide a local equipped area of play within an informal wooded setting and with natural surveillance from adjacent housing and from the road and footpath network.

Indicative section (C) of woodland swathe



9.66 The application is supported by a comprehensive (ES) environmental statement which *inter alia* models the noise exposure impacts generated by the A36, Victoria and Bath Road traffic, existing residential properties and activities at the existing industrial/commercial estate. The study also appraises the construction phase impacts, cumulative noise and operational impacts - all of which have been reviewed by the Council’s public protection team and the case officer. To mitigate against the A36 strategic road network traffic noise and vibration, a strategic landscaped earth bund would be created along the northern site boundary which would be planting with trees (the delivery of which and the exact density and species planting are matters to be secured by planning condition). The proposed development would provide an extensive tract of open space and landscaped wedges throughout the site which would separate new housing, the new school premises and the local centre from traffic and all associated levels of noise exposure would need to satisfy and adhere to planning condition requirements. Noise generated at the employment part of the site would be suitably mitigated by a 10m wide landscaped buffer which would separate new residential gardens and the future boundary of the employment site. Future reserved matters applications would however need to detail the separation distances between employment buildings, the site boundaries and planning conditions would be in place to safeguard residential amenity. By way of example, the illustration below indicatively shows how the various land parcels around the commercial employment land would be separated and strategically landscaped. As reported within the consultation section, the Council’s noise/air quality public protection officer is satisfied with the modelling work and identified mitigation measures.



9.67 Robust planning conditions are recommended to secure necessary noise mitigation, which would be delivered in part through the advanced construction and landscape planted earth bund (to be delivered concurrent with specific phases of development) as well as the production of a Construction Environmental Management Plan (CEMP) which would need to be submitted to the Council for its written approval as a pre-commencement requirement. It is furthermore recommended (which is supported by the ES) that any approval should be subject to a CoPA (Control of Pollution Act) s61 agreement to secure details of the construction phases, as well as securing the confirmed construction compound locations for each phase, the hours of work, all delivery routes, the proposed plant and equipment to be used, identifying noise/vibration generators once specific construction programmes and plant type are known as well as identifying the measures to be adopted to minimise noise/vibration impacts (following community liaison, control measures and compliance monitoring schemes). A Construction Traffic Management Plan would also be required to bind each phase of development. Future detailed REM applications would be the appropriate time to fully appraise the detailed relationships and possible impacts.

9.68 **Heritage Impacts** – The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes the statutory requirement for decision makers when assessing applications which affect a heritage asset or its setting to have special regard to the “*desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” (s66(1)). Furthermore, s72(1) of the same Act requires the Council/decision makers to afford “*special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas*”.

9.69 Section 12 (paragraph 132) of the NPPF titled “Conserving and Enhancing the Historic Environment” sets out the overall aspiration of conserving heritage assets and states that:

“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting”. NPPF Paragraph 134 goes on to state that “[w]here a development proposal [would] 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...” 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*”.

9.70 Core Policy 57 of the Wiltshire Core Strategy states that “[a] high standard of design is required in all new developments... Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality... [and] being sympathetic to and conserving historic buildings and historic landscapes”. Wiltshire Core Strategy Policy C58 sets out the need to safeguard the ‘Conservation of the Historic Environment’ which includes designated heritage assets and their settings. Paragraph 6.130 sets out the importance associated to having a “*thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the sites characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality*”.

9.71 For the purposes of appraising this application, whilst there are no designated scheduled monuments, listed buildings, conservation areas, registered parks and gardens, or registered battlefields within the application site, it is appreciated that the northern extent of the site lies within an ‘Area of High Archaeological Potential’ as defined by the West Wiltshire District Plan – 1st Alteration. The Scheduled Monument at Cley Hill, which lies 800m to the west and the Registered Park and Garden of Longleat some 1km to the south-east of the site, are noteworthy high ranking local heritage assets. The Warminster Conservation Area which is located about 300m from the site, and contains the majority of the town’s listed buildings, also merits high ranking local heritage status. However, given the site separation, the intervening forms of development, well established trees and woodland and site topography, officers and Historic England conclude that the development would not result in harming the Warminster Conservation Area, the Registered Park and Garden at Longleat or any local non-designated heritage assets.

9.72 In terms of the Cley Hill Scheduled Monument, Historic England reports no objection after reviewing the heritage assessment and appraising the revised submission and assessing the development's potential setting impacts. The re-modelled landscaping and planting proposals, alongside the illustrative layout, land use and density of uses proposed for the western part of the site addressed Historic England's and officers' initial concerns regarding the potential setting impact of the development upon the designated heritage asset. Since its initial submission in February 2015, this application has been significantly revised which *inter alia* resulted in the deletion of 200 dwellings across the 84 ha site, as well as redefining the development parameters and promoting a comprehensive landscape framework grounded by extensive strategic tree planting and provision of nearly 40 hectares of parkland and public open space. Historic England and officers are satisfied that the development would not harm the highly prized heritage asset of Cley Hill or its setting. Historic England have also confirmed that the development would not harm the Grade II* listed St Denys Church or its setting due to site separation, topography as well as the existing and proposed landscaping plans.

9.73 The Council's conservation officer advises that there could however be some harm to the borrowed landscape views and wider garden setting of the grade II listed building at Bugley Barton through the loss and development of the open farmland, to the north of the listed building – which has had a long standing functional association with the site. The listed Bugley Barton farmhouse which is positioned on the southern side of Victoria Road is constructed in a neo-classical villa style (the front north facing elevation is photographed below left), and dates from the early part of the 19th Century and is an asset of 'medium sensitivity' and its significance is vested in its intrinsic architectural quality.



9.74 The insert plan above right illustrates the proposed indicative site development relationship with the listed building; and, when scaled, the Bugley Barton would be circa 80m from the nearest part of the site. It should be noted that the grey coloured parcel of land identified in the insert above, located to the north of Victoria Road and opposite Bugley Barton does not form of this application. Bugley Barton farmhouse is identified in purple on the insert plan and is positioned on elevated ground at circa 136m AOD compared to the closest part of the developable site area which is marked 6-8m lower (i.e. 130m AOD). The indicative pink coloured land parcel represents the illustrative siting of the proposed local centre which would be positioned to the north-west of Bugley Barton and not on its north facing central axis. This latter aspect was a negotiated change taking on board advice provided by the conservation officer to reduce the level of harm to the borrowed landscape views and garden setting of Bugley Barton.

9.75 The insert plan above right also illustrates the significant amount of open space and tree planting that is proposed to the north of Victoria Road. With the negotiated relocation of the local centre, members are advised that whilst the borrowed landscape view from Bugley Barton would be materially changed, the degree of harm would be levelled at the lower end of 'less than substantial'. It is also important to note that through the submission and assessment of reserved matters applications, the Council would have the detail to fully appraise the siting, density, height and form of development and be fully appreciative of this sensitive part of the site. In terms of the principle however, it is important to appreciate that the overarching principle of developing the 84 hectare land parcel to the north of Victoria Road, extending northwards to the A36 and eastwards to Bath Road has already been established in plan policy terms given its strategic site allocation status; and, moreover, the illustrative developable site parameters of the site are enshrined within the 2016 endorsed site allocation Masterplan. Since the endorsement of the Masterplan, the applicants have as part of negotiated revisions, re-positioned the local centre away from a

central axis to the north of Bugley Barton farmhouse to address the conservation officer's concerns and with appropriate landscape planting, the phased development would have a reduced impact on the borrowed setting. Mindful of the significant landscape strategy framework which underpins this application Members are advised that the development would not result in a substantial level of harm to the heritage asset.

9.76 It is accepted that the development would, to a certain degree, erode some of the borrowed landscape views which would consequently impact on the setting of the listed building. The extent of the harm in this particular case would be levelled at the lower threshold of 'less than substantial' in terms of the NPPF test. NPPF policy in relation to designated assets, at paragraphs 133 and 134, sets out that where the harm would be "*less than substantial*", the level of harm should be weighed against the public benefits of the proposal. There is no doubt that this strategic development offers substantial public benefits in terms of significantly boosting the housing supply in terms of erecting up to 700 open market and up to 300 affordable homes which merits significant weight as part of the decision making process. In addition, the new employment land and local centre would create new job opportunities and 'growing on space' for businesses and it would support the Council's objective of reducing out-commuting at Warminster; all of which would contribute towards delivering sustainable development. The additional provision of the strategic road link connecting Bath Road and Victoria Road would satisfy another core strategy objective as would delivering new school accommodation and facilities, the provision of enhanced PRoWs, new sports facilities, extensive public open space, new woodland and a safeguarded ecology park – which all weigh significantly in favour of the application when balancing up the potential consequences and benefits of the development.

9.77 Whilst being informed by the endorsed site allocation Masterplan, this application has gone through a detailed iterative process which has led to several significant revisions including not least, the removal of 200 dwellings from the scheme; and as reported above, whilst officers recognise that the development of the existing farmland would result in a material change to the site character and possible diminution of the borrowed landscape setting to Bugley Barton, the principle of developing the land is long established through its strategic allocation status in the Core Strategy, as well as being the subject of detailed modelling work which supported the endorsed Masterplan; and in addition, detailed heritage, landscape and urban design appraisals reveal that the scheme can be delivered without causing substantial harm to heritage assets. The heritage appraisal reports that whilst there would be a level of 'less than substantial harm' to the wider borrowed landscape views from the listed building, that harm would be materially and substantively outweighed by the significant level of public benefits that would be derived. Consequently, the application is considered to be NPPF and WCS policy compliant.

9.78 In terms of archaeology, the application is supported by an archaeological assessment which included a field walking and geo-physical survey. The assessment also reflects upon past archaeology surveys and recorded finds. The non-intrusive investigations to date have provided limited evidence for significant archaeological remains to be present within the proposed development site and it has been concluded that the site has a low to negligible potential for significant remains of all periods.

9.79 There is however a need to complete on-site trial trench evaluation to test what the geophysical survey revealed and to corroborate the veracity of the survey by testing 'blank areas'. Following the advice provided by the Council's archaeologist, the trench evaluation should target the area from which the amateur field walking survey recovered the Roman and Medieval pottery. In line with NPPF and good planning practice, and as agreed in writing with the developers, it is recommended that the archaeological trial trenching work is completed concurrent with the s106 legal process.

9.80 It is important to appreciate that the approach being recommended follows the Government's direction to LPA to be flexible in terms of the timing and submission of additional supporting evidence to accompany an application that is supported in principle. The trial trenching would 'proof test' the completed work which has already been undertaken and the reporting of the follow up trench evaluation would accord with requirements set out within section 12 of the NPPF. The full extent and areas to be subject to the trial trenching would need to be agreed in writing with the Council's archaeology team. The recommended approach takes into account the substantial costs associated to completing the trial trenching work across a site extending to some 84 hectares. The case officer has obtained a written undertaking from the developers committing them to complete this work concurrent with the s106 process; and, officers have made it clear that no decision to approve would be issued until after the trial trenching work has been completed, reviewed and found to be satisfactory. Officers are furthermore fully appreciative of the fact

that the work would significantly disturb the existing farming operations and that the optimal time for the trial trenching is after the summer/early autumn harvest but before the start of winter. It is also worthy of note that the recommendation for this application follows a similar caveated approach applied to the committee endorsed Longleat hotel application (under application ref: 17/01124/OUT).

9.81 For this outline application, Members are asked to endorse the caveated recommendation set out within section 11 to commit the developers/applicants to the commissioning of an archaeological trial trench evaluation and to report the findings back to the Council for detailed scrutiny by the Council's archaeologist, and at the same time, prepare a s106 legal agreement to bind all the necessary developer obligations. It is fully appreciated that both exercises/endeavours will be time consuming and costly and given the site's strategic allocation status and the outline nature of the application, the recommended phased approach to the commissioning and proof testing of the geophysical survey is entirely policy compliant and follows Central Government advice. The Council would monitor the archaeology evaluation processes, and a supplementary report can be brought back to committee should any substantive archaeological material be unearthed as part of the trial trench process.

9.82 **Ecological Impacts** – The application is supported by detailed and contemporaneous surveys and the Council's ecologist raises no concerns subject to planning conditions and obligation. Robust planning conditions are recommended to secure the submission and adherence to a Construction and Environmental Management Plan (CEMP); an Ecological Mitigation Plan (EcMP) which shall inter alia secure ecological and biodiversity betterment including the provision and safeguarding of the proposed ecology park in the south-west corner of the application site – which is photographed below. In addition to the EcMP, a Green Corridors Parameters Plan (GCPP) is necessary alongside the requirement of phasing development to be completed in accordance with the Environmental Statement, the outline Dormouse Mitigation Strategy and the Landscape Strategy and Implementation Plan.



The 3 hectare parcel of land in south western part of site to be safeguarded free from development to form an ecology park

9.83 The site comprises arable land together with some parcels of improved or semi-improved grassland, and is of relatively low ecological interest. Features of higher ecological value include the network of hedgerows within the site, which support low numbers of dormice. Mature trees are present within some of the hedgerows, together with occasional trees within arable fields. A small linear woodland in the south-west of the site supports a number of woodland indicator plant species, suggesting that this may be a remnant of an area of ancient woodland. In addition to Dormice, the site supports a number of other protected species, with common reptile species present along the western boundary with the A36, which benefit from extended habitat along the wide grass verge of the trunk road. The site is known to be used by foraging and commuting bats. A single building within the site was found to support a minor roost of long-eared bats, while a number of small badger setts were identified in the south of the site. The watercourse links to nearby areas supporting water vole, which may make occasional use of the site. The Council's ecologist has reviewed all the supporting surveys and site analysis and reports no objection subject to robust planning conditions. The site photos illustrate the south-western part of the site where no operational development is proposed. Instead this area of the site shall be left as an informal ecology park to be left to nature adjacent to the AONB boundary and A36. No formal access / footpaths are proposed in this area to support and safeguard wildlife opportunities and habitats.

9.84 This application and other major developments that are served by foul water pumping stations that have an outflow to the Hampshire River Avon, have a requirement to deliver phosphate loading reduction improvements in the interests of protecting the River Avon Special Area of Conservation (SAC). After lengthy negotiations and discussions, officers of Wiltshire Council have engaged with Natural England,

Wessex Water, the EA, New Forest District Council and Christchurch and East Dorset Council and have agreed a Memorandum of Understanding to secure a common approach to assessing the effects of development as well as securing betterment for the River Avon Special Area of Conservation (SAC). The Council's ecologist is fully aware of the multipartite agreement and is satisfied that this application can be positively reported to and endorsed by the committee with the ecology based conditions.

9.85 Essential Infrastructure and Developer Contributions/Obligations

This development generates a need for significant developer obligations. The developers have from the very outset recognised the capacity constraints affecting the schools in Warminster and in accordance with the endorsed WWUE Masterplan, WCS (CP3, CP31 and NPPF (para 72), the application contains a commitment to provide 3.6 hectares of land for the delivery of a new primary school (on a 1.8 hectare serviced site with sufficient capacity to become a 2FE facility) and to safeguard an additional 1.8 hectares of serviced land as an option to deliver additional/secondary school provision. Financial contributions amounting to in excess of £8.5 million are necessary for primary and secondary school needs.

There is also an essential need for developer contributions amounting to nearly £500k to fund new health service infrastructure at the sole remaining GP surgery in the town, as well as funding and delivering highway improvements and upgrades to several public rights of way. The application also triggers a 30% on site provision of 300 affordable houses across the site with the rental and shared ownership split being informed by local housing needs. The future provision of the employment land needs to be secured by a s106 as well as binding the developers to enter into an agreement with the Council to develop a robust employment site marketing strategy to maximise the 6.16 hectare's economic development and marketing appeal.

The following summary sets out the extent of the developer obligations which need to be enshrined within a s106 to make the development acceptable in planning terms and policy compliant.

1. The developer shall be obligated to provide 30% (i.e. up to 300 affordable housing units) on-site taking the following split: 60% (180) affordable rented homes and 40% (120) shared ownership homes.
2. The developer shall be obligated to provide 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of a primary school to provide the essential school infrastructure.
3. The developer shall be obligated to safeguard an additional 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of an additional/secondary school facility in full recognition that Kingdown Academy, as the sole secondary school serving the town is at capacity with limited potential to expand on its current site and through acknowledging it cannot accommodate the projected additional pupils this 1000 house development would generate.
4. If the primary school site is to be delivered by the developers (i.e. to submit the application, construct and deliver) following the agreement of the LEA, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by a new primary school, the s106 would need to restrict housing occupation to a maximum of 180 dwellings. The school would need to be available to accommodate pupils before the 181st dwelling is occupied.
5. If the additional/secondary school facility is to be delivered by the developers (i.e to submit the application, construct and deliver) following the agreement of the LEA and Kingdown Academy, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by secondary school facilities, the s106 would need to restrict housing occupation to a maximum of 100 dwellings. The secondary school premises would need to be available to pupils before the 101st dwelling is occupied.
6. The developer shall be obligated to pay the sum of £3,947,625 (for 225 primary school places levied at £17,545 per place;
7. The developer shall be obligated to a pay the sum of £4,616,568 (for 198 secondary places) levied at £23,316 per place;
8. The development qualifies for three phased developer payments for secondary education purposes. The phased education contributions shall be: 30% on the commencement of the residential development, 35% payment following the occupation of the 200th dwelling and the remaining 35% following the occupation of the 400th dwelling. For primary purposes, the development qualifies for four phased

payments equating to the following: 5% on the commencement of the residential development, 35% following the occupation of the 100th dwelling, 30% following the occupation of the 200th dwelling and the remaining 30% following the occupation of the 500th dwelling.

9. The developer shall be obligated to pay the full costs of providing all the associated waste and recycling infrastructure across the site (based on the contributions set out within the Council's 2017 adopted Waste Collection Guidance SPD);

10. The developer shall be obligated to pay the sum of £491,440 to be subject to phased payments to be agreed to contribute towards the improvements and expansion at the Avenue GP surgery and the town's medical services to provide additional capacity and services to serve this development;

11. The developer shall be obligated to enter into an agreement with the Council to establish a Management Company for all the associated maintenance liabilities relative to all the public open space, play areas, sporting facilities, allotments, flood attenuation and SUDs, landscaping and the noise attenuation and landscaped bund;

12. The developer shall be obligated to enter into an agreement with the Council to establish appropriate management of the ecology park;

13. The developer shall be obligated to deliver the two roundabouts off Bath Road (with a zebra crossing) and Victoria Road and complete all the necessary alterations to the existing highway arrangements required to deliver two main safe accesses off the public highway.

14. The developer shall be obligated to deliver the spine road through the site designed to accommodate a bus route and a 3.2m wide shared footway/cycleway for the entire route connecting Bath Road with Victoria Road and its completion must be prior to the occupation of the 600th dwelling, or prior to the occupation of the 301st dwelling (delivered and accessed from either roundabout junction), or before the period of 6 years from the date of the first occupation of the residential development, whichever is the earlier;

15. The developer shall be obligated to deliver a new footpath along the western side of Bath Road to connect the site and Crusader Park and existing footpaths;

16. The developer shall be obligated to deliver a 3.2m wide footpath along the northern edge of Victoria Road from the new roundabout to connect with the existing footpath;

17. The developer shall be obligated to undertake all the necessary on-site upgrade works to PROW WARM8, WARM12, WARM9, WARM10, WARM13 & WARM70 links including an obligation to pay for all the diversions orders and pedestrian/cycle track orders to be enshrined under a separate s278 agreement;

18. The developer shall be obligated to pay £850 to deliver the necessary upgrades to the existing stiles to create kissing gates along footpath WARM13 to be paid prior to the occupation of the 50th dwelling;

19. The developer shall be obligated to pay the pro-rata sum of £14,300 for upgrades to WARWEST15 and £12,500 for upgrades to WARWES 16 to be paid prior to the occupation of the 301st dwelling;

20. The developer shall be obligated to deliver a new controlled Toucan crossing on Victoria Road and to connect with footpaths WARM 5 & 6 (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);

21. The developer shall be obligated to deliver a new roundabout at Copheap Lane/Westbury Road/Portway (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);

22. The developer shall be obligated to deliver and convert WARM8 footpath to a 3m wide pedestrian and cycle route (from Victoria Road to the site boundary) to be enshrined in a s278 agreement;

23. The developer shall be obligated to deliver and convert WARM70 footpath to a 3m wide pedestrian and cycle route to be enshrined in a s278 agreement;

24. The developer shall be obligated to pay a maximum sum of £225,500 to be paid on a pro rata basis and relative to the length of the route within the control and ownership of the developers to upgrade an approximate 290m stretch of WARM9 footpath to form a 3m wide pedestrian and cycle route with a bridge crossing over the brook (from Coldharbour Lane to the southern site boundary that abuts with the Grovelands Way proposed care home site). The full sum would be substantively reduced on a) the extent to which the northern part of the path can be delivered within the site boundary, and (b) the southern part at circa 145m in extent being delivered by the developers for 17/05360/OUT on the Grovelands site;

25. The developer shall be obligated to commit to delivering a bus strategy for the site and to provide for a half hourly weekday services to and from the site and Warminster Town Centre. The strategy shall also include details of support funding, if required to be made by the developers based on an agreed bus strategy or bus service agreement to support the service throughout and beyond the development build out phasing. The bus strategy shall also include enhanced service provision to Kingdown Secondary;

26. The developer shall be obligated to make provision of bus stops, shelters and real time passenger information along the strategic spine road;

27. The developer shall be obligated to pay for all necessary temporary traffic regulation orders, including weight restrictions, prohibition of driving, and parking;

28. The developer shall be obligated to deliver full travel plans for the residential and employment uses on the site, together with details of inducements to encourage site occupants to travel by sustainable means. A travel plan for the school development shall also be required;

29. The developer shall be obligated to enter an agreement with the Council to establish the phased timescales for the advance/early landscape strategic planting and creation of the bund along the site's northern boundary adjacent to the A36(T) SRN;

30. The developer shall be obligated to deliver the necessary Microprocessor Optimised Vehicle Actuation (MOVA) software upgrades at the Weymouth Street, Market Place and High Street traffic controlled junction under a s278 agreement and to cover the resultant costs of the installation and maintenance for a 12 month period. Alternatively, a maximum developer contribution amounting to £120,000 would be required;

31. The developer shall be obligated to enter an agreement with the Council to jointly work on a marketing strategy for the employment site and to actively promote the serviced site as part of the early phase of development;

32. The developer shall be obligated to enter an agreement with the Council in regard to providing all the necessary on site SUDs and land drainage attenuation infrastructure;

33. The developer shall be obligated to enter an agreement with the Council to establish the delivery timescales and provision of the public open space, the sporting pitches and changing rooms across the site (to be linked to phased housing delivery triggers and completion of the link road); and,

9.86 A s278 is necessary to establish sufficient securities to deliver the public highway/rights of way infrastructure improvement works. The developers would also be required to enter into a separate agreement with Wessex Water pursuant to obtaining the necessary new water and sewage infrastructure connections. In addition, the development proposes the demolition of an existing dwellinghouse which is served with an existing electricity supply and the site has electricity infrastructure which may require removal and/or diversion. The necessary supply closure to the existing property and any diversion of the existing infrastructure triggers the need for the developer to enter into a separate agreement with the district network operator. Any deviation or diversion of existing infrastructure would require the developer to pay additional contributions and enter into a separate contractual arrangement with the distribution network operator. These matters are suitably captured by planning informatives.

9.87 Separate to the s106 obligations listed above, future reserved matters submissions would be CiL liable. It is not possible to confirm the exact CiL amount at this stage, however based on the Council's current charging schedule and an estimated projected average house size, the level of CiL payment is likely to extend to some £1.9million. In the context of this application, CiL payments could contribute towards leisure service infrastructure improvements, improvements to be made at Warminster's Fire Station or its relocation costs, the Wessex Stone Curlew Project, delivering off-site air quality infrastructure improvements, supporting early years education provision; off-site PRoW upgrades (not included within the s106); and, the expansion of the Warminster cemetery, although the allocation of CiL receipts from this development is not a matter for consideration by the committee.

9.88 In recognition of the made status of the Warminster Neighbourhood Plan, based on the above estimated CiL receipt level, Warminster Town Council would directly secure circa £475k (i.e. 25% of the total CiL contribution).

10. CONCLUSION (The Planning Balance) – As a matter of principle, the proposed development complies with the adopted Core Strategy and is informed by and conforms with the endorsed site allocation Masterplan. This application has been the subject of significant officer and developer negotiation, which has led to major revisions since the application was lodged with the Council in early 2015. The application, which is EIA development, is supported by a substantial amount of detailed appraisal work; and, as reported above, it is argued that sufficient and satisfactory robust information has been submitted within the Environmental Statement (ES) appraising the potential environmental effects pursuant to ecology, transport, our natural and historic heritage, land drainage and flood risk, public protection, as well as the landscape and visual impacts. Moreover, it is submitted that the ES and the application fully demonstrates that the proposal has properly taken such matters into account and that through appropriate mitigation

measures, s106 obligations and robust planning conditions, the development is fully supported by officers and is recommended for permission.

11. RECOMMENDATION – Through taking into account the environmental information and all the material planning considerations outlined in this report, it is recommended that the committee delegates authority to the Head of Development Management to grant outline planning permission subject to the planning conditions and informatives listed below following the completion of a legal agreement to enshrine the developer obligations under s106 of the Town and Country Planning Act 1990 as summarised within paragraph 9.85 above.

In addition to the above, that prior to the issuing of the s106, the committee is invited to agree to require the applicants/developers to undertake further on-site archaeology trial trenching to proof test the completed geophysical surveying. The extent and scope of the trial trenching must be agreed in writing with the Council's archaeology team and the on-site trench evaluation should run in parallel with the preparation of the aforementioned s106 legal agreement. In the event that the trial trenching evaluation reveals significant archaeology, an updated committee report would be prepared, supported by an additional archaeology appraisal and it would be brought back to the strategic planning committee for fresh consideration before any decision is issued.

Conditions:

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

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

2 No development shall commence on site other than the works hereby approved pursuant to the two new roundabout site accesses, until details of the following matters for the remainder of the site (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. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

3 Application(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of ten 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 reserved matters applications shall make provision for the following:

- a) At least 5.6 ha of land and buildings for employment purposes (Class B1, B2 and/or B8 uses) which shall have recessive dark coloured roofs and wall finishes and a minimum 10m landscaped buffer shall be provided with appropriate impenetrable fencing to separate the site and new residential development;
- b) 1.8 ha of fully serviced land and the erection of a primary school (to be future proofed to facilitate a 2FE facility); and an additional safeguarded 1.8ha area of land as an option to deliver additional/secondary school facilities; and, that the 'school's' shall be limited to no more than two-storeys and shall have recessive dark coloured roofs and wall finishes;
- c) A 0.56 ha site for a local centre to provide a mix of premises comprising small convenience shops,

other A1 uses, food & drink establishments, hot food takeaway uses (A3, A4 and A5); as well as C2, C3 and D1 uses including community uses such as a community hall which shall be limited to no more than two-storeys and shall have recessive, dark coloured roofs and wall finishes;

d) Sites for public open space and play areas to be laid out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement); to include 5.05 ha of formal sports pitches with changing rooms and car parking, at least 2124sq.m of equipped play provision in the form of 1 NEAP (neighbourhood equipped area of play) and 2 LEAPs (local equipped areas of play) and 1 trim trail;

e) 39.5 ha of land to be dedicated as public open space, children's play areas, attenuation ponds (to be provided in accordance with the FRA and drainage strategy requirements); and an ecology area comprising 2.96 ha;

f) 0.38 ha of land for allotments;

g) A strategic road link to connect Bath Road and Victoria Road to be constructed on a phased basis; and,

h) Up to 1,000 dwellings with recessive dark coloured roofs.

The 'layout of the development' reserved matter (which is required to be submitted and approved under condition no. 2) shall accommodate all of the above substantially in accordance with the WWUE Illustrative Masterplan (Rev 12) dated 27/03/2018 and the related Parameters Plans (including the Land Use Plan (Rev 6) dated 07/03/2018 Access and Movement Plan (Rev 6) dated 26/03/2018; Density Plan (Rev 10) dated 07/03/2018; and Maximum Building Heights (Rev 7) dated 07/03/2018.

The 'landscaping of the site' reserved matter (which is required to be submitted and approved under condition no. 2) must include all tree and hedge planting specification details alongside a detailed plan setting out all the sizes and species, which shall include larger specimen planting stock to be submitted and agreed in writing by the local planning authority.

REASON: To ensure the creation of a sustainable and balanced urban extension to Warminster, in accordance with the requirements of the Wiltshire Core Strategy and the design objectives of the Design and Access Statement as well as being respectful to the proximity of the AONB and special landscape areas.

5. No development shall commence on site until a 'phasing plan' and an 'order of delivery schedule' for the entire application site have been submitted to and approved in writing by the local planning authority. The phasing plan shall divide the site into clearly identifiable land parcels or sub-phases for each of the subsequent reserved matters applications; and, in the case of the approved 'means of access'; the plan shall encompass sections of the means of access and associated PROW upgrades pursuant to each phase of development. The 'order of delivery schedule' shall also specify the order in which each land parcel shall commence.

In addition, detailed plans and an order of delivery schedule for 'non-phase specific' landscape and ecology mitigation measures shall be submitted to and approved in writing by the local planning authority. These shall specify where and when the 'non-phase specific' mitigation measures shall be provided and/or constructed. The 'non-phase specific ecology' measures relate to the following:

1. The delivery of the strategic planting along the A36;
2. The delivery of the linear park;
3. The delivery of the ecology park: 're-wilding' area in the south-western part of the site;
4. The delivery of the green corridors - as shown on the Ecological Opportunities map (on page 61 of the Design and Access Statement – dated March 2018).

The phasing plan and order of delivery schedule shall also confirm the following:

5. The delivery of the strategic link road connecting Victoria Road and Bath Road; and,
6. The delivery of all the internal roads, footpaths and cycle tracks upgrades

REASON: To ensure the proper planning and delivery of the development and to ensure the safeguarding of matters of acknowledged importance, including amenity, ecology and infrastructure provision in general as well as to ensure that the site is built out in a manner which is consistent with the restrictions on dwelling numbers served by a cul-de sacs, and to secure bus services routes and appropriate PROW connections

area available for each phase of development.

NOTE: The upgrade of WARM70 should be prioritised from the Victoria Road end as part of the first phase of the residential development being delivered off Victoria Road to enhance the site permeability and to encourage walking and cycling as part of the initial phasing. Similarly, the completion of the Coldharbour Lane cycle track upgrade should be completed alongside with the delivery of the internal site road network connection with Coldharbour Lane (WARM8).

6. None of the existing on-site electricity infrastructure shall be diverted or removed until details have been submitted to the local planning authority for its written approval. The developer shall confirm whichever is applicable, a) how the development would be constructed and delivered retaining the existing 11kv and low voltage overhead power lines electricity infrastructure, without any diversion; or (b) setting out the necessary diversions and/or removal of electricity infrastructure and confirm the development programme arrangements; or c) a combination of a) and b).

REASON: To ensure that the appropriate electricity infrastructure is available to service the site and to ensure that all necessary contractual agreements are entered into with the DNO with regard to any modification, diversion or removal of electricity infrastructure.

7. The construction of the roundabouts off Bath Road and Victoria Road hereby approved by plan drawing no's P507/38 Rev A & P507/39 shall not commence until the technical construction details of each roundabout have been submitted to and approved by the local planning authority. Thereafter, the roundabouts shall be constructed in accordance with the approved details before serving the phases of development for which they are intended to provide the vehicular access.

REASON: To ensure the proper planning and delivery of the development accessed off two new roundabout junctions on Victoria Road and Bath Road.

8. No development shall commence on site pursuant to the residential, commercial, education, employment phases of development until a foul water drainage strategy has been submitted and approved in writing by the local planning authority to secure the following:

- A detailed drainage phased scheme and phased construction programme to include the detailed points of connections to the sewer, the discharge rates and off-site foul sewer storage at the sewage pumping station and any necessary treatment improvements required to serve each phase of development; including any temporary arrangements; and, following the approval of the strategy.

Thereafter, the drainage scheme shall be completed in accordance with the approved details and following the timetable to be agreed in writing with the local planning authority.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site and to ensure that the development does not increase the risk of sewer flooding to downstream properties and to secure off-site sewer improvements to deliver ecological/environmental betterment.

9. No development (pursuant to each phase) shall be brought into use until the foul drainage infrastructure connections and improvements have been completed in accordance with an agreed drainage strategy.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site.

NOTE: The applicant is encouraged to liaise directly with Wessex Water pursuant to any necessary off-site scheme of works to upgrade the emergency storage facilities at the Portway sewage pumping station, any sewer requisitions; and, any additional off-site reinforcement of the water supply network that may be required, for any proposed building exceeding two storeys requiring on site boosted storage facilities.

10. No development (pursuant to each phase) shall commence on site until a scheme for the discharge of surface water from the site to include the provisions and measures to prevent pollution of receiving groundwater and/or surface waters, a timetable for its implementation; and a construction and SUDS management and maintenance plan for the lifetime of the development incorporating sustainable drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the phased development shall not be first brought into use until the surface water drainage provisions (including

any temporary arrangements) have been completed and connections are available in accordance with an approved drainage scheme.

REASON: This matter is required to be agreed with the Local Planning Authority before development commences to ensure that the phased development is undertaken in an acceptable manner and to ensure that the development does not increase the risk of flooding.

NOTE: The formation of a SUDS Management Company is a s106 obligation.

11. That all subsequent reserved matters applications (pursuant to each phase) shall include detailed plans that confirm finished floor levels being set no lower than 600mm above the predicted 1 in 100 year annual probability fluvial flood level. The plans shall also show the contextual modelled fluvial flood levels as well as finished on plot site levels.

REASON: This matter is required to be agreed in writing by the Local Planning Authority before development commences to ensure that the development reduces the risk of flooding.

12. No construction or spoil materials shall be stored or heaped (even temporarily) in the areas identified as being flood zones 2 and 3 as shown on the published Flood Map (Drawing No. P831/04 Rev. A) and the map showing the maximum hydraulic modelled 1 in 1000 year fluvial flood extent (Drawing No. P831/05 Rev. A).

REASON: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

13. No development (pursuant to each phase) shall commence on site until a land contamination verification report and remediation strategy have been submitted to and approved in writing by the local planning authority.

REASON: To protect controlled waters from any form of pollution.

NOTE: The verification report should follow the PRA (preliminary risk assessment) submitted in support of the application and chapter 13 of the Environmental Statement. The verification plan should include monitoring and maintenance of pollutant linkages and arrangements for contingency action. Any changes to these components would require the written approval of the local planning authority.

14. No development (pursuant to each phase) shall commence on site until an Ecological Mitigation Plan has been submitted to and approved by the Local Planning Authority. The EcMP shall contain details of the number, location, and design of bat and bird boxes/mitigation to be provided within buildings. Thereafter, pursuant to each phase, the works shall be completed in accordance with the approved details.

REASON: To ensure that the bat and bird ecological mitigation requirements are clearly shown on plan(s) and are implemented at the appropriate time as part of each phase of development.

15. No development (pursuant to each phase) shall commence on site until the details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, fire-fighting apparatus and fire hydrants, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development pursuant to each phase shall not be brought into use until the above cited matters have all been constructed and laid out in accordance with the approved details.

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

NOTE: 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 public highway.

16. With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each phase shall be made in accordance with a detailed Green Corridors Parameters Plan to be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify:

- Areas including hedgerow and tree planting corridors, with development being designed to ensure that there is no significant increase in light exposure when compared against existing levels;
- Areas of informal open space, wildlife habitat and sports pitches;
- The locations and types of measures which would be used to reduce severance for wildlife where Green Corridors are breached by roads and/or paths;
- The width of buffers which would remain undeveloped and outside the curtilage of dwellings to ensure hedgerows and other habitats which are integrated into the urban fabric would be retained in perpetuity; and
- Locations for reptile, hedgehog and other animal refugia and all other measures, including gaps in close board fencing, necessary to ensure that the urban areas are permeable to wildlife.

The development shall be designed and constructed in accordance with the approved Parameters Plan.

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 green corridors function effectively to conserve and promote biodiversity conservation.

17. No development shall commence within any phase, including the construction of either roundabout access until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- The 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, number, supply and planting sizes and planting densities;
- Finished levels and contours;
- Means of enclosure;
- Car park layouts;
- All hard and soft surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc.);
- Proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines indicating lines, manholes, supports etc.); and
- Any historic landscape features and proposed restoration, where relevant.

All planting shall be in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

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

18. All soft landscaping comprised in the approved details of landscaping for each approved phase of development 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 phase 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 ten 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 for each approved phase of development shall also be carried out in accordance with the details enshrined within the preceding condition and prior to the occupation of the respective phase 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.

19. No demolition, site clearance or development, including construction of the roundabouts shall commence on site within any particular phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within any particular phase, until a Tree and Hedgerow Protection Plan showing the exact position of each tree and hedgerow 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 and/or hedge" means an existing tree and hedgerow 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 date of commencement of the phase].

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

20. No demolition, site clearance or development shall commence on site within any particular phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within any particular phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall address the matters identified in section 5.3.13 of the Environmental Statement (January 2015) and shall identify all the measures required to minimise the risks to ecology on site and pollution safeguarding to include the following:

- Identification of protection areas where fencing (details to be provided) will be used to exclude works including, for example, the linear park and green corridors;
- Method statements for specific operations / areas of the site likely to affect protected species;
- List of operations which will be undertaken under the supervision of an Ecological Clerk of Works or a professional ecologist to those areas where vegetation / topsoil removal could affect protected species;
- Confirmation of obtaining protected species licenses which are required before certain works commence;
- For each phase of development pollution safeguarding mitigation details including the location of site and storage compounds, the use of plant and machinery, measures to control of dust and noise, the location and use of wheel washing and vehicle wash-down plant/machinery, and the location and use of oils/chemicals;
- Submission of a site waste management plan and confirmed recycling plans for waste materials (if any); and
- Ongoing monitoring, including compliance checks by a competent person / Ecological Clerk of Works(s) and site manager during construction and immediately post-completion.

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

A report prepared by the Ecological Clerk of Works or a professional ecologist certifying that the works identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 1 month of the date of substantial completion of each phase of development. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

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

21. No demolition, site clearance or development shall commence on site within any particular phase until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the local planning authority. The CTMP shall contain details of the routing arrangements for all traffic to the site, and a construction traffic signage scheme including details of how the existing traffic regulation order restricting use of local roads by heavy lorries would be temporarily amended. The CTMP shall also detail the necessary on site arrangements to ensure that site detritus is not carried by construction traffic onto the highway. Details of the arrangements for manoeuvring and storage/parking of all construction vehicles on the site shall be included in the CTMP. The site shall be operated in accordance with the approved CTMP at all times and all the routing signage shall be maintained for the entire construction phase. The plan should also set out how the developers shall reduce and manage the emission of noise, vibration and dust during the demolition and construction phases of development.

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

REASON: In order to ensure the site construction traffic is properly managed in the interests of highway safety and to ensure that the amenities of local residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

22. No development shall commence on site pursuant to any phase (except for the construction of the two roundabouts), until an acoustic design scheme to protect future residents and occupiers of the development hereby approved from A36 road traffic, Bath Road and Victoria Road and noise from premises on Roman Way has been submitted to and approved in writing by the Local Planning Authority. Details and measures included in the scheme should comprise site layout, internal building layout, acoustic insulation measures such as acoustic glazing, trickle ventilation, wall and roof construction, and noise mitigation and screening to be provided for external amenity areas. For each phase of development, the approved acoustic scheme shall be implemented prior to first occupation of any building and it shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

23. No development shall commence pursuant to any proposed licensed premises until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from any licensed premises including noise from regulated entertainment and external plant. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

NOTE: In discharging this condition the applicant and the appointed consultant are encouraged to liaise directly with the Council's public protection team.

24. No development shall commence pursuant to any proposed food/takeaway premises until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours and fumes has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

NOTE: In discharging this condition the applicant/developer should ensure that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m above the eaves. The applicant/developer should also consult and follow the advice contained within the publication: Guidance on the Control of Odour and Noise from Commercial Kitchen

Exhaust Systems (DEFRA 2005).

25. No development shall commence pursuant to any phase until a scheme and the format of a public carriageway condition survey has been agreed in writing by the local planning authority. Once the format is agreed, the condition survey shall duly report on the stretch of public highway along Victoria Road and Bath Road between the two new access roundabouts and the pursuant two A36 roundabouts and the results of the survey shall be submitted to the local planning authority within one month of the survey and report being completed.

REASON: To ensure the authority has an accurate record of the public carriage way condition prior to the aforementioned stretches being used by construction traffic.

26. For each relevant phase of development, details pursuant to the construction of the link road between Bath Road and Victoria Road shall make provision for adequate turning space on a temporary basis to ensure that large vehicles, and specifically buses, can enter and turn within the scheme in a forward gear.

REASON: In order that adequate internal facilities can be provided for buses and other large vehicles to enter, turn and leave the development which shall delivered on a phased approach.

27. For each phase of development, no site clearance, construction or demolition work 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: In order to ensure that the amenities of local residents are substantively protected.

28. No deliveries shall be made to or collections made from commercial premises outside the hours of 07:30 and 20:00 Monday to Saturday 09:00 and 18:00 Sundays and Public Holidays.

REASON: In order to ensure that the amenities of local residents are substantively protected.

29. No external lighting shall be installed as part of each phase until detailed plans showing the type of light appliance, the height and position of the fitting, the illumination levels and light spillage levels in accordance with the appropriate Environmental Zone standards as set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), have been submitted to and approved in writing by the Local Planning Authority. Where development potentially affects green corridors and wildlife habitat, lux plots shall be submitted to demonstrate compliance with the Green Corridors Parameters Plan. Thereafter, all approved lighting shall be installed and be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site as well as being fully mindful of the proximity to the AONB and special landscape areas.

30. Pursuant to each phase of development, the developer shall ensure that the upgraded PRow connections and infrastructure are available and useable all year round with all surfacing to be completed to adoptable or alternative standards and to be agreed in writing by the local planning authority. For each phased reserved matters submission, the developer shall submit the following:

- i) A detailed plan specification for all necessary PRow upgrades and diversions, including any temporary diversions required for each phase of development to be submitted and approved in writing by the Local Planning Authority prior to commencement of works on site for each phase. The PRow works legal orders, surfacing to adoptable standards, and signing schedules as necessary;
- ii) A detailed timetable setting out the timeframe and delivery of the necessary PRow works; and
- iii) The cycle/pedestrian routes shall be 3m wide with segregated pedestrian/cycle surfacing.

REASON: To ensure that each phase of development is sufficiently serviced by PRow upgrades.

31. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing

by the Local Planning Authority before the first occupation of any each phase of development. The content of the LEMP shall include the following information:

- A drawing setting out the location and extent of landscape and ecological features across the entire site;
- Description of features to be managed;
- Aims and objectives of management
- Management prescriptions to achieve aims and objectives;
- Work schedule (including an annual work plan capable of being rolled forward over a 5 year period
- Details of the body or organisation responsible for the implementation of the plan;
- Monitoring and remedial measures including how these will be triggered and implemented;
- Timeframe for reviewing the plan
- Details of how the LEMP will be communicated to the occupiers of the development.

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

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

32. No dwelling, pursuant to each phase, shall be brought into use until it has have been provided with car parking and cycle storage spaces in accordance with the Council's adopted parking standards as required by the Wiltshire LTP 2011-2026 Car Parking and Cycle Strategies respectively. Any garage to be counted as being a parking space shall have internal dimensions of at least 3m by 6m per parking space. In addition, no commercial, employment or education uses shall be brought into use until the adopted parking standard requirements are accommodated for on site.

REASON: To ensure adequate parking space is provided on site clear of the highway, and to encourage transport by sustainable means.

33. No additional vehicular access onto Bath Road or Victoria Road is hereby permitted other than the two roundabouts (unless otherwise agreed as a temporary access). Prior to any dwelling, commercial or employment premises being brought into use, a plan showing all existing field gates that are not required shall be removed or closed up and as part of the phased landscaping provisions, details pursuant to each reserved matters application shall confirm new boundary treatments in accordance with a programme to be agreed in writing by the local planning authority

REASON: In order to ensure than vehicular access is not gained to the site from inappropriate locations.

34. The development (pursuant to each phase) shall be completed in accordance with chapter 10 of the Environment Statement, the Outline Dormouse Mitigation Strategy and the 'ecology mitigation and enhancements: outline proposals' (both dated September 2017 and produced by Aspect Ecology); and the Landscape Strategy and Implementation Plan, dated November 2017 produced SLR.

REASON: To ensure that each phase of development delivers adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

35. The residential development hereby approved in outline form shall be designed to ensure that the new housing does not exceed 110 litres per person per day water consumption level (which includes external water usage). Within 3 months of each phase being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure that the development delivers betterment in terms of the level of discharge of phosphates from the sewage treatment plant into the River Avon SAC.

36. All building service plant and equipment (including air conditioning units and any air handling plant etc.) shall be sited and designed in order to achieve a Rating Level (BS4142:2014 or any subsequent version) of -5dB below the lowest measured background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as

adopting measures to minimise noise and disturbance levels.

37. Prior to the occupation of the 100th dwelling on the site, a public art strategy shall be submitted to the local planning authority for its written approval. The strategy shall set out how public art shall be provided as part of the development alongside a delivery programme. Thereafter, the development shall be carried out in accordance with the approved strategy and the delivery programme.

REASON: In order to achieve a high quality environment and to support the objectives of WCS Core Policies 3, 31 and 57.

38. Prior to the commencement of the local centre, a strategic level scheme for the provision of 2 ultra low energy vehicle infrastructure points (ULEVI) (i.e. electric vehicle charging points) and a programme for its delivery shall be submitted to the local planning authority for its written approval. The local centre shall not be brought into use until the approved infrastructure is completed and available.

REASON: In the interests of reducing vehicular traffic pollution and supporting more sustainable modes of transit.

39. The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan Dwg No 504 Rev G; Bath Road Site Access Roundabout Plan – Dwg No P507/38 Rev A; Victoria Road Site Access Roundabout Plan – Dwg No P507/39; WWUE Illustrative Masterplan Rev 12; WWUE Parameters Land Use Plan Rev 6; WWUE Parameters Density Plan Rev 10; WWUE Parameters Access and Movement Plan Rev 6; WWUE Parameters Maximum Building Heights Plan Rev 7; Design and Access Statement dated March 2018; Landscape Strategy and Implementation Plan (LSIP) dated November 2017.

REASON: To define the terms of this outline permission.

PLANNING INFORMATIVES:

1. The applicant is required to contact Wessex Water and agree any diversion of the existing water main that runs through the site. An easement of 6m either side of the existing water main must be maintained following any agreed diversion with Wessex Water. Water Supply network modelling would be required to determine if any off site reinforcement is required to accommodate extra demand on supply generated by the development. Buildings above two storeys would however require on-site boosted storage and this must be factored in as part of future reserved matters applications.

2. The applicant is required to contact the distribution network operator (DNO) to agree any necessary diversions, deviations or removal of any electricity infrastructure. The developer is not lawfully permitted to make any modifications to electricity infrastructure implemented and controlled by Section 37 of the 1989 Electricity Act.

3. The applicant is advised that any works or alterations made to the existing watercourses or connections to them require separate land drainage consent from the appropriate drainage authority. In this case, the environment agency and lead local flood authority would be the appropriate bodies.

4. The Wiltshire Fire & Rescue Service recommends the provision of the following as part of satisfying Building Regulations and reducing the risk of death, injury and property damage:

- Sprinklers work from a standard main, although a 32mm connection is required. They are inexpensive to install, particularly in a new building. They do not activate by accident causing unwanted damage. They only operate through individually activated heads, not the whole system. They can be designed to fit flush to the ceiling behind a flat cover. They cause less water damage in a fire than normal fire-fighting operations. They significantly reduce fire and smoke damage

- Commercial sprinklers should be installed as there are many benefits including: low installation and maintenance costs. Sprinkler systems are designed to last in excess of 50 years and fire damage can be reduced by 90% compared to a similar, unprotected building. The chance of accidental discharge due to a manufacturing fault is 1 in 16,000,000 heads. The likelihood of accidental damage causing a discharge is 1 in every 500,000 heads. Installation of a sprinkler system may allow the relaxation of other passive fire safety measures. Insurance costs may be significantly reduced. Sprinklers can control a fire with significantly less water than full fire service intervention. Sprinklers greatly reduced business disruption due to a fire and improved recovery from it.

- Sprinkler protection in schools is also highly recommended.

5. There are ordinary watercourses within or in close proximity to the site. If the developer seeks to

temporarily obstruct any flow from the watercourse, including any proposed culverting; separate Land Drainage Consent would be required from the Lead Local Flood Authority. The Council's Drainage Team should be approached to discuss any requirements and the following guidance reviewed:

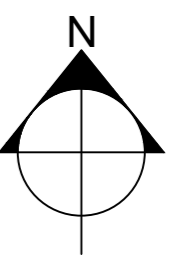
<http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

6. The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. In order to discharge the condition on water consumption, a water usage calculator showing how the development does not exceed a total (internal and external) usage level of 110 litres per person per day should be submitted to the LPA at the discharge of condition stage.

7. The applicant is advised to note that the Environment Agency and Lead Local Flood Authority (LLFA) are undertaking a full investigation and modelling exercise of the whole of the Warminster catchment area. The conditions imposed on any approval requiring additional land drainage submissions should be informed by the modelling with direct liaison between developer and the LLFA.


8. The applicant is furthermore encouraged to enter into a CoPA (Control of Pollution Act) s61 agreement with the Council to secure details on the construction phases, the construction compound locations, the hours of work, the delivery routes, the proposed plant and equipment to be used, identifying noise/vibration generators once specific construction programmes and plant type are known as well as identifying the measures to be adopted to minimise noise/vibration impacts (with community liaison, control measures and compliance monitoring schemes).

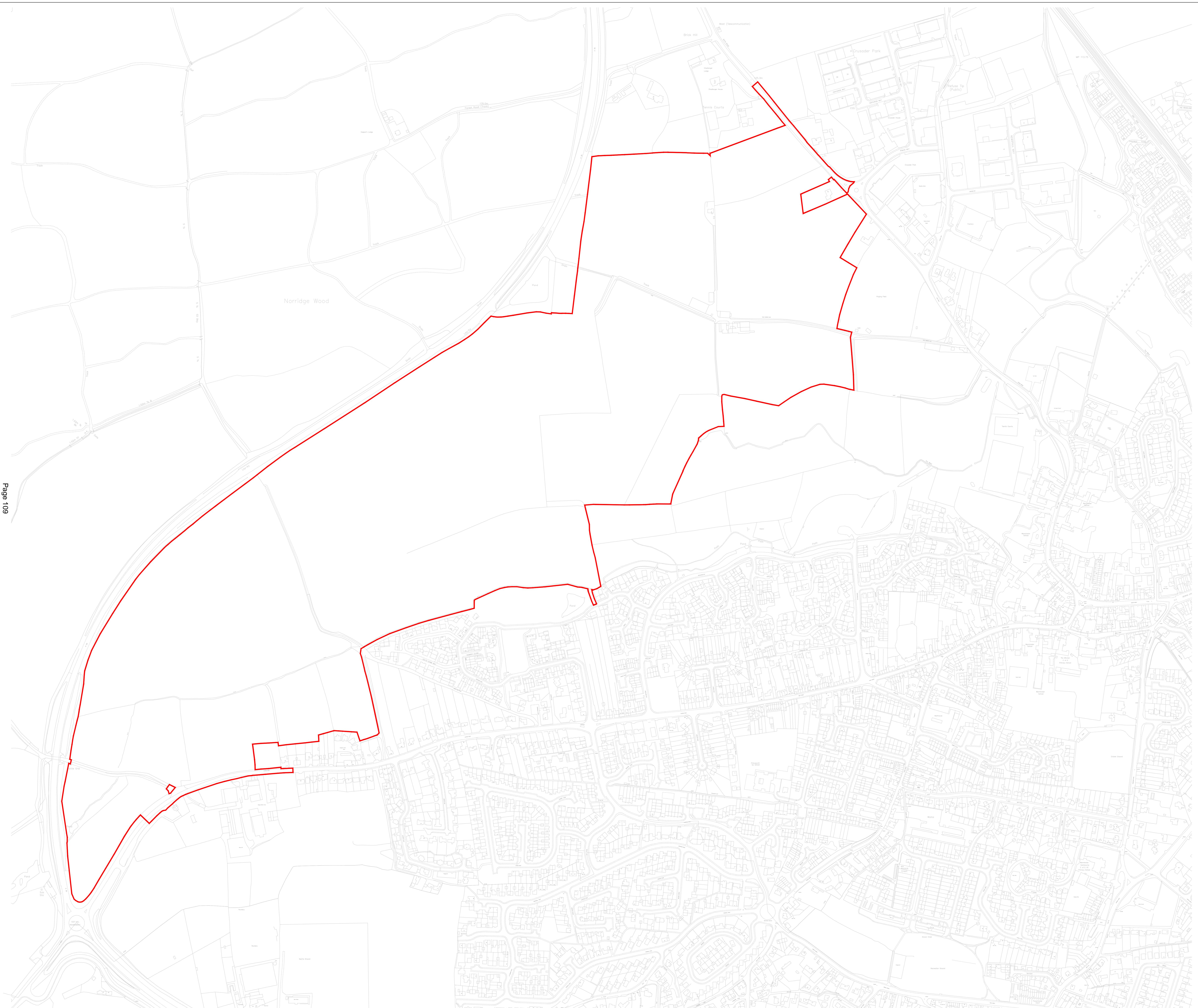
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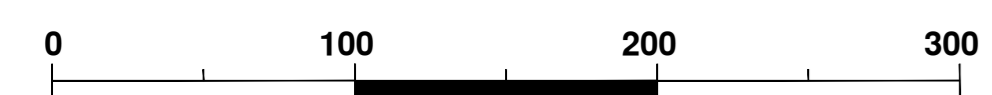
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Legend

 Site boundary
 (83.77 Ha)



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Client **Hannick Homes**
Persimmon Wessex

Project **Land West of Warminster**

Title **Site Location Plan**

Status	Drawn By	PM/Checked by
FINAL	AG	JR
Job Ref	Scale @ A0	Date Created
JBR2020	1:2500	11.03.2013

Drawing Number	Rev
504	G

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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	20 June 2018
Application Number	17/10550/WCM
Site Address	Sands Farm and Lower Compton Landfill, Calne, SN11 8RB
Proposal	Hills HGV Relief Road.
Applicant	Hills Waste Solutions Ltd
Town/Parish Council	Calne Without / Cherhill
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	401869 170952
Type of application	County Matter
Case Officer	Jason Day

Reason for the application being considered by Committee

1. The Head of Development Management considers that this suite of applications should be considered by the committee as they involve matters of strategic significance that have previously been considered by the committee and that have raised matters of public interest that have been contested both at appeal and in the Courts.

Purpose of Report

2. The purpose of the report is to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that authority be delegated to the Head of Service for Development Management to grant conditional planning permission, subject to the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Report Summary

3. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out their proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
4. This report considers the planning application made for an 'HGV Relief Road'.

5. The key issues in considering the application are as follows:
 - Principle of the development.
 - Traffic and Transport
 - Air Quality
 - Noise and Vibration
 - Landscape and Visual Impact
 - Biodiversity
6. To date, the application has generated a total of 150 letters of objection from individuals and none in support. This includes additional letters of objection that have been submitted in response to publicity of further environmental information requested as part of the determination process.
7. Calne Without Parish Council objects to the application. Calne Town Council supports the applications, subject to provisos.

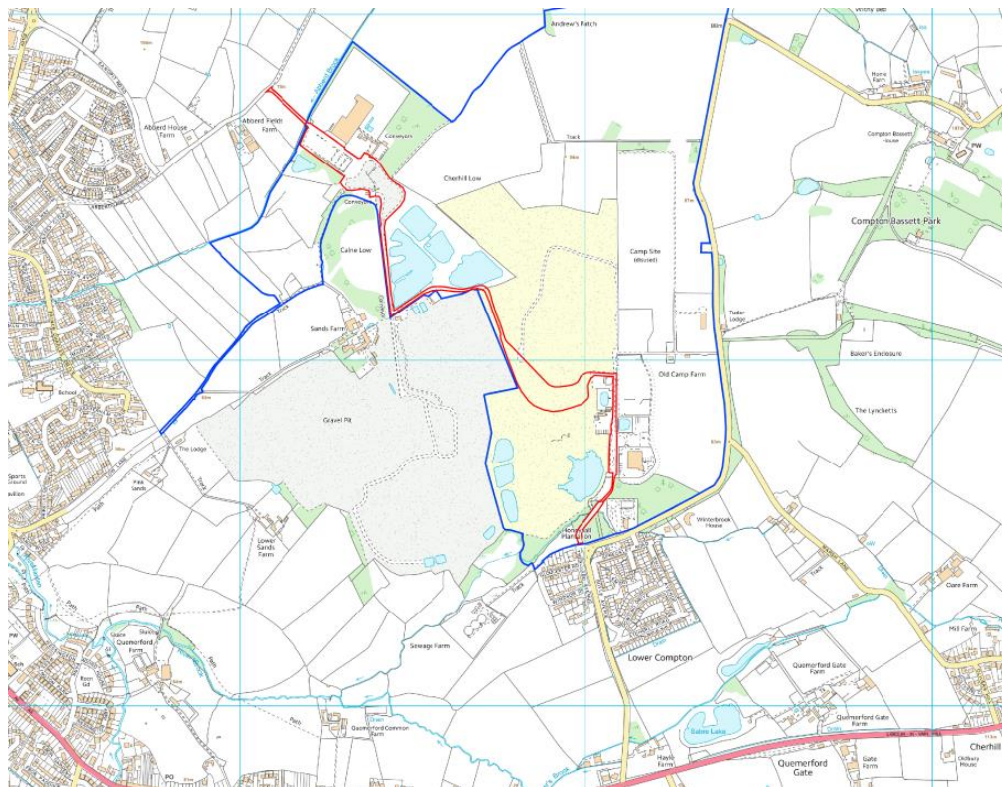
Background

8. In October 2014, Hills Waste Solutions Ltd applied for permanent planning permission (application ref: 14/09744/WCM) to retain and extend the Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development. Existing temporary consent (first granted in 1997) expired on 31 December 2016. In June 2015 the Council's Strategic Planning Committee refused the application.
9. An appeal was made against the refusal to grant planning permission and was heard by an independent Planning Inspector by Public Inquiry. The Inquiry sat for 7 days in September 2016 and February and March 2018. The inspector allowed the appeal and granted planning permission 12 June 2017.
10. Permission was granted to retain and extend the Materials Recycling Facility, including transfer activities for 119,000 tonnes of waste per annum. The approved development comprised three elements of waste management operations, with a proposed extension to the Lower Compton MRF building to accommodate them:-
 - A Materials Recycling Facility (MRF),
 - A Municipal Solid Waste (MSW) transfer operation; and
 - Green waste transfer;
11. A claim under section 288 of the Town and Country Planning Act 1990 challenging the decision of a planning inspector was made by Wiltshire Waste Alliance Ltd in July 2017.
12. The legal challenge created uncertainty regarding the deliverability of a Materials Recycling Facility that is required to implement Wiltshire Council's new household waste collection service starting on 30 July 2018 and consequently created the need for Hills Waste Solutions to bring forward other options.

13. Rather than take forward the extension to the existing MRF at Lower Compton, Hills Waste is proposing to install the equipment for the co-mingled MRF in the adjacent former Concrete Products Factory at Sands Farm, Calne and create a link road to join the two sites. The Lower Compton MRF, at its existing size, would be used for the transfer of MSW and the transfer of Green waste.
14. When the plans for retaining and extending Lower Compton were being considered and applied for, the option of using the former Concrete Products Factory at Sands Farm was not available. The extended period of time that the Lower Compton proposals have been in the planning and courts system has seen a number of changes and the acquisition by Hills of the Sands Farm Concrete Products Factory has allowed this option to come forward.
15. The legal challenge was heard in the Planning Court on 1-2 May 2018 and the judge found the challenge to succeed on two grounds. The Court has ordered that the decision of the planning inspector granting planning permission to retain and extend the MRF at Lower Compton shall be quashed and remitted back to the Secretary of State for redetermination.

Site Description

16. The Lower Compton site is located about 1 Km east of Calne, 1Km north of the A4 and just north of the residential area of Lower Compton, where the site access road joins the public highway. Compton Bassett is about 1.6Km to the north east. The Sands Farm site is located immediately east of Calne, and lies approximately 1.3km to the north-west of the Lower Compton MRF site.



17. The application documents note that the Lower Compton and Sands Farm sites have been in operation in various forms over sixty years and have, during that time, been referred to in different ways. The applications use the term 'Sands Farm Facility' to encompass the building and its associated yards which has planning consent as a Concrete Products Factory. This sits alongside a sand processing operation, historically known as Sands Farm Quarry, but now forming part of Calne Quarry which encompasses mineral reserves both associated with Sands Farm, Freeth Farm and Lower Compton. As well as the sand processing, this is served by an area of silt lagoons. The now closed Sands Farm Landfill immediately east of Calne remains the responsibility of a different landowner/operator; Viridor.
18. 'Lower Compton' is the term used to refer to all of the operations to the east of Sands Farm. This includes the Lower Compton Materials Recycling Facility, Household Recycling Centre, Concrete Batching Plant, green waste management, recycling recovery and transfer, landfill and mineral extraction at the original Lower Compton site and the Old Camp Farm and Low Lane extensions. The now closed Sands Farm landfill immediately east of Calne remains the responsibility of Viridor.

Planning History

19. The relevant planning history for the Sands Farm and Lower Compton sites is summarised as follows:

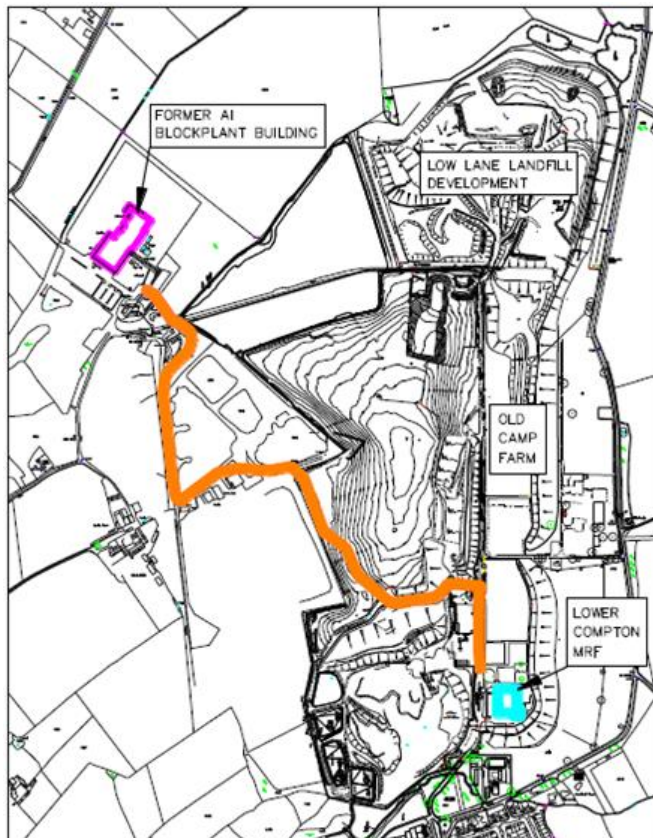
N/88/1828	Application for the decorative concrete products factory and stock yard
N/90/1721	Extension to the sand extraction operations with restoration back to agriculture by the importation of waste
N/08/07016 –	Application for the extraction of sand followed by backfilling with clay to original ground levels and restoration to an orchard at Sands Farm
N/10/03782/WCM –	Variation of condition 11 of N/88/1828 to allow moulding to be undertaken at the concrete products factory.
N/10/03280/WCM -	Construction of conveyor to link Low Lane and Old Camp Farm mineral extraction to Sands Farm Quarry and retention of processing plant.
N/13/01610/WCM -	Extension to Condition 9 of N.88/1828 (Resubmission of 12/03244/WCM) to retain concrete products factory to 30 November 2022 or cessation of the processing of sand as permitted under planning permission N/10/03280/WCM whichever is the sooner.
N.96.1074	Continued restoration of Sand Workings by tipping
N.00.0182	Varied to change the restoration drawings in condition 1
N.01.2803	Extension to sand quarry and infilling with waste and variation of condition to amend restoration scheme;
N.04.3060	Section 73: Extension to sand quarry and infilling with waste without complying with Condition 2 of planning permission N.01.2803;
N.06.07021	Section 73: Extension to sand quarry and infilling with waste without compliance with Condition 8 of Planning Permission N.04.3060 (Operating Hours);

N.06.07008	Section 73 application for extension to a sand quarry and infilling with waste, without complying with conditions 3 (end date) and 5 (phasing and restoration) of N.04.3060;
N.09.01497	Section 73 Application - Extension to a Sand Quarry and Infilling with Waste Without Compliance with Condition 8 of Planning Permission N.06.07008 (Hours of Operation)
N.06.07009	Low Lane Extension - Mineral Extraction and Restoration to Agriculture Using Imported Waste
N/11/03553/WCM	S73 Application: Extension of Mineral & Landfill Operations Without Compliance with Condition 9 of N/06/07009 to Change Operation Hours
13/05229/WCM	S73 Application - Extension of mineral and landfill operations without compliance of Condition 2 of N/11/03553/WCM to extend mineral extractions until 31 December 2018
N.96.2022	Environmental Improvements (screen bund) and the provision of a Materials Recycling Facility
N.06.07018	S.73 application: Use of the MRF without compliance with condition 5 of planning Permission N.96.2022 dated 27 March 1997.To change operational hours at the MRF approved under consent ref.N.96.2022.
N/06/07003	Household Recycling Centre
N/04/0665	Concrete Plant
N/09/01497	Mineral Extraction and Landfill
13/05229WCM	Low Lane Mineral Extraction and Landfill
N/09/01498WCM	Composting Operations
N/06/07019	Recycling and recovery facility and composting facility
N/05//07042	Temporary container storage and parking area
N/06/07017	Lorry Parking north of MRF
N/99/0977	Electricity Generation Plant
N09/0932	Compost & Soil Blending
14/09744/WCM	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development

The Proposal

20. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way that it considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
21. The five applications comprise: -
 - i. **HGV Relief Road - The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without using the A4 in the centre of Calne. (Ref No: 17/10550/WCM);**

- ii. Retention and Change of Use of the Concrete Products factory to a mixed industrial, storage and waste management use. This development would use the HGV Relief Road. (Ref No: 17/10554/WCM);
 - iii. Change of Use of the existing Lower Compton MRF only for waste transfer (not waste transfer and MRF as originally consented at the now quashed appeal) and to retain the building in its existing configuration, not to extend its size. This development would make use of the HGV Relief Road. (Ref No: 17/10557/WCM).
 - iv. Section 73 application to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042. This development would utilise the HGV Relief Road. (Ref No: 17/10539/WCM) and;
 - v. Section 73 application to extend the time period for restoration by landfill of the Low Lane site until August 2028. This development would utilise the HGV Relief Road. (Ref No: 17/10543/WCM).
22. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne.
23. This report considers the planning application (i) made for a 'HGV Relief Road'.
24. The planning application seeks permission for the construction of a road across part of Lower Compton Landfill site and the use of the existing internal roads to form a link from Abberd Lane, Calne to the C15 at Lower Compton (route shown in orange on plan below).



25. Recent planning applications at Lower Compton have highlighted local concern about increasing traffic levels in Calne and although Hills-related HGVs make up only a small part of the total vehicles, the acquisition by Hills of the Sands Farm Concrete Products Factory in late 2016 has allowed this relief road scheme to be devised.
26. The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without travelling through the centre of Calne and its associated Air Quality Management Area (AQMA).

Route of link road

27. The application area for the relief road extends from the west, at the existing entrance to the Sands Farm Facility (SFF) off Abberd Lane, past the Sand Processing Plant, turning south along the Sands Farm Landfill access road, then east between the silt lagoons for the processing plant and the Viridor landfill gas plant. The route then crosses into the Lower Compton Landfill through the existing hedge boundary. A small section of planting will be removed at this point.
28. From this point, the line of the road has been determined by the existing contours of the landfill. The road follows the boundary between the Lower Compton Landfill and the Sands Farm Landfill before turning east and crossing the Lower Compton Landfill. It passes to the north of the landfill site offices and the landfill gas plant before joining the existing access road. The section across the landfill has yet to be constructed, while the rest of the road already exists.
29. From the landfill gas plant, the road turns south and passes the green waste management area, recycling recovery area, concrete plant, existing MRF, weighbridges and the Household Recycling Centre before exiting onto the public highway at Lower Compton.

Construction detail

30. Much of the road as proposed already exists and is in use, with only the section at Lower Compton Landfill to be constructed. That construction work is estimated to take 4-6 weeks. The route will utilise the existing concrete road from the SFF to the Sands Farm Landfill office.
31. The section across the Lower Compton landfill will be aggregate surfaced and approximately 10m in width. This surface, being on the landfill is subject to some settlement and aggregate surfacing is flexible to deal with this, whereas concrete or Tarmac would crack and fail. It will be built on an engineered clay sub base. Access roads are frequently constructed as part of the on-going work across the wider site and no particular difficulties have been identified with this road. In designing the road, the Environment Agency was consulted and has agreed this proposal of a road over the capped landfill.
32. One additional section of the road will be subject to substantial upgrading. The east-west section south of the silt lagoons and north of Viridor's landfill gas and leachate plants will be surfaced with tarmac. This section currently comprises loose material and therefore requires a more robust surfacing. It is not subject to settlement, therefore tarmac can be used.

33. Over the length of the relief road, the widths will vary as dictated by the existing road structure. Passing places will be incorporated to deal with two-way traffic and the one-way system around the Sand Processing Plant at Sands Farm Facility will be used. The HGV relief road will not be open to the public. The road will only be in use by HGV traffic during the operational hours of the wider facility, which are restricted by planning conditions. No street lighting will be installed.
34. Vehicles parked at Sands Farm will use the Abberd Lane access and the HGV relief road to Lower Compton from 06:00. No operations on site are proposed until 07:00.
35. The development proposals result in new routing options for site HGVs. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by unilateral undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.

Environmental Impact Assessment

36. The application is accompanied by an Environmental Statement (ES) which reports the results of an Environmental Impact Assessment (EIA) undertaken of the proposed development, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
37. The scheme assessed by the Environmental Statement (ES) is subject of two planning applications: -
 - Retention and change of use of Concrete Products Factory to mixed employment, Industrial, Waste and Ancillary Uses' [application ref: 17/10554/WCM], and;
 - Application for an internal road linking the Sands Farm Facility to Lower Compton' - this will link the Facility at Sands Farm with the landfill site at Lower Compton [application ref: 17/10550/WCM].
38. The ES includes assessments of environmental effects relating to:
 - Reasonable Alternatives studied
 - Landscape and Visual Impact Assessment
 - Noise and Vibration Impact Assessment
 - Traffic and Transport Assessment
 - Air Quality Impact
 - Biodiversity Impact
39. Following a request from the Council, the applicant provided further information to extend the study area for the Transport Assessment of the ES to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.

40. A further version of the ES Traffic and Transport Assessment has also been provided to describe the environmental impacts in the case where a legal challenge against the previous permission (ref: 14/09744/WCM) granted on appeal in June 2017 was successful.

Statement of Community Involvement

41. The applicant provided details of consultations with key stakeholders and local community representatives on this alternative proposal to the development of a Material Recycling Facility (MRF) and Waste Transfer Station (WTS) at Lower Compton. A document has been produced setting out details of planning applications and illustrated on a pull-out site plan and map.
42. Groups consulted regarding the plans include members of the Calne Area Board, Calne Area Parish Forum, members of Calne Without / Cherhill / Compton Bassett Parish Councils, the Lower Compton Community Liaison Group and representatives of Wiltshire Waste Alliance. Presentations, site tours and meetings have been provided.

Planning Policy

43. Operations and uses, including development relating to access to highways, ancillary to the use of land, the carrying out of building, engineering or other operations or the erection of plant or machinery for the purposes of waste management, are prescribed as “county matters” (minerals and waste application). The following Development Plan documents and policies have been considered for this planning application:

Wiltshire and Swindon Waste Development Control Policies DPD, September 2009

- WDC1: Key criteria for ensuring sustainable waste management development
- WDC2: Managing the impact of waste management
- WDC7: Conserving landscape character
- WDC8: Biodiversity and Geological Interest
- WDC11: Sustainable transportation of waste

Wiltshire and Swindon Waste Site Allocations Local Plan, February 2013

- Policy WSA1: Presumption in Favour of Sustainable Development
- Inset Map 3: Hills Resource Recovery Centre, Compton Bassett
- Table 2.3: Hills Resource Recovery Centre, Compton Bassett

Wiltshire Core Strategy, January 2015

- Core Policy 8: Calne Community Area;
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape;
- Core Policy 55: Air Quality;
- Core Policy 60: Sustainable Transport;
- Core Policy 61: Transport and Development;

- Core Policy 62: Development impacts on the Transport Network;
- Core Policy 65: Movement of Goods

Calne Community Neighbourhood Plan 2016-2026 (Made February 2018).

- Policy GA2 – Highway Impact
- Policy WS1 – Employment
- Policy NE2 – Setting of Calne and Calne Without
- Policy NE3 – Biodiversity

National Planning Policy context.

44. The following documents are also material to the consideration of the planning application:
- The National Planning Policy Framework (March 2012)
 - The National Planning Policy for Waste (October 2014)

Summary of consultation responses

45. The application has been the subject of three periods of consultation in response to initial and further submissions by the applicant. The following summary represents the position of consultees following the outcome and conclusion of the consultation exercises and is not intended to be a full detailed description of all comments submitted during each of the consultations undertaken.

46. **Calne Without Parish Council** – objects for following reasons:

If the linked applications 17/10554 and 17/10557 are consented then this application would result in around 300 daily HGV movements over the top of the landfill that will be highly visible and audible from the adjacent Area of Outstanding Natural Beauty resulting in a significant loss of amenity every day between 6am and 8pm.

The sub-surface of the central section of the cross link road will be landfill material. The weight and vibration of so many heavy HGVs will de-stabilise the surrounding landfill and is likely to result in the release noxious smells and methane as the containment top surface is breached.

The vehicle movements that would result from the proposals would give rise to unnecessary environmental damage and significantly impact the safety of road users and residents near the proposed HGV routes.

Much is made of the impact of reducing the HGV movements through the Air Quality Management Area (AQMA) in the centre of Calne. Air quality in Calne has been improving steadily in recent years, in fact, only two of the 7 sites monitored within the Calne AQMA still exceed the 40 µg/m³ limit for NO₂. Of the two sites exceeding the limit (Curzon St and New Road) the New Road site will experience reduced HGV traffic resulting from the applicant's plans to re-route their HGVs from the north and west. However, none of the three most polluted sites would receive any benefit by

diverting the 118 HGV trips a day from the south as they currently do not use these roads. The only benefit of re-routing this traffic from the south would be to further reduce HGVs on London Road and Silver St which have not exceeded the NO2 limit for some years and would no longer qualify as an AQMA.

The proposed traffic management plan is unreasonable as it requires only the approval of Calne Town Council with no requirement to consult with the adjoining parish or town councils that would be directly affected by the extra HGVs.

The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Lane, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for 5 years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.

The Council supports the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton by removing 185 HGVs.

The Council believes it is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.

47. **Calne Town Council** – unanimously resolved to consider these five applications together; the Town Council will support the applications subject to:

- Appropriate conditions which require the creation, implementation and operation of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments.
- Appropriate signage around the town to advise drivers of the approved routes to access and exit the sites (provided by way of a S106 agreement).
- Appropriate conditions to manage the wheel washing and canopying of loads.
- Financial contribution to the setup and delivery of an education programme to address road safety in local schools.

48. **Environment Agency** - no objection to the application, but request that an informative be added to any permission granted regarding the need for a permit to carry out any works associated with the access route crossing the Abberd Brook.
49. **Natural England** – no objection. The site is immediately adjacent to the North Wessex Downs AONB and as such advises that national and local policies, together with local landscape expertise and information, are used to determine the proposal. Advise that the relevant AONB Partnership or Conservation Board be consulted.
50. **Historic England** - do not wish to offer any comments.
51. **North Wessex Downs AONB Partnership** – no comments received.
52. **Wiltshire Council Archaeology** – no comment.
53. **Wiltshire Council Highways Officer** – comments that the provision of an internal relief road would enable HGV movements associated with all the Hills Waste operations to access and exit different parts of the site via Sands Farm (north) and Lower Compton (south) without having to travel through the town centre on the A4, resulting in a positive reduction in HGV traffic on the A4 and within the Air Quality Management Area. It is understood that the construction of the new section of the proposed relief road across Lower Compton Landfill will take 4-6 weeks and will be a mix of aggregate and tarmac surface. The proposed relief road would have a positive effect on the traffic movements around Calne town centre.
54. **Wiltshire Council Environmental Health Officer** – recommends that conditions be attached to any approval covering hours of operation to ensure there is no significant adverse impact on residential amenity. A temporary permission of 2 years (to test the impact on the locality) may be prudent if there is significant public concern.
55. **Wiltshire Council Ecologist** - advises that sufficient ecological survey of the site has been undertaken to identify all sensitive ecological receptors and the potential impacts of the proposal. Recommendations for mitigation and enhancement, along with precautionary working practices for the construction of the road have been set out in their report. If the permission were to be granted request that the recommendations should be presented as an Ecological Construction Management Plan, a Mitigation and Enhancement Strategy and a post construction Ecological Site Management Plan, as separate conditions. However, noted that the construction of the relief road would be dependent on permission being given for 17/10543/WCM and 17/10539/WCM. Were these permissions to be refused would not support the construction of the relief road, as there is no evidence to demonstrate that it would be beneficial to construct the road as a stand-alone permission and would object since it would be an unnecessary impact to local biodiversity.

56. **Wiltshire Council Landscape Officer** – no objections. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the above applications and forms part of the Environmental Statement. It has been prepared following current best practice methodology published by the Landscape Institute and IEMA, the ‘Guidelines for Landscape and Visual Impact Assessment’ 3rd Edition (2013).

The assessment has been undertaken with regard to relevant policies and guidance including

- NPPF & PPG
- Wiltshire and Swindon Waste Core Strategy Development Plan Document (July 2009)
- Wiltshire and Swindon, Waste Development Control Policies Development Plan Document (Sept 2009)
- Wiltshire and Swindon Waste Site Allocations Local Plan
- North Wiltshire Local Plan 2011
- LDF Wiltshire Core Strategy
- North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2009-2014

Baseline

The 6.0m wide HGV relief road will follow the alignment of existing tracks, using existing hard and new gravel surfaces with ground modelling. The assessment of effects is against the road and the vehicles using it. No lighting is proposed.

The baseline of the contextual setting of the proposals is described as ‘a working landscape that is being progressively restored’. The site is not within a designated landscape but lies within the setting of North Wessex Downs Area of Outstanding Natural Beauty (AONB). The proposals are contained within a valley and ‘behind the wire’ with little physical or visual influence on the AONB or neighbouring landscape character areas.

Mitigation

The proposal makes use of existing infrastructure where possible. Earth modelling to the new road provides screening. Reinstatement works, new native planting and ecological features provide adequate compensation and fit well into the long term restoration of the site.

HGV Relief Road Landscape and Visual Impacts during construction & operation

Construction of the relief road will require excavation, placing and grading of material where required. Some areas of grassland and scrub are likely to be removed during construction but the impacts would be localised with no predicted effects beyond the site. Given the contextual setting of the site effects on landscape elements and

character are not significant, moderate to minor adverse at worst. Visual effects during construction are considered temporary and largely in keeping with existing views of the site. PROWs passing in proximity to the site are likely to have views of the works although distant views from Cherhill Hill and the wider landscape are not significant.

During operation the reinstatement works will have been completed including new planting that will continue to green up the site. There would be increased movement of vehicles on site associated with the new road however the influence of this will diminish with distance. The landscaped bund along the southern section will contribute to screen and filter views of the road.

Consideration of alternative route options found there to be no beneficial alternatives in terms of landscape and visual effects.

Cumulative effects

Cumulative landscape and visual effects have been assessed against proposed residential/commercial development at Calne and Freeth Farm ROMP. The permanent loss of green field sites to development will have a moderate to minor negative significance on local land use but overall cumulative effects are not judged to be significant on landscape receptors or the landscape character of the wider countryside. No significant cumulative or additional visual effects are predicted although proposed residential development may give rise to new receptors with minor negative significance.

57. **Wiltshire Council Rights of Way Officer** – no comments received.

Publicity

58. The application was publicised by Newspaper notice, Site notice, Neighbour notification, Publication to the Council's website and Weekly lists of applications, and notification to the Town and Parish Councils in the locality. As noted above, the application has been the subject of three separate periods of consultation in response to initial and further submissions by the applicant.

59. 150 objections have been received. The following is a summary of matters raised:

- All five applications should be put on hold until there has been a much broader investigation into the impact these applications have not only on those in the vicinity of Lower Compton and Sands Farm, but also neighbouring areas.
- Whilst this would provide traffic relief and air improvement through the town centre, it simply shifts the issue into another, ever-growing residential area.
- Sandpit Road is not designed to cater for this level of traffic, especially when the additional impact of the new residential areas are taken into account

- The 'Noise and Vibration' report does not provide an accurate picture of the increase in noise pollution as no receptor was placed outside of the properties most likely to be impacted
- There appears to be no foresight or real consideration of the impact these plans will have on the residents living along Sandpit road
- The proposal to route 280 HGVs per day along the Sandpit Road / Oxford Road route will greatly increase the risk to cyclists and pedestrians along the route.
- This proposal is not the solution to Calne's congestion problems.
- The internal link road and shifting of HGV traffic through sand pit lane shows no consideration to the fact that the area through which this road passes will be the centre of a large residential housing estate.
- Concerned that once all of the housing developments have been built this alone will create more traffic, noise and air pollution. Potentially increasing this with an additional large volume of HGVs driving past will only make matters worse
- Object to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Land, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for some years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.
- Support the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton
- It is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.
- A number of letters have been received following the same template as the objection submitted by Wiltshire Waste Alliance set out below.

60. **Wiltshire Waste Alliance (WWA)** – WWA was a main party involved in the planning appeal for application ref: 14/09744/WCM and brought the legal challenge against the decision of the planning inspector. WWA objects to the three applications referenced 17/10554/WCM [Retention and Change of Use of the Concrete Products factory], 17/10557/WCM [Change of Use of the existing Lower Compton MRF] and 17/10550/WCM [HGV Relief Road].

Consider that in combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.

Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.

Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.

There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.

The 17/10543 application states that sand extraction will be at a reduced rate due to low demand but that the landfill rate will remain unchanged. The reduced rate of extraction means that landfill will catch up with the available void volume such that landfill should be complete sooner than stated.

If permissions for activities such as the concrete plant operations are strictly time limited to the expiry of sand extraction (currently 2029) and the landfill restricted to 2030/31, then residents of Sand Pit Road and Derry Hill might at least look forwards to further reduction of HGV movements more acceptable than that proposed. This would leave Hills with a large permanent MRF facility for co-mingled waste; a white goods repair facility; and HGV overnight parking but would reduce the total HGV movements to more acceptable and sustainable levels.

61. **CPRE** – do not support the proposal and believe that this proposal only serves to move a problem from one area to another and creates consequences detrimental to householders, road users and the wider environment. Believe that the introduction of an internal road, will introduce an element which will inevitably be more visually intrusive since it will, like any road, have regular or constant vehicle movements. Apart from concerns about the introduction of an intrusive visual element affecting the wider landscape of the AONB, see no proposal to reduce or remove all waste related vehicle movements along the road past Blacklands and the North Wilts golf course. Consider this road is wholly inappropriate for regular HGV use, particularly on its northern section.
62. **North Wiltshire Friends of the Earth** - Object. Consider this a repeat of the previous application for the Compton Bassett site which was rejected earlier by the Council. In essence therefore the situation and considerations which pertained relating to this previous rejected application also apply to this present application, and should therefore predispose the Council to rejection of this present application. The essential difference is that the HGV movements, around 300 daily, will follow a different route of access. This new proposed access via Oxford Road and Sandpit Lane will place a huge inconvenience upon the residents of this area in terms of noise, air pollution and loss of general amenity. The use of the Compton Bassett site as currently proposed by Hills Waste was never a part of the current Wiltshire and Swindon Waste Core Strategy, and therefore has no legitimacy in planning terms. For it to succeed, therefore, this application must result in benefits to this section of the local community. There are no benefits that we can discern, only deterioration in their quality of life, and so the planning application clearly merits rejection.

Planning Considerations

63. 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.
64. The Environmental Impact Assessment Regulations require that before determining any EIA application, the local planning authority must take into consideration the information contained in the Environmental Statement (ES) (including any further information), any comments made by the consultation bodies, and any representations from members of the public about environmental issues.
65. This application is one of a suite of five planning applications at Lower Compton and Sands Farm which the Applicant considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).

66. The application is for the construction of a 'Hills HGV Relief Road' across part of the Lower Compton landfill site, together with the use of existing internal roads, which would provide a private link road from the site access at Abberd Lane/Sand Pit Road [Sands Farm Access] to the north west and the C15 at Lower Compton to the south [Lower Compton Access].
67. The provision of an internal relief road would enable HGV movements associated with all the Hills Waste operations to access and exit different parts of the site via Sands Farm (north) and Lower Compton (south) without having to travel through Calne town centre on the A4, part of which is designated as an Air Quality Management Area. The acquisition of the Sands Farm facility in late 2016 by Hills has allowed this scheme for a relief road to be devised.
68. Much of the road as proposed already exists and is in use, with only the section at Lower Compton Landfill to be constructed.

'Sands Farm Access'

69. The area to the east of Calne has a long history of sand workings. Planning Permission for a Decorative Concrete Products Factory on part of the Sands Farm mineral site was granted in 1989. This permission also required the construction of an access road - now known as Sandpit Road – connecting Oxford Road and Abberd Lane for the purpose of ensuring that HGV traffic avoided the use of routes that involved travelling through the centre of Calne.
70. Additional local sand reserves have been released through the grant of planning permission for land at Low Lane and Old Camp Farm. In 2010 planning permission was granted to allow these reserves to be imported to the Sands Farm processing plant by conveyor system and distributed to market via Abberd Lane and Sandpit Road.
71. The adopted Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan (2013) includes an allocation of land adjacent to the Concrete Products Factory for future sand extraction. The Local Plan considers the site would be most suitable as an extension to the nearby quarry site utilising current access arrangements via Sandpit Road rather than accessing the site from Lower Compton to aid in reducing the need for associated HGV movements through Calne town centre.
72. The relief road would also utilise the tarmac access road serving both the associated silt lagoons and the Sands Farm Landfill. The landfill closed in 2016, but the management of it, including gas and leachate management, could extend for thirty years or more. Sandpit Road has subsequently been adopted as a public highway and also now serves another waste management business west of Abberd Lane, as well as the High Penn Solar Farm.

'Lower Compton Access'

73. The wider Lower Compton site has a planning history that dates back to the early 1970s. Since Hills acquired the Compton Bassett quarry and landfill from the former Wiltshire County Council in 1996, the nature and extent of the application site and

wider Lower Compton Waste Management Facility has steadily grown. It has been the subject of a number of planning applications concerning mineral extraction and waste management operations. An area within the Lower Compton site is allocated for, and safeguarded as, a strategic waste management facility in the adopted Wiltshire and Swindon Waste Site Allocations Local Plan 2013.

74. Vehicular access to the overall Lower Compton Waste Management Facility is via the C15 road which is served directly from the A4. The A4 from Marlborough to Calne and Chippenham is identified as a Local Lorry Route in the Wiltshire HGV Route Network, and also forms a Principal Route within Wiltshire's Strategic Transport Network.

'Landfill section'

75. The route for the relief road has largely been dictated by the existing infrastructure, on-going mineral extraction and landfill operations and land-ownership, but other options were considered and these have been set out in the application documents/LVIA. Five options were assessed for the route in terms of environmental, practical and costs implications to arrive at the route being applied for. Sterilisation of minerals or landfill void has been avoided.
76. Access roads are frequently constructed as part of the on-going work across the wider site and no particular difficulties have been identified with the proposed relief road. In designing the road, the Environment Agency was consulted and agreed that the measures proposed were appropriate for a road across the landfill cap. The HGV relief road will not be open to the public.
77. The Minerals Core Strategy recognises two areas within Wiltshire and Swindon that experience the effect of significant mineral traffic movements: the Upper Thames Valley/Cotswold Water Park and the sandpits around Calne and Compton Bassett. The Aggregate Minerals Site Allocations Local Plan, as noted above, considers that future quarry extension should utilise access via Sandpit Lane rather than Lower Compton to aid in reducing the need for associated HGV movements through Calne town centre.
78. Core Policy 8 of the Wiltshire Core Strategy states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: "*a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles*". Policy GA2 of the Calne Community Neighbourhood Plan 2016 – 2026 includes reference to the need to reduce traffic in Calne in connection with new development.
79. The Calne Community Area Air Quality Action Plan 2018/19 states the top priority for its working group is to "reduce the number of motor vehicles, especially HGVs, which pass through the Calne Air Quality Management Area wherever possible".

80. This application for a 'HGV Relief Road', submitted as part of a package of applications for the Lower Compton and Sands Farm sites that include details of a Traffic Management Plan, would allow HGVs associated with all of the Hills operations at the two sites to access them without travelling through the centre of Calne and the AQMA. The proposals contained in this application directly address these policy aims and objectives and can therefore be considered to be acceptable in principle.

Traffic and Transport

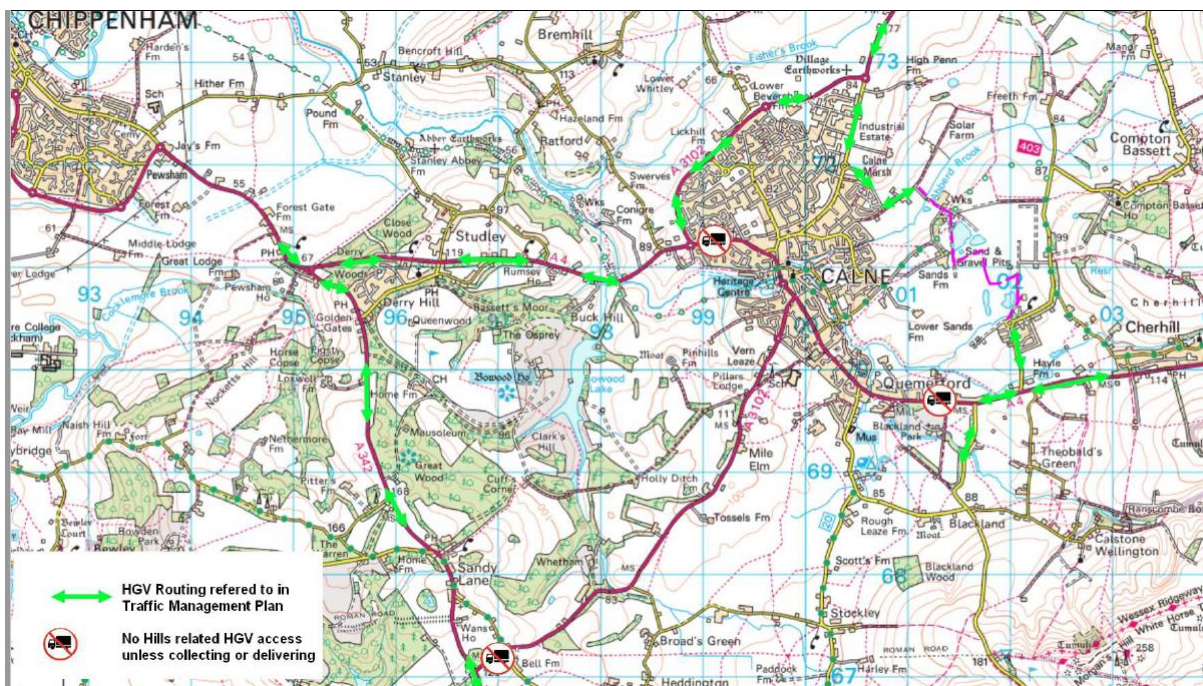
81. The ES includes a Traffic & Transport Chapter (EIA T&TC) which considers the transport issues associated with the development proposals for both the 'Hills Relief Road' and the 'Sands Farm Facility' (application ref 17/10554/WCM). The chapter assesses the potential environmental impacts that could result from the changes in transport and traffic conditions due to the development proposals, with the details behind those findings set out in a Transport Statement.
82. Consultation and publicity of the originally submitted application and ES, received objections from the Local Highway Authority, Calne Without Parish Council and others regarding the omission of any assessment of the capacity or safety of the junction of the A342 and the A4 at Derry Hill, through which HGVs would travel instead of entering the Calne AQMA.
83. Following a request from the Council, the applicant provided a 'version 2' of the EIA T&TC to extend the study area to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.
84. A 'version 3' of the EIA T&TC was also provided (EIA T&TC V3) to describe the environmental impacts in the case where the Section 288 legal challenge against the previous permission granted on appeal following the 2016 Public Inquiry was successful. It also reflects a lower forecast of future landfill processing tonnage. The original ETA T&TC and EIA T&TC version 2 were produced on the pretext that the development to retain and extend the existing Lower Compton Materials Recycling Facility (MRF), including waste transfer activities already enjoyed approval through that Inquiry decision and consequently, that the traffic associated with the uses which were so approved, could be regarded as forming the baseline situation. As a result of the successful S288 challenge, these existing uses on site can no longer be regarded as authorised and consequently cannot be included as part of a baseline. The new baseline position is lower as a result. Reducing the baseline position increases the development impacts. The assessment of the application therefore takes account of EIA T&TC V3, together with the additional information in respect of right-turning at the A342/A4 junction.

Development Proposals

85. The proposed link road through the site would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air

Quality Management Area (AQMA) there. Those potential new routings would be available not just for the proposed uses at the Sands Farm facility but for all uses on site with the exception of the household waste recycling facility at Lower Compton. For the household recycling centre, members of the public would continue to use the Lower Compton access to deposit their waste.

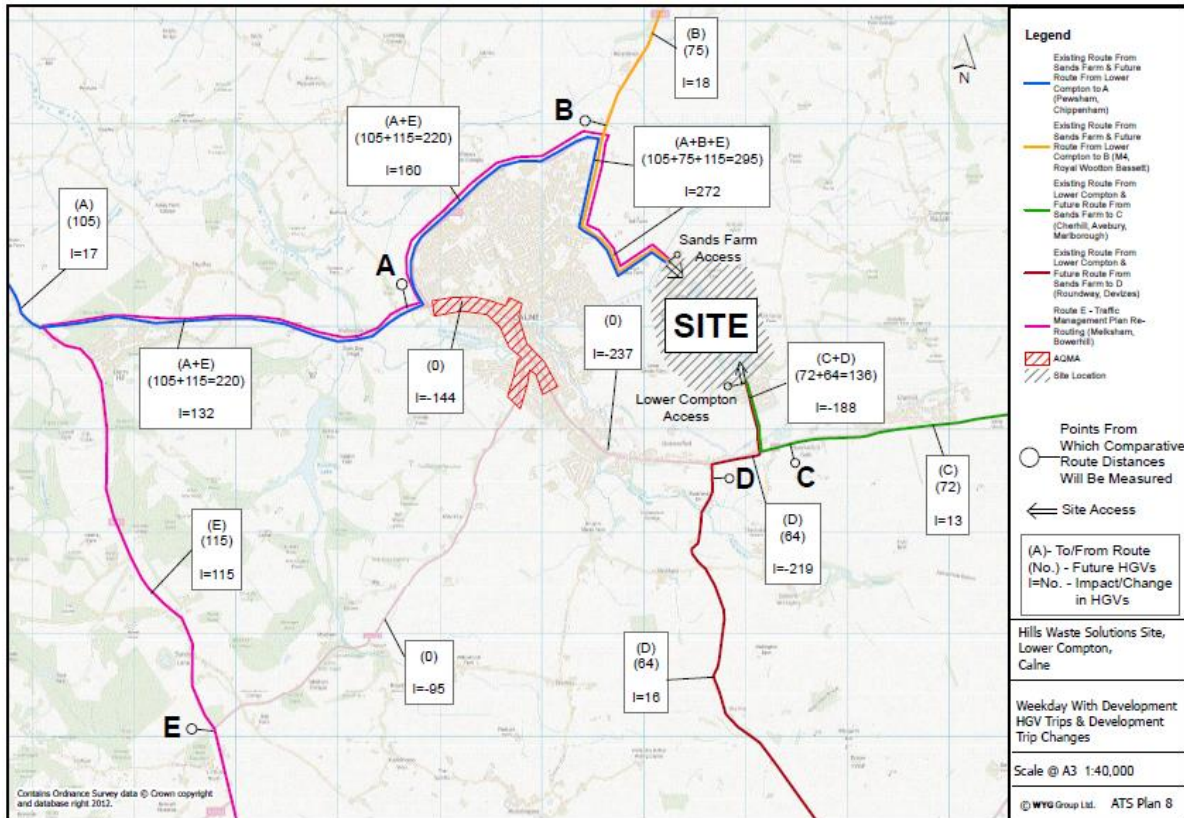
86. The development proposals result in new routing options for site HGVs. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.
87. The principle of a Traffic Management Plan (TMP) is considered acceptable by the Highways Authority. The TMP would apply to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited; Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
88. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford Road and Sand Pit Road to the Sands Farm access to the site. These vehicles will now exclusively use the Sands Farm Gate Access and route via Oxford Road and the A3102 before turning west along the A4 and continuing towards Melksham via Derry Hill.



89. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
90. The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county, with the proposed route through the villages of Sandy Lane, Derry Hill and Studley considered to be a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The Parish Council considers that the air quality improvements to Calne town centre of diverting traffic from the north and west along with the shorter travel distances give sufficient benefits to warrant supporting this part of the proposals. However, it considers the air quality benefits in Calne of rerouting Hills HGVs from the south as negligible and is far outweighed by the significant safety risks of diverting traffic through potentially dangerous parts of the proposed route. Other representations from members of the public have also expressed concerns about the impact on re-routeing HGVs via Sandpit Road and Derry Hill.
91. The Highways officer advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre and that there are advantages and disadvantages in respect of the existing routing via the A342/A3102 and of the proposed routing via the A342/A4. The retention of the existing routing through the A342/A3102 would result in additional vehicles passing through the AQMA, but would reduce the HGV mileage generated by the facilities. Whereas adopting a new routing arrangement via the A342/A4 would increase the mileage travelled and the use of the A342 route and its junction with the A4, which is not currently used. However, it would reduce the impact on the AQMA.
92. Operations and uses, including development relating to access to highways, ancillary to the use of land, the carrying out of building, engineering or other operations or the erection of plant or machinery for the purposes of waste management, are prescribed as “county matters” (minerals and waste application). Policy WDC2 (managing the impact of waste development) of the Waste Development Control Policies DPD states that proposals for waste management development will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigates against, or compensates for significant adverse impacts relating, among other things, to the transportation of waste. Policy WDC11 (sustainable transportation of waste) states that waste management development will be permitted where it is demonstrated that the proposals facilitate sustainable transport, and where appropriate planning applications will need to be accompanied by a Transport Assessment.
93. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: “*a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles*”.

Overall Impacts of Proposals

94. The ES includes a Traffic & Transport Chapter (EIA T&TC V3) which considers the transport issues associated with the development proposals for both the 'Hills Relief Road' and the 'Sands Farm Facility', with the details behind those findings set out in a Transport Statement.
95. The 'with development' scenario considered within EIA T&TC V3 generates a total of 431 site HGV trips per day. Compared to the 'version 3' baseline position of 347 site HGV trips per day, the development proposals will result in a net increase of 84 site HGV trips per day.
96. These HGV trips would be split across the routes to the site meaning the proposals would result in 272 more HGV trips per day experienced along Sand Pit Road and Oxford Road, 160 more HGV trips per day on the A3102 (Calne Bypass) and an additional 115 HGV trips per day along the A342.
97. The proposals would result in 144 fewer HGVs per day experienced through the AQMA, and 188 fewer trips per weekday on the C15. 95 HGV trips per day would be removed from the A3102 to the south and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA.
98. The plan reproduced below, ATS Plan 8, illustrates the total "With Development" HGV trips and then also presents the calculation of trip difference between "With Development" and baseline which is illustrated as "I" = impact.



A larger version of plan can be found at appendix 2.

Impact on A342 junction with the A4

99. Whilst this route is not currently used, there are no legal restrictions on the Hills business (or any other road user) which would prevent it from being used. Against this legal baseline scenario, there would be no impact.
100. To address the Highway Authority's comments however, additional data and assessments have been provided. These demonstrate that the junction is operating at 21% of capacity and the proposed use of the junction by Hills HGVs would not create any material capacity or safety issues. The junction is wide and built to modern standards with a dedicated right turn lane, adequate visibility, street lighting, wide verges etc. The approach to the junction from the east has a speed limit reduction to 40mph, reinforced with road signs and painted road markings. The addition of 115 HGVs per day along the A4 and on the A342 has been assessed as having imperceptible impact upon highway capacity and performance.
101. Whilst adopting the new routing arrangement would increase the total distance travelled by site HGVs per day, this increase in traffic would be experienced along less environmentally sensitive and less populated road links, with high capacities. It diverts traffic away from the Calne AQMA, away from the town centre and away from the A3102 which has a worse accident record. In comparison to the existing routes, the A342 and A4 have less populated road frontages. The extra distance from Melksham to Calne via Derry Hill rather than Mile Elm is just over 1 mile.
102. Whilst the Highways officer has reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, the officer accepts the assessments of the capacity of the junction and potential for queuing HGVs and given the A342 is the local HGV route, advises an objection could not be substantiated, as this route would be in accordance with the Wiltshire Freight Strategy.



103. The Highways officer has highlighted that the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads has not been assessed, and suggests restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement. This is not however considered practical, as the origin or destination of the related vehicles changes daily and fluctuates with customer requirements, and the imposition of such a restriction would not satisfy the 6 tests for planning conditions advised in Planning Practice Guidance, particularly as this is a local lorry route.
104. However, having regard to the change in the routeing of vehicles from the current pattern, the Highways officer recommendation that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement is considered reasonable to ensure that the routing controls proposed in the TMP are generally complied with.
105. The submitted TMP suggests that any changes to the routing should be agreed with the Calne Town Council. However, in terms of monitoring and enforcement, this responsibility would rest with the local planning authority - Wiltshire Council, and this correction will need to be made to the TMP in the final version of the legal agreement.

Impact on Sandpit Road

106. With respect to the concerns expressed over increased traffic along Sand Pit Road, it is recognised that the rerouting proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road.
107. Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and continues to serve another waste management facility situated off Abberd Lane. Whilst the concrete products factory ceased production in 2008, sand worked from surrounding mineral reserve blocks (Low Lane and Old Camp Farm) continues to be processed through the quarry processing plant and dispatched via Sandpit Road. This generates 23 HGV trips across the course of a working day.
108. It is worth noting that Sandpit Road was constructed by Aggregate Industries for the purpose of ensuring that HGV traffic associated with the Concrete Products Factory avoided the use of routes that would involve travelling through the centre of Calne. The original estimated movements for the Concrete Products Factory were 120 per day.
109. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.

110. In terms of operational impacts, junctions on Sand Pit Road, Oxford Road and the A3102 which will experience intensification have been tested and have been found to operate within capacity. All other effects experienced across the network (severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accidents and safety), are assessed to be a 'Not Significant' impact.

Impact on Calne town centre

111. The link road through the site will enable vehicles from the Lower Compton site to access and egress at the Sands Farm facility. Similarly, the Sands Farm quarry traffic from the east and south east will be able to use the Lower Compton access rather than travel along the A4 and through AQMA as they do at present. The link road would join the two sites, thereby allowing traffic to effectively bypass Calne town centre.
112. The development proposals would result in 144 fewer HGVs per day experienced through the AQMA, 95 fewer HGVs per day would travel along the A3102 and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA.
113. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.

Conclusion on transport and traffic

114. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments.
115. On balance, it is considered the positive benefits to Calne town centre and its AQMA, particularly in the context of Development Plan policies that call for an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, outweigh any negative impacts from re-routeing HGVs along the A4 via Derry Hill.

Other highway matters

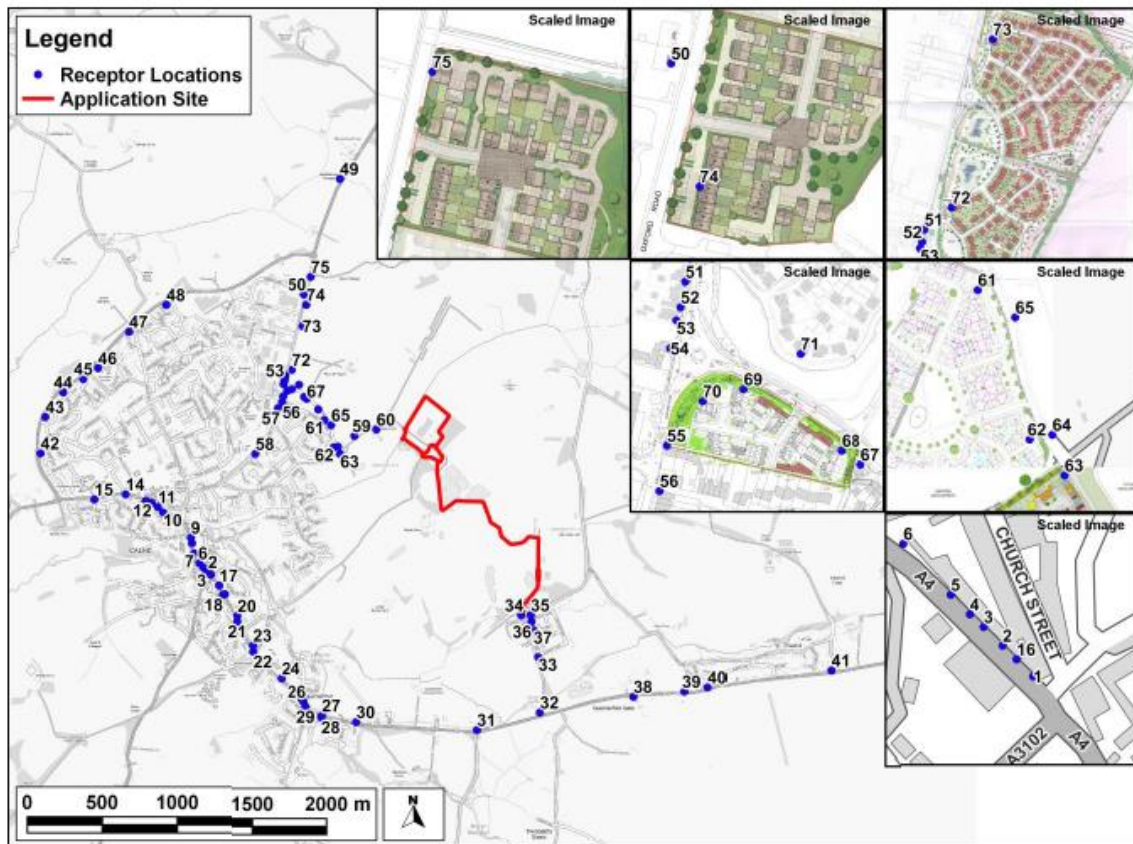
116. The application notes that as part of the MRF Appeal (14/09744/WCM), improvements to the Lower Compton access road were agreed including additional width, a pedestrian access and a maintenance programme. It is stated that these will be implemented as part of the relief road development if not already completed under the MRF consent. These have not been so completed and so conditions are proposed below to secure these matters.
117. With respect to the matters on which Calne Town Council has caveated its support for the proposals, conditions that require the provision of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the

proposed developments are considered appropriate and can be secured by planning condition and the Section 106 planning obligation respectively. Conditions are also listed below covering matters such as the provision of wheel washing facilities and site signage. A financial contribution towards a road safety education programme in local schools cannot be secured as it would not meet the statutory or policy tests for planning obligations.

Air Quality

118. The ES includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals for both the 'Hills Relief Road' and the 'Sands Farm Facility' (application ref: 17/10554/WCM). This notes that existing air quality conditions in Calne are poor along the A4 and Wiltshire Council has declared an Air Quality Management Area (AQMA) covering part of the A4 in Calne where exceedances of a national air quality [annual mean nitrogen dioxide] objective are measured. The main source of pollution in Calne is emissions from road traffic.
119. Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The Calne Community Area Air Quality Action Plan 2018/19 was prepared in April 2018.
120. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *"a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles"*.
121. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to air quality and climate change.
122. The operational impacts of re-routing HGVs, due to the development, have been assessed. Concentrations have been modelled for 75 worst-case receptors, representing existing properties where impacts are expected to be greatest.

Plan showing Receptor Locations:



123. The assessment has demonstrated that the changes in concentrations of fine particulate matter (PM10 and PM2.5) at relevant locations, relative to the objectives, will improve by 1% (when rounded) at two of the receptors and be 0% at all of the other receptors and the impacts will all be negligible.
124. In the case of nitrogen dioxide (NO2), the concentrations are predicted to improve by 1-4% at 37 of the receptors, show no change (when rounded) at 18 of the receptors and worsen by 1-2% at seven of the receptors.
125. The receptors showing a worsening in concentrations are those experiencing an increase in HGV flows i.e. Sand Pit Road, Oxford Road (between Sand Pit Road and its junction with the A3102), and on the A3102 (between Oxford Road and the A4). Because current concentrations are well below objectives, this worsening does not translate to an adverse impact. The impacts will therefore be negligible at 66 of the receptors, slight beneficial at two of the receptors, moderate beneficial at one of the receptors and substantial beneficial at six of the receptors.
126. The substantial beneficial impacts are all observed at the receptors (1, 2, 3, 4, 5 and 16) which are currently over the air quality objective, within the AQMA.

127. Concentrations have also been modelled for 20 worst-case receptors along the A4 and A342 that could be affected by the proposed re-routing of HGVs going to and coming from Sands Farm. The assessment has demonstrated that the changes in concentrations of PM10 and PM2.5, relative to the objectives, will be 0% at all of the receptors and the impacts will all be negligible. In the case of nitrogen dioxide, the concentrations are predicted to worsen by 1% at four of the receptors and will be 0% at the other 16 receptors. However, the impacts will negligible at all of the receptors, as the concentrations are well below the objective.
128. The overall operational air quality effects of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the impacts all being either beneficial or negligible. Furthermore, all of the beneficial impacts are within the AQMA, in particular at the areas of exceedance and the main locations of concern. This is because the scheme is essentially re-routing HGVs away from the areas of exceedance.
129. The assessment has demonstrated that the additional traffic generated by the proposed scheme would be 'not significant' but that there are substantial beneficial impacts within the AQMA, where receptors are closest to the carriageway. It is considered the proposed development scheme does not conflict with the requirements of Core Policies 8 and 55 of the Wiltshire Core Strategy, nor Policies WDC1 and WDC2 of the Swindon Waste Development Policies DPD. Additionally, it positively contributes to the Air Quality Action Plan and contributes to elements of the Air Quality Strategy for Wiltshire and Calne Community Area Air Quality Action Plan.

Noise and Vibration

130. The ES includes a noise and vibration assessment relating to both the both the 'Hills Relief Road' and the 'Sands Farm Facility' (application ref: 17/10554/WCM). Noise predictions were undertaken of the operation of the Sands Farm Facility and internal link road, including the effect of increased HGV traffic on Sandpit Road.
131. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to noise and light emissions and vibration.
132. The assessment notes that existing receptors at Abberd Fields Farm and Houses on Sandpit Road may be exposed to an increase in HGV traffic noise as a result of the increase in HGV traffic on Sandpit Road. The assessment found the increase in HGV flow on Sandpit Lane is expected to increase the basic noise level by 2.4 dB, which would be classed as a 'low' adverse impact of 'minor' significance. However, the assessment notes that HGV traffic currently uses Sand Pit Road to and from the site, and the typical maximum sound levels generated by the road, and the acoustic character of the sound generated by the road would not change.

133. With regard to vibration, traffic vibration can be a source of disturbance to residents living close to roads. Ground borne vibration arises from the various forces generated between tyre and road. Heavy vehicles such as buses and lorries mainly cause this type of vibration. However, there are already a number of HGV movements passing the properties on Sand Pit Road and the assessment considers that there will be insignificant vibration impacts due to additional HGV movements.
134. The Environmental Health Officer raises no objection, subject to imposition of conditions attached to any permission to ensure there is no significant adverse impact on residential amenity: Suitable conditions relating to hours of operation are included in the schedule below. It is therefore considered that these potential impacts have been satisfactorily considered in line with the requirements of Waste Development Control Policies WDC1 and WDC2.

Landscape and Visual Impact

135. The ES includes a Landscape and Visual Impact Assessment (LVIA) which considers the effects of the proposals for both the 'Hills Relief Road' and the 'Sands Farm Facility' (application ref: 17/10554/WCM) on existing landscape designations, topography, land use, vegetation, landscape features, landscape character and visual receptors. It also provides a description of mitigation and / or enhancement measures proposed to address any effects upon the existing landscape resources.
136. Core Policy 51 of the Wiltshire Core Strategy requires that landscape character is protected, conserved and enhanced and where there is potential for landscape character harm, negative effects must be mitigated through sensitive design.
137. Policy WDC7 (Conserving Landscape Character) of the Waste Development Control Policies DPD requires that proposals for waste management development include an assessment of the adverse impacts upon Wiltshire and Swindon's landscape character and the landscape character of adjacent areas, as deemed appropriate to the scale and nature of the development, and in particular in relation to the following designated areas: ...*The North Wessex Downs Area of Outstanding Natural Beauty*. It is stated that proposals for waste management development should include appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape.
138. The LVIA records that the principal landscape features associated with the HGV Relief Road are the existing tracks, minerals/landfill areas and partly restored ground. The landform intended to be crossed is varied and subject to further planned change through ongoing landfill and future restoration. The site is not within a designated landscape but lies within the setting of North Wessex Downs Area of Outstanding Natural Beauty (AONB).

139. The LVIA found there to be only a limited number of views towards land proposed for the HGV Relief Road from the accessible routes in the local landscape around the Site. From the areas of AONB around Compton Bassett Park to the east, the proposed HGV Relief Road Application Site was found to be obscured by landform and / or vegetation. Similarly, from the edge of the AONB south of the A4 and from the accessible paths north of the A4 around Quemerford, the Site was obscured from view by landform and vegetation, and in places, also by buildings. However, where the land rises quickly to the south into the AONB downland south of the A4, the elevated position and relative lack of boundary vegetation allows distant views towards the proposed HGV Relief Road Application Site from Public Bridleway CHER35. This is seen as part of panoramic views across a varied landscape that includes farmed land, restored quarry areas, settlement, solar panels and farm and commercial buildings.
140. Mitigation Measures proposals included in the application include for the siting of the part of the HGV Relief Road in cutting and with a proposed landscape bund alongside part of it, graded into the levels of the restoration landform profile to the south and west. The objective is to provide additional visual screening to the road, in particular in views from elevated positions at Cherhill and south of the A4. The landscape bund would also be planted with individual trees and a native tree and shrub mix, both providing short and longer term containment and screening of vehicles using the Road. In addition, in the longer term, the restoration of the wider Lower Compton ownership, including a number of new hedgerows, tree planting and small woodlands, would also contribute to the partial enclosure and visual screening of the Relief Road and vehicles on in it in views from the south and north. Consideration of alternative route options found there to be no beneficial alternatives in terms of landscape and visual effects.
141. The LVIA concludes that both proposed developments (relief road and Sands Farm Facility) would be well integrated into their landscape setting, with visual effects being limited in extent and severity, while planting proposals would be consistent with and extend, the restoration scheme for the wider Hills land ownership within which both Application Sites lie.
142. The Landscape Officer has reviewed the LVIA and advises there would be increased movement of vehicles on site associated with the new road but the influence of this will diminish with distance. The landscaped bund along the southern section will contribute to screen and filter views of the road, with new native planting and ecological features providing adequate compensation that fit well into the long term restoration of the site. The Landscape Officer raises no objection and it is considered the proposed development accords with Policies WDC7 of the Waste Development Control Policies DPD and Core Policy 51 of the Wiltshire Core Strategy.

Biodiversity

143. The ES assesses the potential effects the proposals could have on the ecology of the development site or its surroundings. Following a summary of relevant legislation and policy, the ES chapter outlines the data gathering and assessment methodology that was adopted, as well as the initial scope of the assessment. This leads on to a description of the overall baseline conditions, the environmental measures that have been incorporated into the scheme, and, for each receptor, an assessment of likely effects. The chapter concludes with a summary of the results of the assessment. The Council's Ecologist advises that sufficient ecological survey of the site has been undertaken to identify all sensitive ecological receptors and the potential impacts of the proposal.
144. The valuation of ecological features identified two Important Ecological Features for further assessment: the Sands Farm Quarry County Wildlife Site (CWS) and Non-designated standing water habitats located outside the CWS boundary. Sands Farm Quarry CWS is designated on account of its main habitat of standing open water; it is situated within a series of active sediment lagoons associated with mineral working. Remaining habitats and species identified from the site (or species for which suitable habitat exists) were addressed as Other Ecological Features or as Legally Protected Species.
145. The assessment of the predicted likely effects from the development proposals on the Important Ecological Features, Other Ecological Features and Legally Protected Species, taking into account the mitigation, enhancement and management measures conclude there would be no significant impacts on Sands Farm Quarry CWS or associated non-designated habitats, but some positive effects may result from the proposed habitat enhancement proposals. Potential impacts on Legally Protected Species will be avoided through use of sensitive timing of works, and use of ecological best practice methods. Mitigation for nesting birds and precautionary mitigation for bats and badger will prevent potential impacts on these species. Overall, the mitigation strategy aims to provide habitat enhancement and improve habitat connectivity which will support a viable population of reptiles, bats, breeding birds, invertebrate species and badger. For Other Ecological Features, areas of permanently lost habitats are those within the new road alignment and on the new screening bund and include relatively species-poor habitats. Approximately 1.7Ha of existing habitats types (including hedgerow and ponds) will be subject to enhancements, providing more intrinsically important habitat that is suitable for a range of species, including for legally protected species. Around 0.62 Ha of additional new habitats will be created, including species-rich wildflower grassland, wet grassland and pond planting and native tree and shrub planting, increasing the available resource of biodiverse habitats likely to be of value to great crested newt and other amphibians, reptiles, invertebrates, birds, badger and other common animals, whilst benefitting commuting and foraging bats and birds. On balance, it is considered that the new and enhanced habitats, once established, will be both intrinsically more important and also of greater value as a shelter and foraging resource for a range of species, and also contributing to landscape scale habitat

linkages, resulting in a net positive biodiversity gain for the site and surrounding locality.

146. All proposed ecological mitigation and compensation measures associated with the development proposals and set out in the ES chapter and within the Mitigation Strategy that is appended to it, as well indicated in a section of the Landscape and Visual Impact Assessment. The ES confirms the main mechanism for implementing the mitigation will be through relevant planning conditions and a suitable condition securing this is included in the schedule below.

Conclusion

147. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which together seek to address concerns regarding traffic and air quality in the AQMA in Calne town centre, and the impact that HGVs associated with Hills' operations at Lower Compton have on these matters, raised during the planning application and appeal process for the previous application 14/09744/WCM (to retain and extend the existing Lower Compton MRF, including transfer activities etc).
148. The proposed link road through the site allows traffic to effectively bypass Calne town centre and Air Quality Management Area. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The Highways Authority advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre.
149. The application satisfactorily assesses the likely impacts of the development on noise, landscape character and biodiversity and these are considered acceptable in terms of relevant development plan policies.
150. It is considered the development as proposed is in accordance with the Development Plan and that there are no overriding material considerations to justify that permission should be refused.

RECOMMENDATION

151. Having taken into account the environmental information, it is recommended that authority be Delegated to the Head of Development Management to Grant planning permission, subject to the completion of a planning obligation within 6 months of the date of the resolution of this Committee to address the following requirements:-

- Traffic Management Plan, and

subject to the following recommended planning conditions set out from paragraph 153 below.

152. In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

153. **Conditions:-**

1) The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2) The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:

- Drawing No: 18850-1250-002 Sands Farm HGV Relief Road Option 2 dated Sept 2017
- Drawing No: 18550-02 Sands Farm HGV Relief Road Sector 1 Site Plan dated Nov 2017
- Drawing No: 18550-03 Sands Farm HGV Relief Road Sector 2 Site Plan dated Nov 2017
- Drawing No: 18550-04 Sands Farm HGV Relief Road Sector 3 Site Plan dated Nov 2017
- Drawing No: 18550-06 Sands Farm HGV Relief Road Sector 4 Site Plan dated Nov 2017
- Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep '17
- Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17
- Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17

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

3) Operations authorised by this permission, including vehicles entering and leaving the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be restricted to the following durations:

06:00 to 20:00 hours Monday to Sunday.

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 4) Within 3 months of the HGV Relief Road being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall relate to both the Lower Compton and Sands Farm sites and include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The relief road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road.

- 5) Improvement of the site access road and the provision of a footway into the site from the public highway shall be implemented within 12 months of the HGV Relief Road being commenced as notified under Condition 1 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such scheme shall accord with Drawing No A094007-SK005 previously provided in respect of application reference 14/09744/WCM.

REASON: In order to secure improved site access to satisfactorily accommodate the additional traffic associated with the proposal, and to encourage sustainable travel to and from the site.

- 6) No floodlighting, security lighting, beacons or safety/navigation lights or other external means of illumination of the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be provided, installed or operated at the site.

REASON: To preserve the rural and visual amenities of the locality.

- 7) The development shall be carried out in strict accordance with all recommendations and procedures set out in Chapter 10: Biodiversity Impact Assessment prepared by Johns Associates Limited dated October 2017.

REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 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 HGV relief road 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.

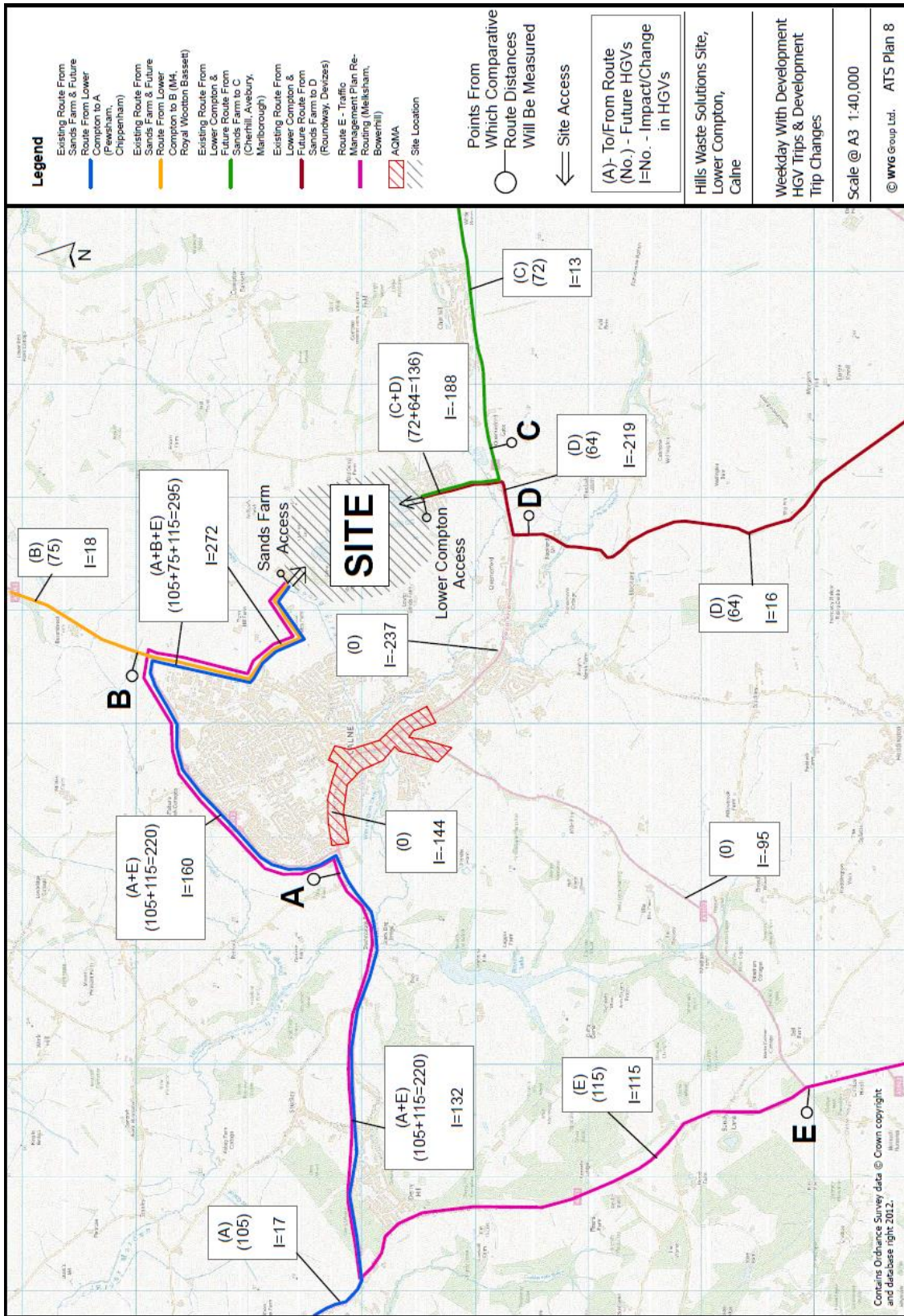
REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Appendix 1

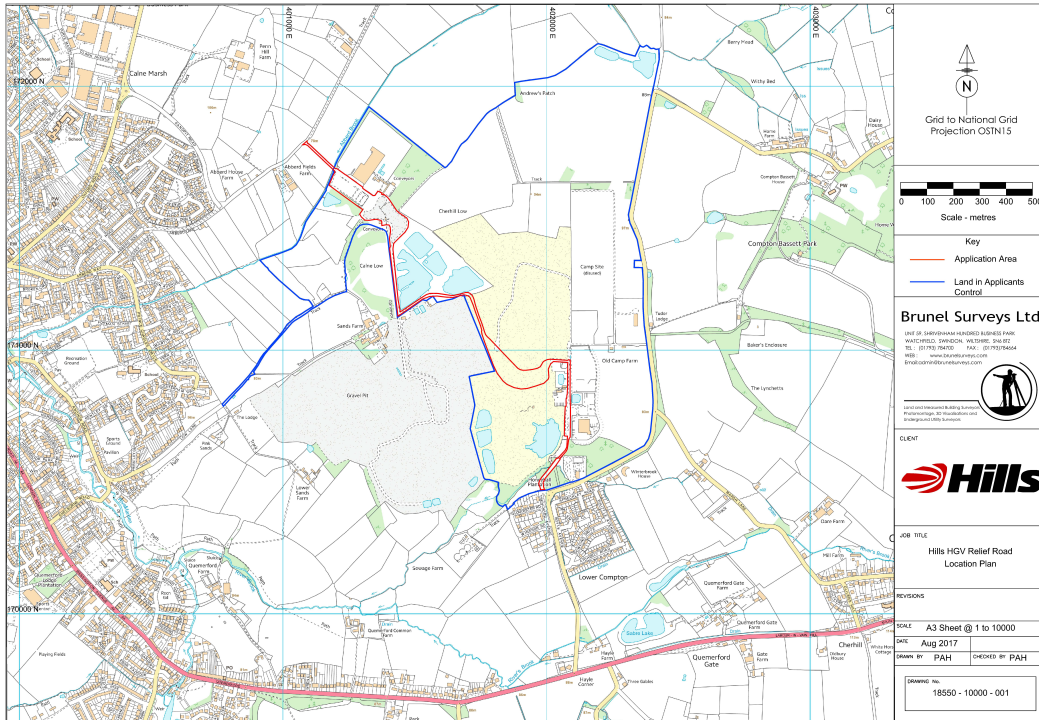
Proposed Lower Compton and Sands Farm HGV Management Plan

1. This Traffic Management Plan is intended to provide an agreed framework of acceptable heavy goods vehicle (HGV) movements that will facilitate the commercial operation of the wider Lower Compton site activities (to include the Sands Farm Facility) so as to minimise the potential adverse impact on the local community and environment at all times.
2. The basic principal is to minimise HGV movements through the centre of Calne, whilst allowing local waste collection services, mineral or concrete deliveries, including those within the Calne town boundary, to be provided efficiently and effectively.
3. The Traffic Management Plan has taken note of the requirements of the Wiltshire Council's Strategic Plan 2016 (including the Wiltshire Air Quality Strategy 2011-2015); the Calne and Calne Without Neighbourhood Plan (draft March 2017) and Calne Community Air Quality Action Plan (Draft, November 2015).
4. This Traffic Management Plan applies to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited (HWSL); Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
5. The intended detailed HGV movement restrictions shall be as follows, unless otherwise agreed by Calne Town Council, such agreement not to be unreasonably withheld:
 - a. There will be only 2 points by which HGVs and other vehicles may access the Lower Compton site; namely the existing access point from the A4 along the C15 road at the south of the site adjacent to Lower Compton (referred to as the "Lower Compton access") and an access from the western side of the site from the Oxford Road roundabout at the Bug and Spider public house via Sandpit Lane (referred to as the "Western access").
 - b. HGVs approaching the Lower Compton and Sands Farm sites from the east along the A4 road will be expected to turn right onto the C15 road through Lower Compton and use the Lower Compton access.
 - c. HGVs approaching the Lower Compton site and Sands Farms from the south along the C50 road will be expected to turn right onto the A4, then left onto the C15 link road through Lower Compton and use the Lower Compton Access.

- d. HGVs approaching the Lower Compton and Sands Farm sites from the west along the A4 road will be expected to turn left onto the relief road, (A3102) at the roundabout junction with Greenacres Way, continue along the relief road to the roundabout junction with Oxford Road, then south to the roundabout adjacent to the Bug and Spider Public House and turn left onto Sandpit Road in order to access the Lower Compton and Sands Farm sites via the Western access.
- e. Use of the A3102 road from Mile Elm to the Silver Street junction with the A4 at the White Hart Public House and the use of Stockley Lane junction with the A4 is expressly prohibited to all HGVs intending to access the wider Lower Compton site from the outside of Calne.
- f. Vehicles collecting from or delivering to premises within the Calne town boundary will be permitted to travel around the town only and will be required to access the site when necessary via the nearest gate to their location at the time.
6. Traffic movement details through Calne will be provided by the Lower Compton site operators and monitored by Calne Town Council. In the event of a material breach of the Traffic Management Plan, appropriate action will be taken against drivers of the LGV found to be in breach by Hills, actioned against in a timely and effective manner.
7. Responsibility for the implementation of the Traffic Management Plan rests solely with Hills.



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Grid to National Grid
Projection OSTN15

0 100 200 300 400 500
Scale - metres

Key
 Application Area
 Land in Applicants Control

Brunel Surveys Ltd
 UNIT 10, SANDYBANK HUNDRED BISHOP PARK
 SANDYBANK, SANDRINGHAM, NORFOLK, NR33 5JZ
 TEL: 01753 784200 FAX: 01753 784204
 WEB: www.brunelsurveys.com
 EMAIL: enquiries@brunelsurveys.com

CLIENT
Hills

JOB TITLE
 Hills HGV Retail Road
 Location Plan

REVISIONS

SCALE A3 Sheet @ 1 to 10000
 DATE Aug 2017
 DRAWN BY PAH CHECKED BY PAH

DRAWING No. 18550 - 10000 - 001

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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	20 June 2018
Application Number	17/10554/WCM
Site Address	Calne Quarry, Abberd Lane, Calne, SN11 8TJ
Proposal	Retention and Change of use of Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.
Applicant	Hills Waste Solutions Ltd
Town/Parish Council	Calne Without / Cherhill
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	401358 171735
Type of application	County Matter
Case Officer	Jason Day

Reason for the application being considered by Committee

1. The Head of Development Management considers that this suite of applications should be considered by the committee as they involve matters of strategic significance that have previously been considered by the committee and that have raised matters of public interest that have been contested both at appeal and in the Courts.

Purpose of Report

2. The purpose of the report is to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that authority be delegated to the Head of Service for Development Management to grant conditional planning permission, subject to the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Report Summary

3. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
4. This reports considers the planning application made for Retention and Change of Use of a Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.

5. The key issues in considering the application are as follows:
 - Principle of the development.
 - Traffic and Transport Assessment
 - Air Quality Impact
 - Noise and Vibration Impact Assessment
 - Landscape and Visual Impact Assessment
 - Biodiversity Impact
6. To date, the application has generated a total of 163 letters of objection from individuals and none in support. This includes additional letters of objection that have been submitted in response to publicity of further environmental information provided as part of the determination process.
7. Calne Without Parish Council objects to the application. Calne Town Council supports the application, subject to provisos.

Background

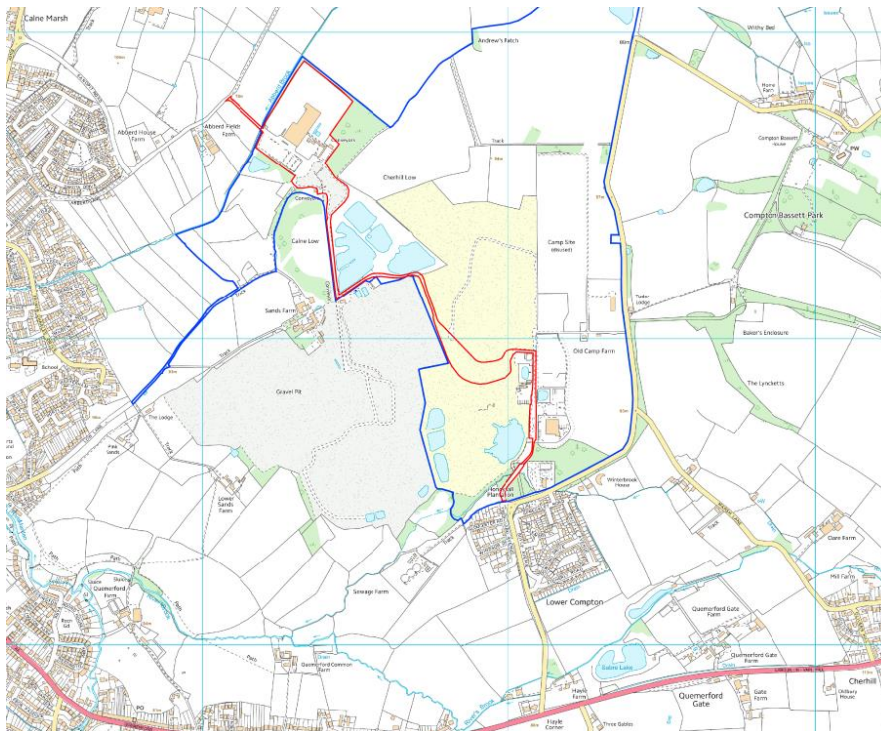
8. In October 2014, Hills Waste Solutions Ltd applied for permanent planning permission (application ref: 14/09744/WCM) to retain and extend the Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development. Existing temporary consent (first granted in 1997) expired on 31 December 2016. In June 2015 the Council's Strategic Planning Committee refused the application.
9. An appeal was made against the refusal to grant planning permission and was heard by an independent Planning Inspector by Public Inquiry. The Inquiry sat for 7 days in September 2016 and February and March 2018. The inspector allowed the appeal and granted planning permission on 12 June 2017.
10. Permission was granted to retain and extend the Materials Recycling Facility, including transfer activities for 119,000 tonnes of waste per annum. The approved development comprised three elements of waste management operations, with a proposed extension to the Lower Compton MRF building to accommodate them:-
 - A Materials Recycling Facility (MRF),
 - A Municipal Solid Waste (MSW) transfer operation; and
 - Green waste transfer;
11. A claim under section 288 of the Town and Country Planning Act 1990 challenging the decision of a planning inspector was made by Wiltshire Waste Alliance Ltd in July 2017.
12. The legal challenge created uncertainty regarding the deliverability of a Materials Recycling Facility that is required to implement Wiltshire Council's new household waste collection service starting on 30 July 2018 and consequently created the need for Hills Waste Solutions to bring forward other options.
13. Rather than take forward the extension to the existing MRF at Lower Compton, Hills Waste is proposing to install the equipment for the co-mingled MRF in the adjacent

former Concrete Products Factory at Sands Farm, Calne and create a link road to join the two sites. The Lower Compton MRF, at its existing size, would be used for the transfer of MSW and the transfer of Green waste.

14. When the plans for retaining and extending Lower Compton were being considered and applied for, the option of using the former Concrete Products Factory at Sands Farm was not available. The extended period of time that the Lower Compton proposals have been in the planning system has seen a number of changes and the acquisition by Hills of the Sands Farm Concrete Products Factory has allowed this option to come forward.
15. The legal challenge was heard in the Planning Court on 1-2 May 2018 and the judge found the challenge to succeed on two grounds. The Court has ordered that the decision of the planning inspector granting planning permission to retain and extend the MRF at Lower Compton shall be quashed and remitted back to the Secretary of State for redetermination.

Site Description

16. The application site comprises the decorative Concrete Products Factory building, weighbridge, stock yard and car park situated at Sands Farm Quarry. The main factory building is 9 metres in height with a raised central section to accommodate conveyor elements at 17.2 metres in height. The external material of the building is of profile steel cladding, with side elevations 'olive green' and roof 'moorland green' in colour. The building floor space is 7,533 square metres. The overall site area is 5.8 hectares.



17. The land to the immediate south of the factory is the site of mineral processing plant associated with the Sands Farm Quarry and Landfill, which extends southwards from the site and linked by conveyor to a quarry at Compton Bassett operated by Hills

Quarry Products Ltd. Land to the north and south west of the factory is in agricultural use. The land to the northeast is also agricultural and is allocated in the Wiltshire and Swindon Aggregate Minerals Site Allocations Plan for sand extraction.

18. The application site also includes the line of Sandpit Road which provides a connection between Oxford Road and Abberd Lane and which was purposely constructed to provide access to the Concrete Products Factory. The land to the west of Sandpit Road is occupied by a recent housing development. The land to the east of Sandpit Road is agricultural in use but some of this land and areas off Oxford Road, have received planning permission for housing development.

Planning History

19. The relevant planning history is summarised as follows:

N/88/1828 –	Application for the decorative concrete products factory and stock yard by E.C.C. Quarries Ltd. Permission granted 16 February 1989.
N/90/1721 –	Extension to the sand extraction operations with restoration back to agriculture by the importation of waste. Permission granted October 1992.
N/08/07016 –	Application for the extraction of sand followed by backfilling with clay to original ground levels and restoration to an orchard at Sands Farm for AIUK. Permission granted 5 June 2009.
N/10/03782/WCM –	Variation of condition 11 of N/88/1828 to allow moulding to be undertaken at the concrete products factory. Permission granted 22 December 2010.
N/10/03280/WCM -	Construction of conveyor to link Low Lane and Old Camp Farm mineral extraction to Sands Farm Quarry and retention of processing plant. Permission granted 17 November 2010.
N/12/03244/WCM -	Extension to condition 9 of N.88/1828 to retain concrete products factory to 30 November 2022 or cessation of the processing of sand whichever the sooner. Application was withdrawn March 2013 pending submission of a transport assessment.
N/13/01610/WCM -	Extension to Condition 9 of N.88/1828 (Resubmission of 12/03244/WCM) to retain concrete products factory to 30 November 2022 or cessation of the processing of sand as permitted under planning permission N/10/03280/WCM whichever is the sooner. Permission granted 2 May 2017.

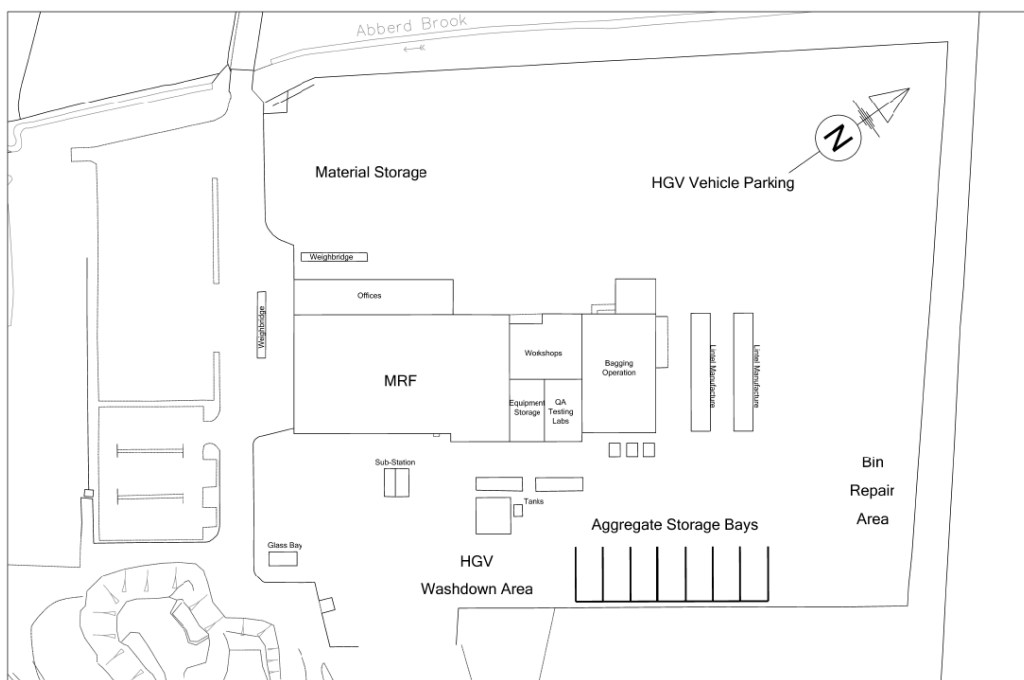
The Proposal

20. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way that it considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
21. The five applications comprise: -
 - i. HGV Relief Road - The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without using the A4 in the centre of Calne. (Ref No: 17/10550/WCM);
 - ii. **Retention and Change of Use of the Concrete Products factory to a mixed industrial, storage and waste management use. This development would use the HGV Relief Road. (Ref No: 17/10554/WCM);**
 - iii. Change of Use of the existing Lower Compton MRF only for waste transfer (not waste transfer and MRF as consented at Appeal) and to retain the building in its existing configuration, not to extend its size. This development would make use of the HGV Relief Road. (Ref No: 17/10557/WCM).
 - iv. Section 73 application to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042. This development would utilise the HGV Relief Road. (Ref No: 17/10539/WCM) and;
 - v. Section 73 application to extend the time period for restoration by landfill of the Low Lane site until August 2028. This development would utilise the HGV Relief Road. (Ref No: 17/10543/WCM).
22. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne.
23. This reports considers the planning application (ii) made for Retention and Change of Use of a Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.

24. The planning application seeks to retain the former Concrete Products Factory and use it for a number of mixed uses: -

Waste use – Co-mingled Materials Recycling Facility	Vehicle Depot and Workshop
Vehicle and Bin Wash Down	Relocate the Repair Academy
Aggregate Bagging Plant	Lintel Manufacture
Offices	Staff Welfare and Training
External Storage	Parking for vehicles
Material Testing Laboratory.	

25. No significant changes are proposed to the infrastructure that exists. The building and its associated offices are in the process of being renovated.



26. The Co-Mingled Materials Recycling Facility (MRF) will receive household generated recyclable materials from collections around Wiltshire. The kerbside collections in Wiltshire will generate 44,000 tonnes per annum for the MRF to process. The mixed collections will include paper, card, plastics, steel and aluminium cans. Glass will be collected separately.
27. A co-mingled MRF is a collection of plant and equipment that sorts and separates incoming materials. Collection vehicles would be unloaded within the building and all sorting will take place in the building, with the exception of the glass which will have a dedicated bay in the yard for its storage.

28. Material is loaded from there onto a conveyor system where workers remove any obvious non-recyclable elements as well as anything considered oversize for the process which could damage the equipment. Larger pieces of cardboard are then removed from the mixed material stream, pushed to the top by large sorting discs turning on axles, while heavier material stays beneath. Smaller sets of the disc may then remove smaller pieces of paper and cardboard. The materials are separated further using mechanical screens and optical separators. As materials are separated, they are diverted to separate conveyors for bulking and baling. Powerful magnets separate steel and tin containers, while an eddy current separator is used to draw aluminium cans and other non-ferrous metals from the remaining co-mingled material. Plastic containers may be sorted manually by workers on the conveyor line and additionally, optical sorters are used to identify different polymers and colours.
29. After sorting and separation into its component parts, the recovered materials will either be stored in the stock yard outside the building, or in the building as materials like card and paper could be impacted by the weather. When a sufficient amount has been accumulated it is bulked out of Sands Farm for further reprocessing. A small element (less than 10%) of non-recyclable materials is expected and this will be transferred directly to the Lower Compton site for disposal or energy recovery off site.
30. The co-mingled MRF will be initially established to manage 44,000 tonnes per annum of recyclable materials.
31. The Vehicle Depot and Workshop will service Hills HGVs. This is currently carried out at the Purton depot, which will continue to deal with vehicles based in the north of the County but vehicles based at Calne and elsewhere would no longer have to make an additional trip to Purton. Servicing, repairs and maintenance will be carried out. Additionally, new vehicles will be fitted with the appropriate reversing beepers and any extra specialist equipment required. The workshop will include all the appropriate equipment for managing heavy goods vehicles.
32. The Vehicle and Bin Washdown area will provide a high-pressure water system to keep all vehicles and containers in good order. Contained drainage with silt traps and interceptors will be included to ensure no off-site contamination occurs. Water re-circulation within the washing system will be utilised.
33. The Repair Academy will be relocated to the building. The project recycles and refurbishes white goods and furniture which is collected at the Household Recycling Centres in Wiltshire. It also provides training and work experience to young people, who either have educational needs, are unemployed or on probation. After repair, the items are sold on through a number of local charities. The Repair Academy will operate in a dedicated space within the building with engineers repairing white goods such as washing machines, alongside furniture repair and refurbishment. Currently they occupy part of the Porte Marsh Materials Recycling Facility building, but that use would cease when the co-mingled MRF is operational.

34. A Bagging Plant is used to create 25kg plastic bags of aggregate which can be sold direct to merchants. It will be located within the building with its products stored temporarily in the external yards. Aggregate bays to serve the plant will be external to the building. A loader will be used to fill the hopper of the bagging plant which then automatically drops precise amounts into plastic bags which are sealed as part of the process. It is estimated that the bagging plant will produce 15,000 tonnes per annum sourced from the existing production at adjoining quarries.
35. Lintel Manufacture is the forming of pre-stressed concrete beams for use in construction. Concrete from the Lower Compton concrete batching plant will be poured into moulds which include pre-stressed reinforcement. After approximately 18 hours curing the mould is released and the lintels stacked and stored until there is a sufficient quantity to be taken off site.
36. Offices, Staff Welfare and Training Facilities will be accommodated within the offices which already exist in the building.
37. A Material Testing Laboratory will be developed to keep in-house various elements of the verification of concrete products, sampling and analysis of the various aspects of the Hills business. This can include materials testing for the concrete, grading for the aggregates, as well as water and leachate analysis associated with the waste management business.
38. Parking for cars associated with employees at the SFF and for HGVs, which will primarily be associated with the collection of waste, will be provided. Those HGVs are currently located at the Lower Compton site. Parking of HGVs has been estimated at 30, but will fluctuate.
39. The mixed uses to be carried out at Sands Farm would bring together a number of existing operational and service elements of the Hills Group wider business interests which will effectively utilise an existing substantial building and be the driver in securing the HGV relief road which will take the related traffic from Calne Town Centre. The proposal would create an estimated 10 new jobs, as well as protecting over a hundred others.
40. The following hours of operation are proposed:-

Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> Monday to Friday Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day) The Saturday immediately following: <ul style="list-style-type: none"> - Good Friday - Easter Monday - May and August bank holidays - Any additional bank holidays issued in a given year The two consecutive Saturdays immediately following New Year's Day 	07:00 to 20:00*
	<ul style="list-style-type: none"> Saturday (except those listed above) 	07:00 to 13:00
	<ul style="list-style-type: none"> Sunday Christmas Day Boxing Day New Year's Day 	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> Saturday 	13:00 to 20:00
	<ul style="list-style-type: none"> Sunday 	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> Monday to Friday 	07:00 to 18:00
	<ul style="list-style-type: none"> Saturday 	08:00 to 13:00
	<ul style="list-style-type: none"> Sunday 	No operation
Internal link road	<ul style="list-style-type: none"> Monday to Sunday 	06:00 to 20:00*
<p>*usually work at the facility will be completed by 15:00, however on some occasions (for example special occasions or extreme bad weather), operation may continue to 20:00. Use of the link road on Sundays will be occasional only.</p>		

Environmental Impact Assessment

41. The application is accompanied by an Environmental Statement (ES) which reports the results of an Environmental Impact Assessment (EIA) undertaken of the proposed development, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
42. The scheme assessed by the Environmental Statement (ES) is subject of two planning applications: -
 - Retention and change of use of Concrete Products Factory to mixed employment, Industrial, Waste and Ancillary Uses' [application ref: 17/10554/WCM], and;
 - Application for an internal road linking the Sands Farm Facility to Lower Compton' - this will link the Facility at Sands Farm with the landfill site at Lower Compton [application ref: 17/10550/WCM].

43. The ES includes assessments of environmental effects relating to:
- Reasonable Alternatives studied
 - Landscape and Visual Impact Assessment
 - Noise and Vibration Impact Assessment
 - Traffic and Transport Assessment
 - Air Quality Impact
 - Biodiversity Impact*
44. *Based on the outcome from detailed ecological investigations, ecological impacts associated with the reuse of the Sands Farm buildings have been 'scoped out' from the ES. Instead, ecological Impacts associated with the reuse of the Sands Farm Facility are addressed in a non-EIA Ecological Impact Assessment submitted as part of the planning application documents.
45. Following a request from the Council, the applicant provided further information to extend the study area for the Transport Assessment of the ES to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.
46. A further version of the ES Traffic and Transport Assessment has also been proved to describe the environmental impacts in the case where a legal challenge against the previous permission (ref: 14/09744/WCM) granted on appeal in June 2017 was successful.

Statement of Community Involvement

47. The applicant provided details of consultations with key stakeholders and local community representatives on this alternative proposal to the development of a Material Recycling Facility (MRF) and Waste Transfer Station (WTS) at Lower Compton. A document has been produced setting out details of planning applications and illustrated on a pull-out site plan and map.
48. Groups consulted regarding the plans include members of the Calne Area Board, Calne Area Parish Forum, members of Calne Without / Cherhill / Compton Bassett Parish Councils, the Lower Compton Community Liaison Group and representatives of Wiltshire Waste Alliance. Presentations, site tours and meetings have been provided.

Planning Policy

49. The following Development Plan documents and policies have been considered for this planning application:

Wiltshire Core Strategy, January 2015

- Core Policy 8: Calne Community Area;
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape;
- Core Policy 55: Air Quality;
- Core Policy 60: Sustainable Transport;
- Core Policy 61: Transport and Development;
- Core Policy 62: Development impacts on the Transport Network;
- Core Policy 65: Movement of Goods

Calne Community Neighbourhood Plan 2016-2026 (Made February 2018).

- Policy GA2 – Highway Impact
- Policy WS1 – Employment
- Policy NE2 – Setting of Calne and Calne Without
- Policy NE3 – Biodiversity

Wiltshire and Swindon Waste Core Strategy 2009

- Policy WCS1: The Need for Additional Waste Management Capacity and Self Sufficiency
- Policy WCS2: Future Waste Site Locations
- Policy WCS3: Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility

Wiltshire and Swindon Waste Site Allocations Local Plan, February 2013

- Policy WSA1: Presumption in Favour of Sustainable Development

Wiltshire and Swindon Waste Development Control Policies DPD 2009

- Policy WDC1: Key criteria for ensuring sustainable waste management development
- Policy WDC2: Managing the impact of waste management
- Policy WDC7: Conserving Landscape Character
- Policy WDC8: Biodiversity and Geological Interest
- Policy WDC10: Restoration of Waste Management Sites
- Policy WDC11: Sustainable Transportation of Waste

National Planning Policy context.

50. The following documents are also material to the consideration of the planning application:

- The National Planning Policy Framework (March 2012)
- The National Planning Policy for Waste (October 2014)

Summary of consultation responses

51. The application has been the subject of three periods of consultation in response to initial and further submissions by the applicant. The following summary represents the position of consultees following the outcome and conclusion of the consultation exercises and is not intended to be a full detailed description of all comments submitted during each of the consultations undertaken.
52. **Calne Without Parish Council** – objects to this application on following grounds:

As a rural location, Sands Farm is not the right place for such a large industrial complex with a large number of associated HGV movements as it is remote from much of the County. This is in contravention of Wiltshire Council's adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles should be avoided.

The vehicle movements that would result from the proposals would give rise to unnecessary environmental damage and significantly impact the safety of road users and residents near the proposed HGV routes.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for the applicant who has an existing facility on the Hopton Industrial Estate in Devizes that is more sensibly located.

The proposed routing for HGVs would send an additional 118 HGV trips per working day, which could be as many as 236 movements allowing for return journeys. In either case this would result in an unacceptable number of HGV movements passing through the three villages of Sandy Lane, Derry Hill and Studley causing noise, air pollution, visual intrusion and severance of parts of the communities.

Much is made of the impact of reducing the HGV movements through the Air Quality Management Area (AQMA) in the centre of Calne. Air quality in Calne has been improving steadily in recent years, in fact, only two of the 7 sites monitored within the Calne AQMA still exceed the 40 µg/m³ limit for NO₂. Of the two sites exceeding the limit (Curzon St and New Road) the New Road site will experience reduced HGV traffic resulting from the applicant's plans to re-route their HGVs from the north and west. However, none of the three most polluted sites would receive any benefit by diverting the 118 HGV trips a day from the south as they currently do not use these roads. The only benefit of re-routing this traffic from the south would be to further reduce HGVs on London Road and Silver St which have not exceeded the NO₂ limit

The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Lane, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality

levels for 5 years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.

The Council supports the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton by removing 185 HGVs

The Council believes it is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.

53. **Calne Town Council** – resolved to consider the five applications together. The Town Council will support the applications subject to:

Appropriate conditions which require the creation, implementation and operation of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments.

Appropriate signage around the town to advise drivers of the approved routes to access and exit the sites (provided by way of a S106 agreement).

Appropriate conditions to manage the wheel washing and canopying of loads.

Financial contribution to the setup and delivery of an education programme to address road safety in local schools.

54. **Environment Agency** - no objection to the application, but request that an informative be added to any permission granted regarding the need for a permit to carry out any works associated with the access route crossing the Abberd Brook. Has reviewed the submitted Ecological Appraisal document and have no concerns regarding the ecological impacts of this development as long as the recommendations outlined in the report are adhered to.
55. **Natural England** – no objection. The site is immediately adjacent to the North Wessex Downs AONB and as such advises that national and local policies, together with local landscape expertise and information, are used to determine the proposal. Advise that the relevant AONB Partnership or Conservation Board be consulted.
56. **Historic England** – do not wish to offer any comments.
57. **North Wessex Downs AONB Partnership** – no comments received.
58. **Wiltshire Council Archaeology** – no comment.

59. **Wiltshire Council Highways Officer** – the additional information received in respect of a junction assessment for the A342/A4 junction, based on traffic counts undertaken in April 2018, indicate the junction operating at 21% of capacity with virtually no queuing. This would confirm that there would not be an instance of two HGVs queuing to turn right at the A342/A4 junction.

Whilst I have reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, I would have to accept the assessments by WYG of the capacity of the junction and potential for queuing HGVs. In this regard, and given the A342 is the local HGV route, I would not be able to substantiate an objection, as this route would be in accordance with the Wiltshire Freight Strategy. It should be noted, however, that WYG have not assessed the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads, but restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement.

Having regard to the change in the routing of vehicles from the current pattern, I would recommend that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement. There should also be consideration of some mechanism to secure alterations to the routing, such as a split usage of the A3102 and A342 routes, if the results of the monitoring indicate a safety issue, together with the provision of additional signage around the town, if required.

In the event that the applications are permitted, I would recommend that a legal agreement be required to secure the following:

- the routing arrangement for HGVs into and out of the Lower Compton and Sands Farm sites via the highway network
- the submission of regular vehicle logs to inform the origin, destination and route of HGVs
- the provision of the Hills Relief Road within the combined sites
- the provision of additional signage around the town to advise drivers of the approved routes to access and exit the sites, if required

I would also recommend the following conditions:-

1. The total tonnage of material delivered to the Materials Recycling Facility and Waste Transfer Facility shall not exceed (insert tonnage amounts for appropriate application) in any twelve month period.

2. A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

3. Operations, including vehicles entering and leaving the site as shown on drawing reference (insert drawing Numbers for appropriate application) shall be restricted to the following durations:

07:00 to 20:00 hours Monday to Friday

07:00 to 13:00 hours Saturday and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)

07:00 to 20:00 hours Saturdays following Bank Holidays

07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day

13:00 to 20:00 Saturday receipt of wastes from household waste recycling centres

07:00 to 18:00 Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

4. Prior to the use of the Hills Relief Road, the improvement of the site access road at Lower Compton and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented.

5. Prior to the commencement of the development, an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016) shall be submitted to and approved in writing for both the Lower Compton and Sands Farm sites. The access road shall be maintained at all times in accordance with the approved details.

6. Prior to the commencement of development, a Travel Plan/Statement shall be submitted and approved in writing, and shall be implemented within 3 months of the date of permission.

7. Prior to the commencement of development, a Construction Management Plan for the Hills Relief Road, shall be submitted and approved.

8. Prior to the commencement of development, an Operational Plan shall be submitted to, and approved in writing, and shall include details of the origins and destinations of HGVs, and the timings of leaving and arriving at each site.

Furthermore, I would recommend that suitably worded conditions be imposed relating to wheel wash facilities within the site, and for appropriate dust management, in order to ensure dust and detritus is not discharged out onto the highway network.

60. **Wiltshire Council Environmental Health Officer** – recommends that conditions be attached to any approval covering hours of operation to ensure there is no significant adverse impact on residential amenity.

61. **Wiltshire Council Ecologist** – A thorough ecological appraisal of this site has been undertaken by Johns Associates, which has identified all potential ecological impacts and set out mitigation measures to avoid harm to wildlife species during the necessary constructional changes and residual effects on local biodiversity. If this application were to be approved, I would request a condition to ensure that the mitigation recommended by Johns Associates is implemented within the development. On this basis I do not object to this proposal as an individual application.
62. **Wiltshire Council Landscape Officer** – no objections. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the above applications and forms part of the Environmental Statement. It has been prepared following current best practice methodology published by the Landscape Institute and IEMA, the 'Guidelines for Landscape and Visual Impact Assessment' 3rd Edition (2013).

The assessment has been undertaken with regard to relevant policies and guidance including

- NPPF & PPG
- Wiltshire and Swindon Waste Core Strategy Development Plan Document (July 2009)
- Wiltshire and Swindon, Waste Development Control Policies Development Plan Document (Sept 2009)
- Wiltshire and Swindon Waste Site Allocations Local Plan
- North Wiltshire Local Plan 2011
- LDF Wiltshire Core Strategy
- North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2009-2014

Baseline

For the purpose of the LVIA it is assumed that the baseline condition for the SFF is 'greenfield' because following the expiration of extant permissions the site is expected to be restored thus.

The assessment of effects is therefore theoretical, and is against the existing structures including the main building, associated hard stand, weighbridge, lighting and lagoons etc. It is noted that the SFF site is almost entirely enclosed by vegetation and that none of the structures appear above the height of the existing vegetation.

The baseline of the contextual setting of the proposals is described as 'a working landscape that is being progressively restored'. The site is not within a designated landscape but lies within the setting of North Wessex Downs Area of Outstanding Natural Beauty (AONB). The proposals are contained within a valley and 'behind the wire' with little physical or visual influence on the AONB or neighbouring landscape character areas.

Mitigation

The proposal makes use of existing infrastructure where possible. Retention of existing vegetation around the SFF provides screening. Reinstatement works, new native planting and ecological features provide adequate compensation and fit well into the long term restoration of the site.

SFF Landscape and Visual Impacts during construction & operation

The assessed effects of the construction of the SFF is a theoretical exercise however it is noted that there would not be any significant landscape or visual effects largely due to local topography and existing screening vegetation. There will be some partial residential views into the site during operation (at worst moderate to minor negative) however this should decrease as the mitigation planting develops. PROWs on the higher ground to the W, N & NE continue to overlook the site although it is well contained by existing vegetation. The proposed development is largely obscured in views from the AONB, considered to be at worst of negligible significance.

Cumulative effects

Cumulative landscape and visual effects have been assessed against proposed residential/commercial development at Calne and Freeth Farm ROMP. The permanent loss of green field sites to development will have a moderate to minor negative significance on local land use but overall cumulative effects are not judged to be significant on landscape receptors or the landscape character of the wider countryside. No significant cumulative or additional visual effects are predicted although proposed residential development may give rise to new receptors with minor negative significance.

63. **Wiltshire Council Rights of Way Officer** – no comments received.

Publicity

64. The application was publicised by Newspaper notice, Site notice, Neighbour notification, Publication to the Council's website and Weekly lists of applications, and notification to the Town and Parish Councils in the locality. As noted above, the application has been the subject of three separate periods of consultation in response to initial and further submissions by the applicant.
65. 163 objections have been received. The following is a summary of matters raised:
- All five applications should be put on hold until there has been a much broader investigation into the impact these applications have not only on those in the vicinity of Lower Compton and Sands Farm, but also neighbouring areas.
 - There is a need for some integrated planning, not piecemeal, not planning by creepage, to resolve the issues in Calne, taking into account the inadequate road infrastructure in Wiltshire, the impact on people and on property in the greater surrounds and not just the locality of the application(s). It is not acceptable to try and resolve one issue by simply moving it elsewhere.

- In combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.
- Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.
- Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.
- There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.
- There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.
- The town, its road system and the HGV route for North Wiltshire are not suitable for this scale of operations and a more suitable area should be chosen.
- Object to the rerouting of Hills HGV traffic from the the south of the county. The proposed route through the villages of Sandy Land, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for some years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.
- Support the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton
- It is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.
- A number of letters have been received following the same template as the objection submitted by Wiltshire Waste Alliance set out below.

66. **Wiltshire Waste Alliance (WWA)** – WWA was a main party involved in the planning appeal for application ref: 14/09744/WCM and brought the legal challenge against the decision of the planning inspector. WWA objects to the three applications referenced 17/10554/WCM [Retention and Change of Use of the Concrete Products factory], 17/10557/WCM [Change of Use of the existing Lower Compton MRF] and 17/10550/WCM [HGV Relief Road].

Consider that in combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.

Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.

Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.

There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.

The 17/10543 application states that sand extraction will be at a reduced rate due to low demand but that the landfill rate will remain unchanged. The reduced rate of extraction means that landfill will catch up with the available void volume such that landfill should be complete sooner than stated.

If permissions for activities such as the concrete plant operations are strictly time limited to the expiry of sand extraction (currently 2029) and the landfill restricted to 2030/31, then residents of Sand Pit Road and Derry Hill might at least look forwards to further reduction of HGV movements more acceptable than that proposed. This would leave Hills with a large permanent MRF facility for co-mingled waste; a white goods repair facility; and HGV overnight parking but would reduce the total HGV movements to more acceptable and sustainable levels.

67. **CPRE Wiltshire** – considers this proposal merely moves the problem of HGV traffic along the A4 through Calne or along the A3102 Silver Street, to Sand Pit Road and Oxford Road. This may avoid the HGV's going through the Calne AQMA, which is highly desirable in itself, but in a few years' time there could be up to 1,000 new households living on either side of both Sand Pit Road and Oxford Road and the same conflict between perceived, or real, traffic danger and a new area of air pollution affecting the households, will exist. The number of HGV's using the road from either a new MRF or the concrete plant, plus other subsidiary activities will amount to a figure of around 300 HGV's daily. Combine this with the commuter and daily traffic generated by the new estates plus Porte Marsh Industrial Estate and journeys to the new Tesco and it is clear that the proposal is simply re-creating what presently exists along the A4 at Quemerford down into the White Hart junction.
68. **North Wiltshire Friends of the Earth** - Object. Consider this a repeat of the previous application for the Compton Bassett site which was rejected earlier by the Council. In essence therefore the situation and considerations which pertained relating to this previous rejected application also apply to this present application, and should therefore predispose the Council to rejection of this present application. The essential difference is that the HGV movements, around 300 daily, will follow a different route of access. This new proposed access via Oxford Road and Sandpit Lane will place a huge inconvenience upon the residents of this area in terms of noise, air pollution and loss of general amenity. The use of the Compton Bassett site as currently proposed by Hills Waste was never a part of the current Wiltshire and Swindon Waste Core Strategy, and therefore has no legitimacy in planning terms. For it to succeed, therefore, this application must result in benefits to this section of the local community. There are no benefits that we can discern, only deterioration in their quality of life, and so the planning application clearly merits rejection.

Planning Considerations

69. 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.
70. The EIA Regulations require that before determining any EIA application, the local planning authority must take into consideration the information contained in the Environmental Statement (ES) (including any further information), any comments made by the consultation bodies, and any representations from members of the public about environmental issues.

Principle of development

71. This planning application for the 'Sands Farm Facility' comprises the retention and change of use of the existing large building and storage yards originally permitted as a Decorative Concrete Product Factory to a variety of industrial, manufacturing, storage and waste management uses.

72. The area to the east of Calne has a long history of sand workings commencing prior to the introduction of the modern planning system in 1948. Planning Permission for a Decorative Concrete Products Factory on part of the Sands Farm mineral site was granted in 1989. The life of this permission was 25 years, or the exhaustion of the companies adjoining sand resources. This permission also required the construction of an access road - now known as Sandpit Road – connecting Oxford Road and Abberd Lane for the purpose of ensuring that HGV traffic avoided the use of routes that involved travelling through the centre of Calne. Sandpit Road has subsequently been adopted as a public highway.
73. Mineral Planning Guidance in force at that time of that decision (MPG2, July 1988) advised that it was: *“usually desirable to require that buildings, plant and machinery needed in connection with minerals development are eventually removed, either for amenity reasons or as part of the reclamation of the site. However, removal can be a difficult and expensive operation and should be required only where justified when considered in relation to the benefits which would be obtained. Account should be taken for example of any possible subsequent use of the buildings or the need to preserve buildings of special interest. The removal of buildings, plant and machinery can be achieved by conditions requiring that they be removed within a specified period of when the development authorised by the permission has ceased”*.
74. The permission for the Concrete Products Factory and Stockyard was granted subject to a number of conditions. Planning Condition Number 9 required: *‘The building and products stock yard hereby permitted shall be removed, the use thereof shall be discontinued and the land reinstated to its former condition at or before the expiration of a 25 year period from the date of the granting of this permission or the exhaustion of the companies adjoining sand resources, whichever is the sooner’*.
75. The effect of this condition was to make the permission temporary, but for a period that tied in with the then estimated timescales for mineral working in the area – 25 years. Mineral extraction is a temporary use of land, although the length of time for some sites can extend to several decades.
76. Since then planning permission has been granted, in 1992, to extend the sand quarry and restore to agriculture by importation of waste over a 30-year period. Additional local sand reserves have been released through the grant of planning permission for land at Low Lane and Old Camp Farm. In 2010, planning permission (ref: N/10/03280/WCM) was granted to retain the Sands Farm processing plant, stockyard, silt management area, weighbridge and access route and allow these local reserves to be imported to Sands Farm by conveyor system and distributed to market via Sandpit Road. In May 2017, planning permission was granted to retain the factory building and stock yard until November 2022 or cessation of sand processing, whichever is the sooner.

77. Further changes in circumstances have occurred since the original grant of planning permission for the Concrete Products Factory, including the built development of Calne spreading towards the factory in the intervening years with planning permission granted for residential developments off Sandpit Road and Oxford Road, a waste management business west of Abberd Lane, employment buildings at Penn Hill Farm and the High Penn Solar Farm. The adopted Wiltshire and Swindon Minerals Site Allocations Local Plan allocates further land east of Calne for future mineral extraction, stating that access via Sandpit Lane rather than from Lower Compton would aid in reducing the need for associated HGV movements through Calne town centre.
78. The reason for the imposing Condition Number 9 is stated as:-
Reason: In the interests of the amenity of the area and to ensure the building hereby permitted is not used for inappropriate purposes.
79. This application seeks to retain this factory building and re-use it for a variety of industrial, manufacturing, storage (use classes B1, B2 & B8) and waste management purposes. Whether or not these proposed new purposes are 'appropriate' uses of the building are considered further in the following paragraphs.
80. In terms of the B2/B8 uses, the site falls outside of any defined settlement or established employment area and is within the open countryside. The application site is located on the site of an existing minerals operational area, which is due to be removed and the land restored (to agriculture) following the cessation of mineral workings in the local area.
81. In this context, the development proposals are not in accord with Wiltshire Core Strategy policies CP1, CP2 or CP8. The Core Strategy must however be read as a whole and it does make provision for development proposals of this nature to come forward on unallocated sites and outside of defined settlements under the provisions of Core Policy 34, subject to the criteria contained within that policy. The Core Strategy states that Wiltshire does not have land available in the right locations at the right time to meet business needs and Core Policy 34 therefore supports the delivery of opportunities for the provision of employment land that may come forward in addition to the employment plan which is allocated in the Core Strategy. As such and in broad terms the principle of development is potentially acceptable subject to compliance with the policy criteria and the other relevant policy provisions of the plan relating to site specific matters.
82. Criteria i – iv of Core Policy 34 set out a series of locational circumstances whereby proposals for employment development (use classes B1, B2 or B8) outside of the Principal settlements, Market Towns and Local Service Centres will be supported. In this context Criteria ii) & iii) are not applicable in this particular instance given the nature of the development proposed. Criteria i) allows for proposals where located adjacent to principal settlements, Market Towns (e.g. Calne) and Local service Centres and where they will seek to retain or expand businesses currently located within or adjacent the centres. This application seeks to retain the factory building located immediately east of Calne and re-use it for a variety of industrial,

manufacturing, storage (B1, B2 & B8) and waste management purposes. The development proposed is a relocation of various activities and processes which Hills Quarry Products and Hills Waste Solutions wish to consolidate from other sites in the locality (e.g. Lower Compton facility and Portemmarsh Industrial Estate), or wish to establish. Hills Waste Solutions is a family-owned waste management company and a subsidiary of The Hills Group Limited, a well-established privately owned company. Hills Waste has had a household waste collection contract within Wiltshire for a number of years. The development proposal is therefore in accord with this criterion.

83. Criterion iv) is also relevant and this requires that proposals be considered essential to the wider strategic interest of the economic development of Wiltshire as determined by the Council and subject to assessment against five further criteria. In this context the applicant has set out in the application how the development includes a strategic co-mingled MRF, the need for which has already been recognised through the grant of the permission for it at Lower Compton to be an essential element of managing Wiltshire's waste. Hills Waste Solutions hold new contracts for the collection and management of waste for Wiltshire Council and the co-mingled MRF is required to be operational by 30 July 2018; the date Wiltshire Council has set for implementing the new collections across the County. The application seeks to retain what is a considerable amount of developed land/hardstanding which has been an employment site in Calne and redevelop it for similar but alternative use by a local business providing stable employment. It presents the opportunity for a local company to consolidate, expand and also retain a number of activities all of which provide employment. As such it is considered that there are economic benefits arising from the scheme proposals. In addition, the retention of the building avoids a difficult and expensive demolition and site clearance operation.
84. Whilst the residential area of Calne on its north-east side has expanded since the Factory was first granted planning permission, the recently consented houses are still over 400m from the site. The presence of the factory, mineral workings and landfill and associated traffic using Sandpit Road was taken into consideration when deciding that residential development would be appropriate at this location. The LVIA chapter of the ES notes that Factory site is almost entirely enclosed by vegetation and that none of the structures appear above the height of the existing vegetation. The development is supported by adequate infrastructure, which with the provision of the Hills HGV Relief Road (application (i) ref: 17/10550/WCM) effectively bypassing the centre of Calne would reduce pressure on existing infrastructure.
85. It is considered that the criteria of Core Policy 34 are in this instance addressed and the retention of this factory building and its re-use for a variety of industrial, manufacturing, storage uses is appropriate and acceptable.

86. Further support for the proposals can be found in the Calne Community Neighbourhood Plan (made February 2018), which, at Policy WS1 states: *"...Proposals for the retention, regeneration and intensification of previously developed employment land are particularly encouraged"*.
87. In terms of waste management uses, the Sands Farm site is not included in the framework of sites listed in the current Waste Site Allocations Local Plan considered to represent the best and most deliverable options for meeting waste management capacity requirements across Wiltshire and Swindon. The Local Plan does however state that proposals for waste management development on sites not included within the Plan will still be considered on their own merits, if they demonstrate that they are in keeping with national policy and the policies of the development plan (policy WSA1). Policy WCS3 of the Waste Core Strategy also states that sites not contained in the Waste Site Allocations Local Plan will be considered in order to provide flexibility if they can be demonstrated by the applicant to be in accordance with all relevant provisions of the Strategy, objectives and policies of Waste Development Plan Documents.
88. Policy WCS3 states that unallocated strategic sites must be supported by an independent Sustainability Appraisal / Strategic Environmental Assessment report (SA/SEA) and other relevant assessments, in order to justify consideration as exceptions to the Strategy and site selection methodology. As part of the SA/SEA report full consideration is expected of suitable alternative sites, especially of those contained in the Waste Site Allocations Local Plan. However, as advised in current Planning Practice Guidance, SA and SEA are tools used at the plan-making stage. In contrast Environmental Impact Assessment is applied to individual projects / planning applications. Nevertheless, the purpose and intention of Policy WCS3 is to deal with situations where changes, for example, in technology or land ownership that occur over a short period of time and provide opportunity that was not anticipated in the production of the Waste Site Allocations Local Plan. It is this latter scenario which applies to the recent availability of the Sands Farm Facility for a waste management use.
89. It is worth noting at this point, that the Sands Farm Quarry and Landfill site was previously identified as a 'Preferred Area for Strategic Waste Management' in the Wiltshire and Swindon Waste Local Plan 2011 (adopted March 2005). The site was considered to have potential for strategic recycling / materials recovery facility / waste transfer station. Access to the site was considered to be good and with links to the then new northern Calne relief road there was considered to be potential to minimise journeys through Calne. No proposals were brought forward during that plan period, and whilst the site was one of those appraised for inclusion in the current Waste Site Allocations Local Plan, it was not included in the adopted plan following consultation that included landowners. The acquisition of the Sands Farm facility in late 2016 by Hills has allowed this scheme presented as part of a suite of five applications to come forward.

90. Following a request for further information, the applicant has provided additional information, which together with the original submission, demonstrates the proposed development is in accordance with the relevant provisions of the Strategy, objectives and policies of Waste Development Plan Documents. With regard to Policy WCS1 (the Need for Additional Waste Capacity and Self Sufficiency) of the Waste Core Strategy, it is explained that the application seeks to provide an alternative location for a waste stream that has already been assessed and approved as in need of a permanent facility to manage it. Additionally, the time constraints in providing the MRF at a new build facility can be addressed by using this existing Sands Farm building, ensuring a continuity of service for collection of recyclable materials. Policy WCS2 (Future Waste Site Locations) of the Waste Core Strategy directs strategic waste management facilities to be within 16km of the strategic towns of Wiltshire. The application site at Calne, which is for a MRF on a strategic scale, meets those criteria as it is within 16km of Chippenham.
91. Planning application ref: 14/09744/WCM was approved by an independent Planning Inspector on 12 June 2017 following a planning appeal public inquiry. Whilst this planning permission has subsequently been quashed and remitted back to the Secretary of State for redetermination, the challenge succeeded on grounds relating to the interpretation of planning consent for one part of the Lower Compton site and therefore a need to reconsider the adequacy of the ES in this regard. The inspector's conclusions on the planning need for the development, part of which is now subject of this application, was not challenged.
92. The proposed development would, as the previous Lower Compton proposal, provide a total of 44,000tpa of waste treatment and recycling capacity, receiving, sorting, bulking and exporting collected recyclable materials sourced from municipal waste arisings in Wiltshire. As noted in the determination of planning application 14/09744/WCM, Policy WCS3 of the Waste Core Strategy identifies the need for a MRF for the management of Wiltshire's municipal waste. This is based on a comparison against the estimated operational capacities of existing waste management facilities across the plan area.
93. Policy WCS3 (Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility) sets out preferred locations for each type of waste management facility. The preferred locations for 'Materials Recovery Facilities' are either: Industrial Land / Employment Allocations or Site Allocations and Current Waste Management Facilities. The Sands Farm site comprises industrial land and is located within an area of current and former minerals, landfill and waste management operations and can therefore be said to meet the criteria of Policy WCS3 as a preferred location for a Materials Recycling Facility. It is also land which has and continues to offer employment uses.

94. Whilst Sands Farm is not a site that has been identified by the Waste Site Allocations Local Plan as suitable for new or enhanced waste management facilities, it does provide an opportunity that was not anticipated in the production of the current plan. Rather than pursue development of the Lower Compton site (which is an allocated site), this development would utilise an existing building on an adjacent piece of land. The proposed facilities would help implement the waste core strategy and should not be lost simply because it has not been identified in the current local plan (as noted above; the site was identified in the previous local plan). The proposals are consistent with national planning policy for waste and the Council's waste core strategy and so can be considered favourably in this respect.
95. On balance, it is considered the proposed development is in principle compliant with the land use provisions of the Wiltshire Core Strategy and Waste Core Strategy

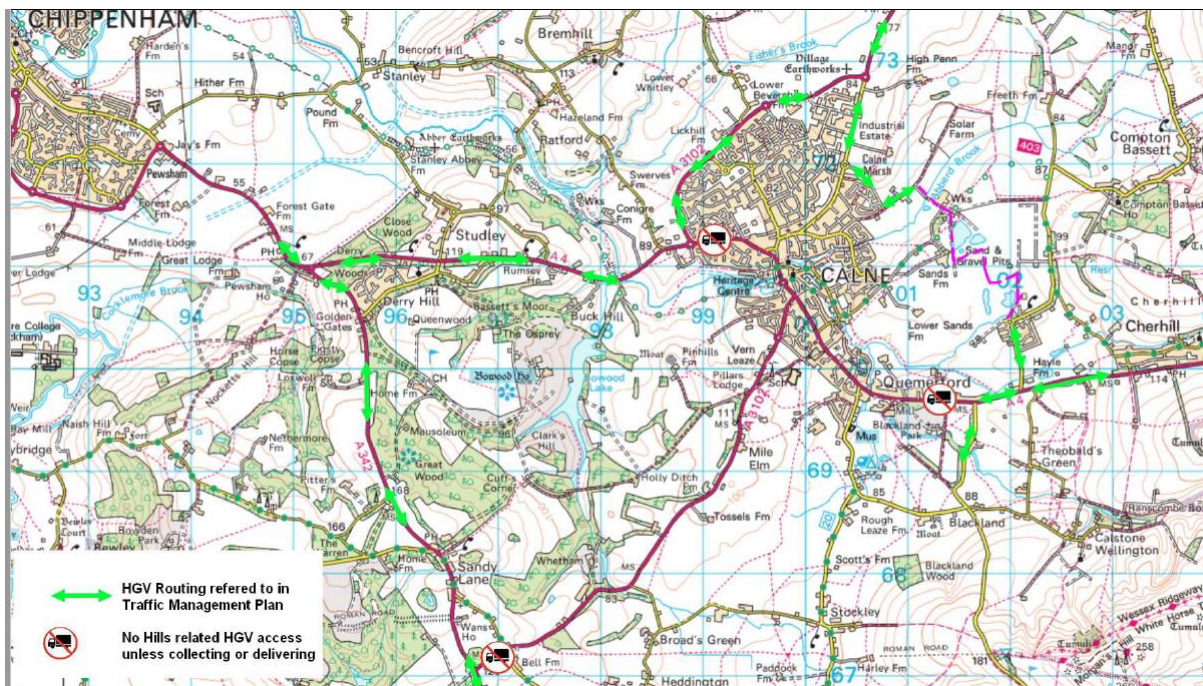
Traffic and Transport

96. The ES includes a Traffic & Transport Chapter (EIA T&TC) which considers the transport issues associated with the development proposals for both the 'Sands Farm Facility' and the 'Hills Relief Road' (application ref 17/10550/WCM). The chapter assesses the potential environmental impacts that could result from the changes in transport and traffic conditions due to the development proposals, with the details behind those findings set out in a Transport Statement.
97. Consultation and publicity of the originally submitted application and ES, received objections from the Local Highway Authority, Calne Without Parish Council and others regarding the omission of any assessment of the capacity or safety of the junction of the A342 and the A4 at Derry Hill, through which HGVs would travel instead of entering the Calne AQMA.
98. Following a request from the Council, the applicant provided a 'version 2' of the EIA T&TC to extend the study area to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.
99. A 'version 3' of the EIA T&TC was also provided (EIA T&TC V3) to describe the environmental impacts in the case where the Section 288 legal challenge against the previous permission granted on appeal following the 2016 Public Inquiry was successful. It also reflects a lower forecast of future landfill processing tonnage. The original EIA T&TC and EIA T&TC version 2 were produced on the pretext that the development to retain and extend the existing Lower Compton Materials Recycling Facility (MRF), including waste transfer activities already enjoyed approval through that Inquiry decision and consequently, that the traffic associated with the uses which were so approved, could be regarded as forming the baseline situation. As a result of the successful S288 challenge, these existing uses on site can no longer be regarded as authorised and consequently cannot be included as part of a baseline. The new baseline position is lower as a result. Reducing the baseline position increases the development impacts. The assessment of the application therefore

takes account of EIA T&TC V3, together with the additional information in respect of right-turning at the A342/A4 junction.

Development Proposals

100. The proposed link road through the site (application ref: 17/10550/WCM), if approved, would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new routings would be available not just for the proposed uses at the Sands Farm facility but for all uses on site with the exception of the household waste recycling facility at Lower Compton. For the household recycling centre, members of the public would continue to use the Lower Compton access to deposit their waste.
101. The development proposals result in new routing options for site HGVs. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.
102. The Traffic Management Plan (TMP) would apply to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited; Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.

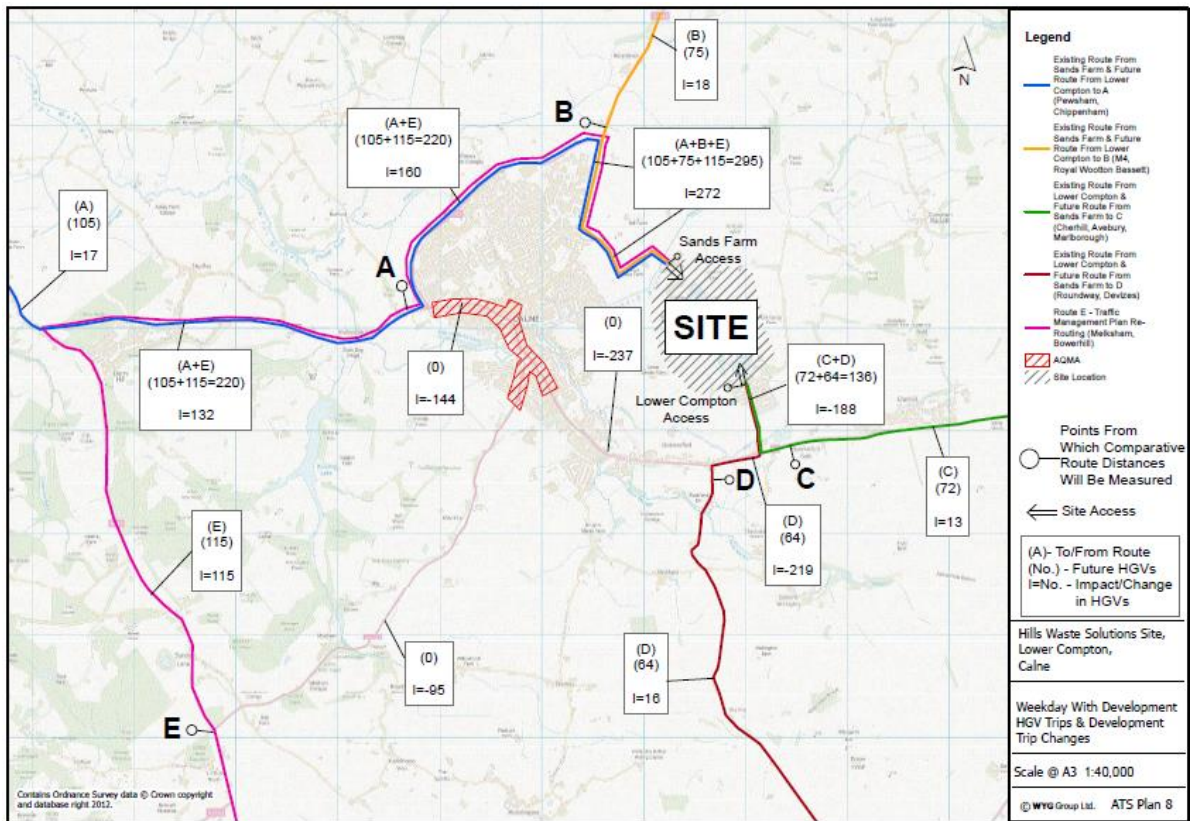


103. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford Road and Sand Pit Road to the Sands Farm access to the site. These vehicles will now exclusively use the Sands Farm Access and route via Oxford Road and the A3102 before turning west along the A4 and continuing towards Melksham via Derry Hill.
104. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
105. The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county, with the proposed route through the villages of Sandy Lane, Derry Hill and Studley considered to be a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The Parish Council considers that the air quality improvements to Calne town centre of diverting traffic from the north and west along with the shorter travel distances give sufficient benefits to warrant supporting this part of the proposals. However, it considers the air quality benefits in Calne of rerouting Hills HGVs from the south as negligible and is far outweighed by the significant safety risks of diverting traffic through potentially dangerous parts of the proposed route. Other representations from members of the public have also expressed concerns about the impact on rerouteing HGVs via Sandpit Road and Derry Hill.
106. The principle of the TMP is considered acceptable by the Highways Authority. The Highways officer advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre and that there are advantages and disadvantages in respect of the existing routing via the A342/A3102 and of the proposed routing via the A342/A4. The retention of the existing routing through the A342/A3102 would result in additional vehicles passing through the AQMA, but would reduce the HGV mileage generated by the facilities. Whereas adopting a new routing arrangement via the A342/A4 would increase the mileage travelled and the use of the A342 route and its junction with the A4, which is not currently used. However, it would reduce the impact on the AQMA.
107. Policy WDC2 (managing the impact of waste development) of the Waste Development Control Policies DPD states that proposals for waste management development will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigates against, or compensates for significant adverse impacts relating, among other things, to the transportation of waste. Policy WDC11 (sustainable transportation of waste) states that waste management development will be permitted where it is demonstrated that the proposals facilitate sustainable transport, and where appropriate planning applications will need to be accompanied by a Transport Assessment.

108. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.

Overall Impacts of Proposals

109. The ES includes a Traffic & Transport Chapter (EIA T&TC V3) which considers the transport issues associated with the development proposals for both the ‘Hills Relief Road’ and the ‘Sands Farm Facility’, with the details behind those findings set out in a Transport Statement.
110. The ‘with development’ scenario considered within EIA T&TC V3 generates a total of 431 site HGV trips per day. Compared to the ‘version 3’ baseline position of 347 site HGV trips per day, the development proposals will result in a net increase of 84 site HGV trips per day.
111. These HGV trips would be split across the routes to the site meaning the proposals would result in 272 more HGV trips per day experienced along Sand Pit Road and Oxford Road, 160 more HGV trips per day on the A3102 (Calne Bypass) and an additional 115 HGV trips per day along the A342.
112. The proposals would result in 144 fewer HGVs per day experienced through the AQMA, and 188 fewer trips per weekday on the C15. 95 HGV trips per day would be removed from the A3102 to the south and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA.
113. The plan reproduced below, ATS Plan 8, illustrates the total “With Development” HGV trips and then also presents the calculation of trip difference between “With Development” and baseline which is illustrated as “I” = impact.

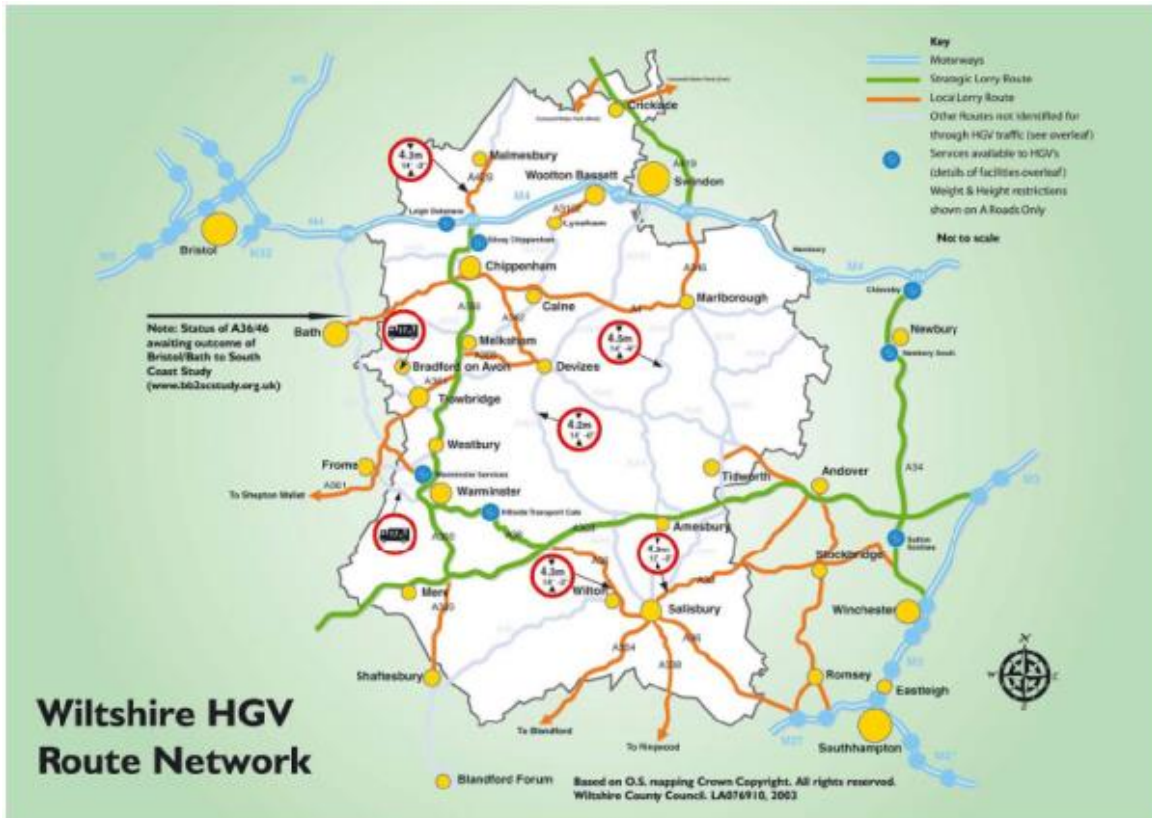


A larger version of plan can be found at Appendix 2.

Impact on A342 junction with the A4

114. Whilst this route is not currently used, there are no legal restrictions on the Hills business (or any other road user) which would prevent it from being used. Against this legal baseline scenario, there would be no impact.
115. To address the Highway Authority's comments however, additional data and assessments have been provided. These demonstrate that the junction is operating at 21% of capacity and the proposed use of the junction by Hills HGVs would not create any material capacity or safety issues. The junction is wide and built to modern standards with a dedicated right turn lane, adequate visibility, street lighting, wide verges etc. The approach to the junction from the east has a speed limit reduction to 40mph, reinforced with road signs and painted road markings. The addition of 115 HGVs per day along the A4 and on the A342 has been assessed as having imperceptible impact upon highway capacity and performance.
116. Whilst adopting the new routing arrangement would increase the total distance travelled by site HGVs per day, this increase in traffic would be experienced along less environmentally sensitive and less populated road links, with high capacities. It diverts traffic away from the Calne AQMA, away from the town centre and away from the A3102 which has a worse accident record. In comparison to the existing routes, the A342 and A4 have less populated road frontages. The extra distance from Melksham to Calne via Derry Hill rather than Mile Elm is just over 1 mile.

117. Whilst the Highways officer has reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, the officer accepts the assessments of the capacity of the junction and potential for queuing HGVs and given the A342 is the local HGV route, advises an objection could not be substantiated, as this route would be in accordance with the Wiltshire Freight Strategy.



118. The Highways officer has highlighted that the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads has not been assessed, and suggests restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement. This is not however considered practical, as the origin or destination of the related vehicles changes daily and fluctuates with customer requirements, and the imposition of such a restriction would not satisfy the 6 tests for planning conditions advised in Planning Practice Guidance, particularly as this is a local lorry route.

119. However, having regard to the change in the routing of vehicles from the current pattern, the Highways officer recommendation that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement is considered reasonable to ensure that the routing controls proposed in the TMP are generally complied with.

120. The submitted TMP suggests that any changes to the routing should be agreed with the Calne Town Council. However, in terms of monitoring and enforcement, this responsibility would rest with the Planning Authority - Wiltshire Council, and this correction will need to be made to the TMP in the final version of the legal agreement.

Impact on Sandpit Road

121. With respect to the concerns expressed over increased traffic along Sand Pit Road, it is recognised that the rerouting proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road.
122. Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and continues to serve another waste management facility situated off Abberd Lane. Whilst the concrete products factory ceased production in 2008, sand worked from surrounding mineral reserve blocks (Low Lane and Old Camp Farm) continues to be processed through the quarry processing plant and dispatched via Sandpit Road. This generates 23 HGV trips across the course of a working day.
123. It is worth noting that Sandpit Road was constructed by Aggregate Industries for the purpose of ensuring that HGV traffic associated with the Concrete Products Factory avoided the use of routes that would involve travelling through the centre of Calne. The original estimated movements for the Concrete Products Factory were 120 per day.
124. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.
125. In terms of operational impacts, junctions on Sand Pit Road, Oxford Road and the A3102 which will experience intensification have been tested and have been found to operate within capacity. All other effects experienced (severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accidents and safety), are assessed to be a 'Not Significant' impact.

Impact on Calne town centre

126. The link road through the site will enable vehicles from the Lower Compton site to access and egress at the Sands Farm facility. Similarly, the Sands Farm quarry traffic from the east and south east will be able to use the Lower Compton access rather than travel along the A4 and through AQMA as they do at present. The link road would join the two sites, thereby allowing traffic to effectively bypass Calne town centre.

127. The development proposals would result in 144 fewer HGVs per day experienced through the AQMA, 95 fewer HGVs per day would travel along the A3102 and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA.
128. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.

Conclusion on transport and traffic

129. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments.
130. On balance, it is considered the positive benefits to Calne town centre and its AQMA, particularly in the context of Development Plan policies that call for an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, outweigh any negative impacts from re-routeing HGVs along the A4 via Derry Hill.

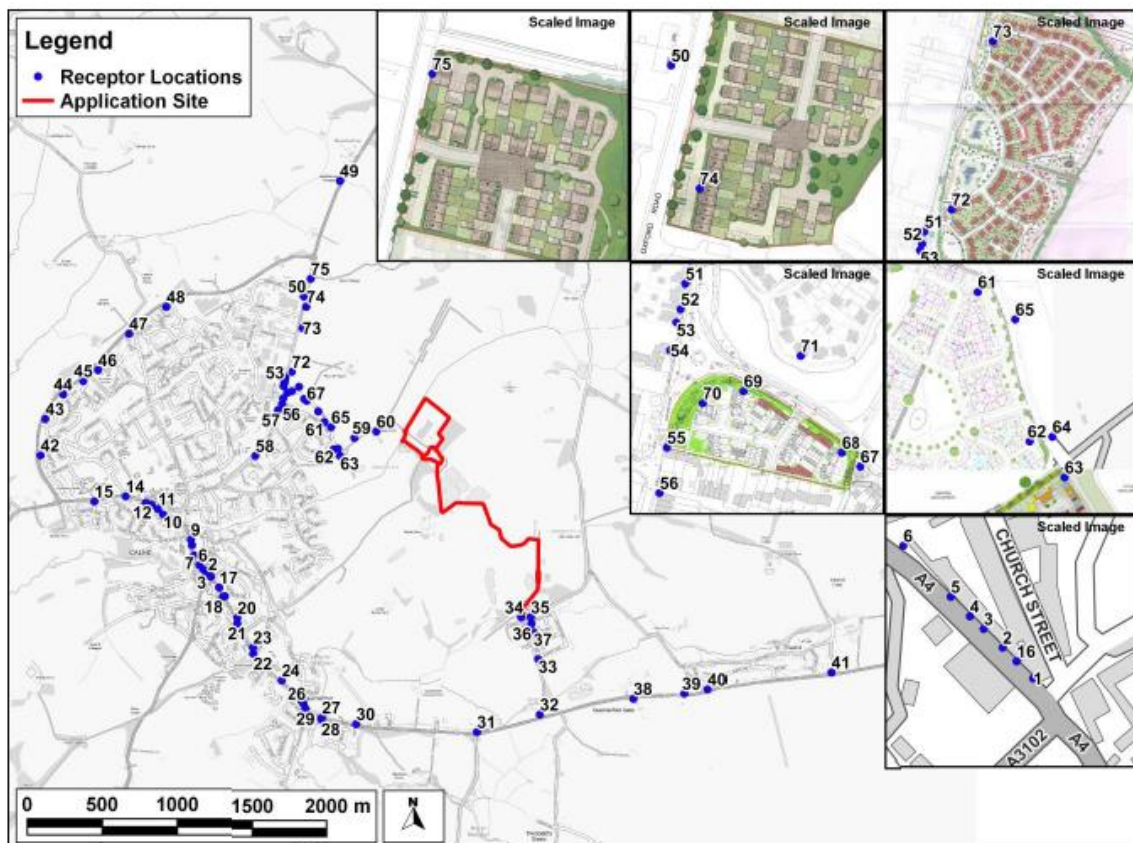
Other highway matters

131. The application notes that as part of the MRF Appeal (14/09744/WCM), improvements to the Lower Compton access road were agreed including additional width, a pedestrian access and a maintenance programme. It is stated that these will be implemented as part of the relief road development if not already completed under the MRF consent. These have not been so completed and so conditions are proposed below to secure these matters. Likewise, a condition to secure an update of the travel plan is included.
132. With respect to the matters on which Calne Town Council has caveated its support for the proposals, conditions that require the provision of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments are considered appropriate and can be secured by planning condition and the Section 106 planning obligation respectively. Conditions are also listed below covering matters such as the provision of wheel washing facilities and site signage. A financial contribution towards a road safety education programme in local schools cannot be secured as it would not meet the statutory or policy tests for planning obligations.

Air Quality

133. The ES includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals for both the Sands Farm Facility' and the 'Hills Relief Road' and the '(application ref: 17/1055/WCM). This notes that existing air quality conditions in Calne are poor along the A4 and Wiltshire Council has declared an Air Quality Management Area (AQMA) covering part of the A4 in Calne where exceedances of a national air quality [annual mean nitrogen dioxide] objective are measured. The main source of pollution in Calne is emissions from road traffic.
134. Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The Calne Community Area Air Quality Action Plan 2018/19 was prepared in April 2018.
135. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.
136. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to air quality and climate change.
137. The operational impacts of re-routing HGVs, due to the development, have been assessed. Concentrations have been modelled for 75 worst-case receptors, representing existing properties where impacts are expected to be greatest.

Plan showing Receptor Locations:



138. The assessment has demonstrated that the changes in concentrations of fine particulate matter (PM10 and PM2.5) at relevant locations, relative to the objectives, will improve by 1% (when rounded) at two of the receptors and be 0% at all of the other receptors and the impacts will all be negligible.
139. In the case of nitrogen dioxide (NO2), the concentrations are predicted to improve by 1-4% at 37 of the receptors, show no change (when rounded) at 18 of the receptors and worsen by 1-2% at seven of the receptors.
140. The receptors showing a worsening in concentrations are those experiencing an increase in HGV flows i.e. Sand Pit Road, Oxford Road (between Sand Pit Road and its junction with the A3102), and on the A3102 (between Oxford Road and the A4). Because current concentrations are well below objectives, this worsening does not translate to an adverse impact. The impacts will therefore be negligible at 66 of the receptors, slight beneficial at two of the receptors, moderate beneficial at one of the receptors and substantial beneficial at six of the receptors.
141. The substantial beneficial impacts are all observed at the receptors (1, 2, 3, 4, 5 and 16) which are currently over the air quality objective, within the AQMA.

142. Concentrations have also been modelled for 20 worst-case receptors along the A4 and A342 that could be affected by the proposed re-routing of HGVs going to and coming from Sands Farm. The assessment has demonstrated that the changes in concentrations of PM10 and PM2.5, relative to the objectives, will be 0% at all of the receptors and the impacts will all be negligible. In the case of nitrogen dioxide, the concentrations are predicted to worsen by 1% at four of the receptors and will be 0% at the other 16 receptors. However, the impacts will negligible at all of the receptors, as the concentrations are well below the objective.
143. The overall operational air quality effects of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the impacts all being either beneficial or negligible. Furthermore, all of the beneficial impacts are within the AQMA, in particular at the areas of exceedance and the main locations of concern. This is because the scheme is essentially re-routing HGVs away from the areas of exceedance.
144. The assessment has demonstrated that the additional traffic generated by the proposed scheme would be 'not significant' but that there are substantial beneficial impacts within the AQMA, where receptors are closest to the carriageway. It is considered the proposed development scheme does not conflict with the requirements of Core Policies 8 and 55 of the Wiltshire Core Strategy, nor Policies WDC1 and WDC2 of the Swindon Waste Development Policies DPD. Additionally, it positively contributes to the Air Quality Action Plan and contributes to elements of the Air Quality Strategy for Wiltshire and Calne Community Area Air Quality Action Plan.

Noise and Vibration

145. The ES includes a noise and vibration assessment relating to both the Sands Farm Facility' and the 'Hills Relief Road' and the '(application ref: 17/1055/WCM). Noise predictions were undertaken of the operation of the Sands Farm Facility and internal link road, including the effect of increased HGV traffic on Sandpit Road.
146. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to noise and light emissions and vibration.
147. The assessment summarises the noise generating activities associated with the proposed development as follows:
- Industrial activity within the building, resulting from MRF, sand bagging etc,
 - Wheeled loader movements between the material storage area, aggregate storage area, and facility building,
 - HGVs manoeuvring into the parking area,
 - HGV movements on the link road,
 - Increased number of HGV movements on Sandpit Road.

148. It is noted that the area around the proposed development site is within a rural setting, with agricultural land, landfill operations (operational and closed) and the existing sand quarry surrounding the majority of the site.
149. The predicted noise levels resulting from site operation have been assessed using the relevant methodology and it demonstrated that under normal operation of the site, the impacts at sensitive receptors would be of 'very low' adverse impact of 'negligible' significance of effect at the majority of receptors. For the remaining receptors, the impacts were of 'low' adverse impact of 'minor' significance. During exceptional circumstances of operation (for example, if the MRF and link road are operated outside of the normal operating hours to account for backlogs due to bad weather etc) the impacts were assessed to remain of 'very low' adverse impact resulting in a negligible significance of effect at the majority of receptors. For the remaining receptors the impacts were of 'medium' adverse impact, of 'moderate' significance. It is noted in the noise assessment that the predicted levels and assessment is based on maximum operation of all uses to provide a worst-case assessment. At times, the effect therefore has the potential to be lower.
150. The assessment also notes that sound from both existing and previous operations at the site (including quarrying and sand processing), and the recycling facility at Lower Compton already form part of the sound climate in the vicinity of the site, and the character of the sound generated by the proposed operations are consistent with this.
151. The assessment recognises that existing receptors at Abberd Fields Farm and Houses on Sandpit Road may be exposed to an increase in HGV traffic noise as a result of the increase in HGV traffic on Sandpit Road. The assessment found the increase in HGV flow on Sandpit Lane is expected to increase the basic noise level by 2.4 dB, which would be classed as a 'low' adverse impact of 'minor' significance. However, the assessment notes that HGV traffic currently uses Sand Pit Road to and from the site, and the typical maximum sound levels generated by the road, and the acoustic character of the sound generated by the road would not change.
152. As noted above, Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and also another waste management facility off Abberd Lane. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.

153. With regard to vibration, traffic vibration can be a source of disturbance to residents living close to roads. Ground borne vibration arises from the various forces generated between tyre and road. Heavy vehicles such as buses and lorries mainly cause this type of vibration. However, there are already a number of HGV movements passing the properties on Sand Pit Road and the assessment considers that there will be insignificant vibration impacts due to additional HGV movements.
154. The Environmental Health Officer raises no objection, subject to imposition of conditions attached to any permission to ensure there is no significant adverse impact on residential amenity: Suitable conditions relating to hours of operation are included in the schedule below. It is therefore considered that these potential impacts have been satisfactorily considered in line with the requirements of Waste Development Control Policies WDC1 and WDC2.

Landscape and Visual Impact

155. Whilst the application site lies outside of any designated landscape area, the North Wessex Downs Area of Outstanding Natural Beauty (NWDONB) lies to the east of the C15 road corridor, to the east of the application site. Similarly, Compton Bassett Park is located to the east of the C15 and the application site.
156. Core Policy 51 of the Wiltshire Core Strategy requires that landscape character is protected, conserved and enhanced and where there is potential for landscape character harm, negative effects must be mitigated through sensitive design.
157. Policy WDC7 (Conserving Landscape Character) of the Waste Development Control Policies DPD requires that proposals for waste management development include an assessment of the adverse impacts upon Wiltshire and Swindon's landscape character and the landscape character of adjacent areas, as deemed appropriate to the scale and nature of the development, and in particular in relation to the following designated areas: ...*The North Wessex Downs Area of Outstanding Natural Beauty*. It is stated that proposals for waste management development should include appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape.
158. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the applications and forms part of the ES for both the retention and change of use of the existing Sands Farm building and the proposed HGV Relief Road.
159. In relation to the Sands Farm building, the LVIA notes that the application site forms a small part of the wider landscape setting to the NWDONB and Compton Bassett Park, but this landscape setting is currently also formed by the combination of disturbed, working and restored landscapes associated with former and current minerals, landfill and waste management operations associated with the Lower Compton and Sands Farm sites. Furthermore, given the location of the Factory site within a valley landscape, it is generally set below the visual horizon of most views from the AONB and Compton Bassett Park.

160. The assessed effects of the construction of the Sands Farm Facility is a theoretical exercise (the Factory site is returned to greenfield and then re-introduced) however it is noted that there would not be any significant landscape or visual effects largely due to local topography and existing screening vegetation. Since the building and surrounding hardstandings already exist, the landscape and visual effects would therefore be similar to the existing condition. The Factory site is surrounded by mature tree belts, woodland and other vegetation. There will be some partial residential views into the site during operation (at worst moderate to minor negative) however this should decrease as the mitigation planting develops. Public Rights of Way on the higher ground to the West, North & North East continue to overlook the site although it is well contained by existing vegetation. The proposed development is largely obscured in views from the AONB, considered to be at worst of negligible significance.
161. The Council's Landscape Officer is satisfied that the LVIA has been prepared following current best practice methodology and raises no objections.
162. To conclude, the application includes a LVIA which satisfactorily assesses the likely impacts of the development on landscape character in accord with Policy WDC7 of the Waste Development Control Policies DPD and Core Policy 51 of the Wiltshire Core Strategy.

Biodiversity

163. Policy WDC8 of the Waste Development Control Policies DPD requires developers to undertake an assessment of the potential effects of the development on areas of biodiversity and/or geological interest, including those of local importance. The assessment should identify whether a proposal is likely to result in a significant adverse impact (i.e. resulting in unacceptable loss or harm of species or habitat), and set out clearly the options considered for avoiding, mitigating or compensating for the adverse impact.
164. An Ecological Impact Assessment (EclA) has been carried out for the proposed development for reuse of the existing buildings and hard standing complex at Sands Farm. The assessment draws on desk study and field survey data to define an ecological baseline and has allocated a level of ecological value to recorded species and habitats associated with the Site and the wider Study Area. Two Important Ecological Features were identified as a result of the desk and field studies of the Site:
- The Sands Farm Quarry County Wildlife Site (CWS); and
 - Non-designated standing water habitats outside the CWS boundary.

165. In addition, legally protected species associated with, or potentially associated with the Site include the following:
- A small population of great crested newt is present within the wider area, and within the application boundary GCN have been recorded in a Ditch.
 - Habitats along the application boundary such as woodland, scrub and grassland and in adjacent off-site land provide foraging opportunities for badgers; and
 - Woodland, scrub and mature trees adjacent to the site provide habitat for a range of common bird species and common mammals.
166. Avoidance, mitigation and enhancement measures associated with the application are set out and addressed in the EclA. The scheme design and / or mitigation measures embedded into the proposals and planning application ensure compliance with relevant legislation. Taking into account all ecological mitigation and enhancement measures, no net negative significant impacts or legal offences are predicted to arise due to the proposed development. Overall, the proposals are predicted to result in net positive impacts for biodiversity, although these are not considered to be significant.
167. The Council's Ecologist advises that a thorough ecological appraisal of this site has been undertaken, which has identified all potential ecological impacts and set out mitigation measures to avoid harm to wildlife species during the necessary constructional changes and residual effects on local biodiversity.
168. The Council's Ecologist does not object to this proposed development subject to a condition being imposed to ensure that the mitigation recommended in the EclA is implemented within the development. Such a condition is considered necessary and reasonable. Natural England and the Environment Agency have reviewed the submitted Ecological Appraisal document and have no concerns regarding the ecological impacts of this development as long as the recommendations outlined in the report are adhered to. On this basis the proposals are considered to accord with national and local planning policies in relation to ecological matters.

Conclusion

169. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which together seek to address concerns regarding traffic and air quality in the AQMA in Calne town centre, and the impact that HGVs associated with Hills' operations at Lower Compton have on these matters, raised during the planning application and appeal process for the previous application 14/09744/WCM (to retain and extend the existing Lower Compton MRF, including transfer activities etc).

170. This planning application for the 'Sands Farm Facility' comprises the retention and change of use of the existing large building and storage yards originally permitted as a Decorative Concrete Product Factory to a variety of industrial, manufacturing, storage and waste management uses. The Sands Farm is not a site that has been identified in either the Wiltshire Core Strategy, as an employment site, or the Waste Site Allocations Local Plan as suitable for new or enhanced waste management facilities. Nevertheless, both development plan documents make provision for development proposals to come forward on unallocated sites, subject to specified criteria being satisfied. The Sands Farm site provides an opportunity that was not anticipated in the production of the current plan and it is considered that the retention and reuse of this existing building for the purposes proposed is in principle compliant with the land use provisions of the Wiltshire Core Strategy and Waste Core Strategy and can be considered favourably.
171. The suite of five applications includes a proposal for an internal HGV relief road to link the Lower Compton site with the Sands Farm site. The proposed link road through the site, which this development would utilise, allows traffic to effectively bypass Calne town centre and Air Quality Management Area. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The highways authority advises that the relief road would have a positive effect on the traffic movements around Calne town centre.
172. The application satisfactorily assesses the likely impacts of the development on noise, landscape character and biodiversity and these are considered acceptable in terms of relevant development plan policies.
173. It is considered the development as proposed is in accordance with the Development Plan and that there are no material considerations to indicate that permission should be refused.

RECOMMENDATION

174. Having taken into account the environmental information, it is recommended that authority be Delegated to the Head of Development Management to grant planning permission, subject to the completion of a planning obligation under S106 of the Planning Acts within 6 months of the date of the resolution of this committee to address the following requirements:-
- Traffic Management Plan, and
- subject to the following recommended planning conditions set out from paragraph 176 below.
175. In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

176. Conditions:-

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:

- Drawing No: 18546-1000-002 - Site Plan - dated Aug 2017
- Drawing No: CA-13-08 Sheet 1 - Existing Calne Factory Plan and Elevations – dated 10.10.13
- Brunel Surveys Ld drawing titled ‘South East Elevation’ dated April 2017
- Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep ‘17
- Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep ‘17
- Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep ‘17

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

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

REASON: To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in

accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

REASON: In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste material delivered to the Sands Farm Material Recovery/recycling Facility shall not exceed 44,000 tonnes in any twelve month period.

REASON: To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

REASON: In order that the Local Planning Authority can monitor the approved development.

- 7) Operations authorised by this permission shall be restricted to the following durations:

Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> Monday to Friday Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day) The Saturday immediately following: <ul style="list-style-type: none"> - Good Friday - Easter Monday - May and August bank holidays - Any additional bank holidays issued in a given year The two consecutive Saturdays immediately following New Year's Day 	07:00 to 20:00
	<ul style="list-style-type: none"> Saturday (except those listed above) 	07:00 to 13:00
	<ul style="list-style-type: none"> Sunday Christmas Day Boxing Day New Year's Day 	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> Saturday 	13:00 to 20:00
	<ul style="list-style-type: none"> Sunday 	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> Monday to Friday 	07:00 to 18:00
	<ul style="list-style-type: none"> Saturday 	08:00 to 13:00
	<ul style="list-style-type: none"> Sunday 	No operation
Internal link road	<ul style="list-style-type: none"> Monday to Sunday 	06:00 to 20:00

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The development shall be carried out in strict accordance with all recommendations and procedures set out in Section 5 of the Ecological Impact Assessment prepared by Johns Associates Limited dated October 2017.

REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 11) All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges or hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on the site in accordance with relevant British Standards for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

REASON: To ensure the continuity of amenity afforded by existing trees, hedges and hedgerows.

- 12) 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 building; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

Appendix 1

Proposed Lower Compton and Sands Farm HGV Management Plan

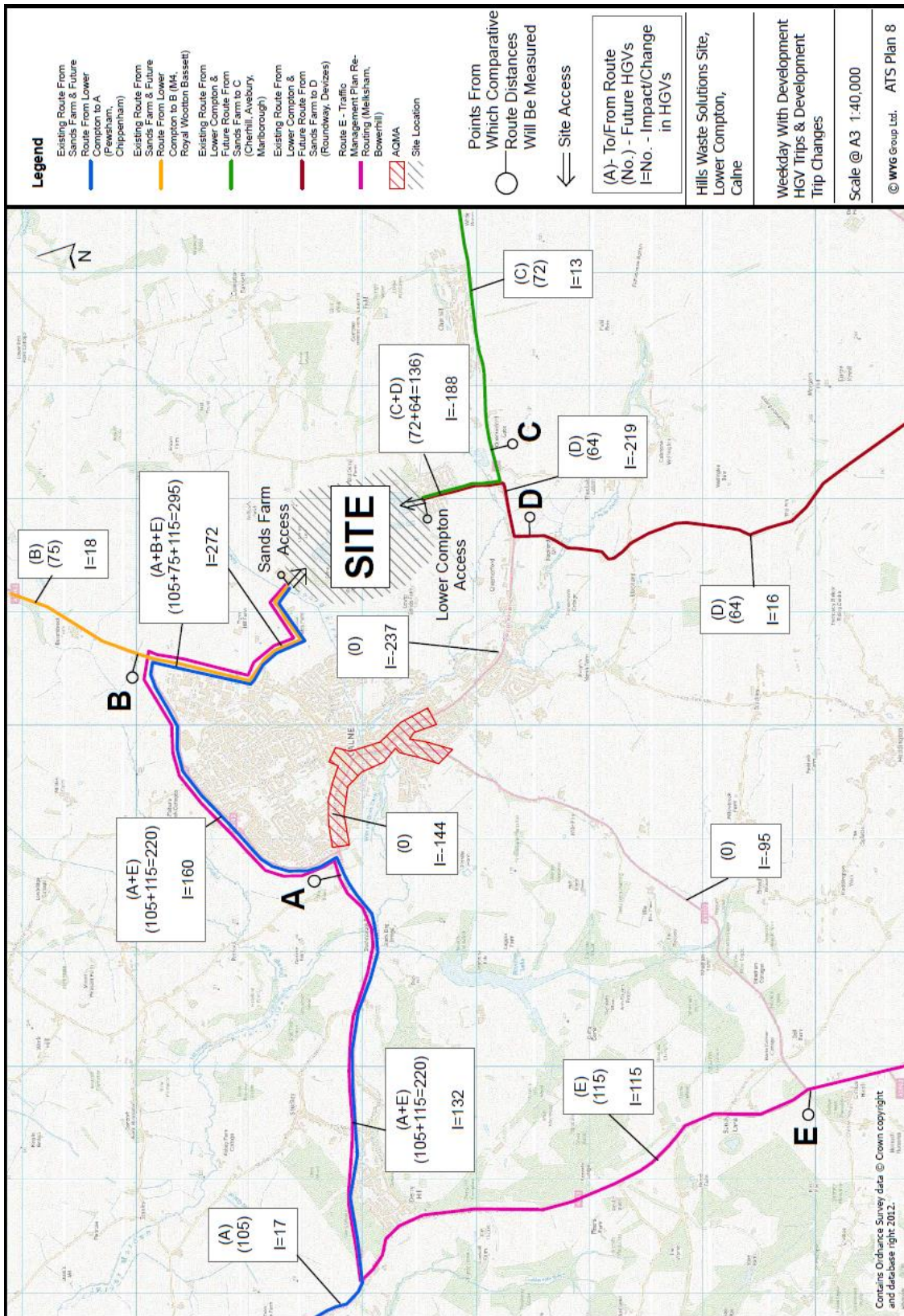
1. This Traffic Management Plan is intended to provide an agreed framework of acceptable heavy goods vehicle (HGV) movements that will facilitate the commercial operation of the wider Lower Compton site activities (to include the Sands Farm Facility) so as to minimise the potential adverse impact on the local community and environment at all times.
2. The basic principal is to minimise HGV movements through the centre of Calne, whilst allowing local waste collection services, mineral or concrete deliveries, including those within the Calne town boundary, to be provided efficiently and effectively.
3. The Traffic Management Plan has taken note of the requirements of the Wiltshire Council's Strategic Plan 2016 (including the Wiltshire Air Quality Strategy 2011-2015); the Calne and Calne Without Neighbourhood Plan (draft March 2017) and Calne Community Air Quality Action Plan (Draft, November 2015).
4. This Traffic Management Plan applies to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited (HWSL); Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
5. The intended detailed HGV movement restrictions shall be as follows, unless otherwise agreed by Calne Town Council, such agreement not to be unreasonably withheld:
 - a. There will be only 2 points by which HGVs and other vehicles may access the Lower Compton site; namely the existing access point from the A4 along the C15 road at the south of the site adjacent to Lower Compton (referred to as the "Lower Compton access") and an access from the western side of the site from the Oxford Road roundabout at the Bug and Spider public house via Sandpit Lane (referred to as the "Western access").
 - b. HGVs approaching the Lower Compton and Sands Farm sites from the east along the A4 road will be expected to turn right onto the C15 road through Lower Compton and use the Lower Compton access.
 - c. HGVs approaching the Lower Compton site and Sands Farms from the south along the C50 road will be expected to turn right onto the A4, then left onto the C15 link road through Lower Compton and use the Lower Compton Access.

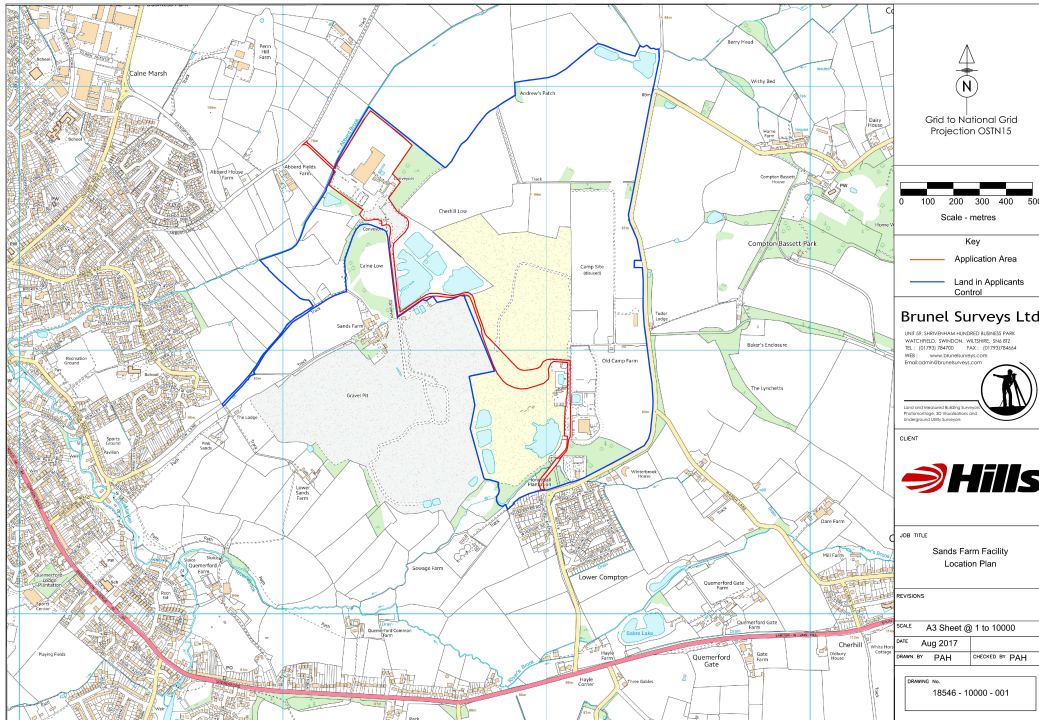
d. HGVs approaching the Lower Compton and Sands Farm sites from the west along the A4 road will be expected to turn left onto the relief road, (A3102) at the roundabout junction with Greenacres Way, continue along the relief road to the roundabout junction with Oxford Road, then south to the roundabout adjacent to the Bug and Spider Public House and turn left onto Sandpit Road in order to access the Lower Compton and Sands Farm sites via the Western access.

e. Use of the A3102 road from Mile Elm to the Silver Street junction with the A4 at the White Hart Public House and the use of Stockley Lane junction with the A4 is expressly prohibited to all HGVs intending to access the wider Lower Compton site from the outside of Calne.

f. Vehicles collecting from or delivering to premises within the Calne town boundary will be permitted to travel around the town only and will be required to access the site when necessary via the nearest gate to their location at the time.

6. Traffic movement details through Calne will be provided by the Lower Compton site operators and monitored by Calne Town Council. In the event of a material breach of the Traffic Management Plan, appropriate action will be taken against drivers of the LGV found to be in breach by Hills, actioned against in a timely and effective manner.
7. Responsibility for the implementation of the Traffic Management Plan rests solely with Hills.





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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	20 June 2018
Application Number	17/10557/WCM
Site Address	Lower Compton Waste Management Facility, Compton Bassett, SN11 8RB
Proposal	Change of Use of existing Materials Recycling and Waste Transfer Building to a Waste Transfer Building only
Applicant	Hills Waste Solutions Ltd
Town/Parish Council	Calne Without / Cherhill
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	402140 170917
Type of application	County Matter
Case Officer	Jason Day

Reason for the application being considered by Committee

1. The Head of Development Management considers that this suite of applications should be considered by the committee as they involve matters of strategic significance that have previously been considered by the committee and that have raised matters of public interest that have been contested both at appeal and in the Courts.

Purpose of Report

2. The purpose of the report is to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that authority be delegated to the Head of Service for Development Management to grant conditional planning permission, subject to the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Report Summary

3. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).

4. This reports considers the planning application made for Change of Use of existing Materials Recycling and Waste Transfer Building to a Waste Transfer Building only
5. The key issues in considering the application are as follows:
 - Principle of the development
 - Traffic and Transport
 - Air Quality
 - Landscape and Visual impact
6. To date, the application has generated a total of 126 letters of objection from individuals and none in support. This includes additional letters of objection that have been submitted in response to publicity of further environmental information requested as part of the determination process.
7. Calne Without Parish Council objects to the application. Calne Town Council supports the application, subject to provisos.

Background

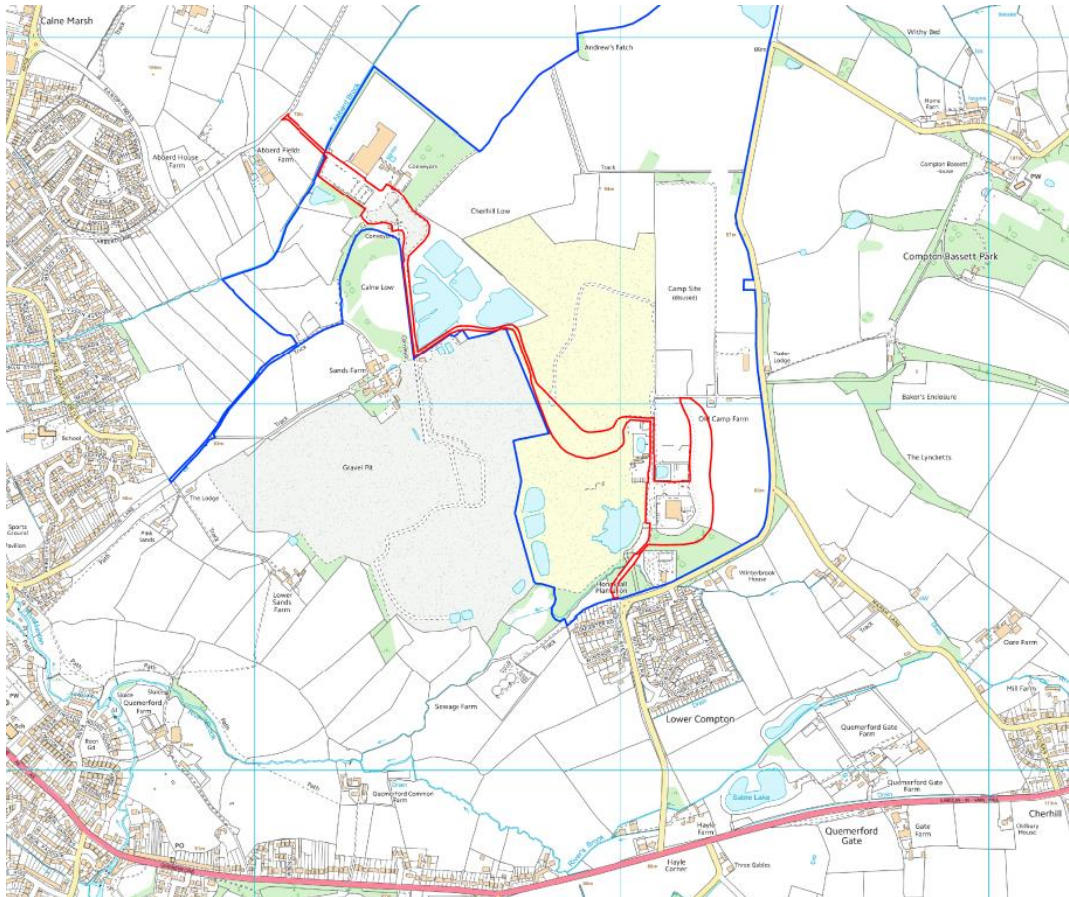
8. In October 2014, Hills Waste Solutions Ltd applied for permanent planning permission (application ref: 14/09744/WCM) to retain and extend the Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development. Existing temporary consent (first granted in 1997) expired on 31 December 2016. In June 2015 the Council's Strategic Planning Committee refused the application.
9. An appeal was made against the refusal to grant planning permission and was heard by an independent Planning Inspector by Public Inquiry. The Inquiry sat for 7 days in September 2016 and February and March 2018. The inspector allowed the appeal and granted planning permission on 12 June 2017.
10. Permission was granted to retain and extend the Materials Recycling Facility, including transfer activities for 119,000 tonnes of waste per annum. The approved development comprised three elements of waste management operations, with a proposed extension to the Lower Compton MRF building to accommodate them:-
 - A Materials Recycling Facility,
 - A Municipal Solid Waste (MSW) transfer operation; and
 - Green waste transfer;
11. A claim under section 288 of the Town and Country Planning Act 1990 challenging the decision of a planning inspector was made by Wiltshire Waste Alliance Ltd in July 2017.

12. The legal challenge created uncertainty regarding the deliverability of a Materials Recycling Facility that is required to implement Wiltshire Council's new household waste collection service starting on 30 July 2018 and consequently created the need for Hills Waste Solutions to bring forward other options.
13. Rather than take forward the extension to the existing MRF at Lower Compton, Hills Waste is proposing to install the equipment for the co-mingled MRF in the adjacent former Concrete Products Factory at Sands Farm, Calne and create a link road to join the two sites. The Lower Compton MRF, at its existing size, would be used for the transfer of MSW and the transfer of Green waste.
14. When the plans for retaining and extending Lower Compton were being considered and applied for, the option of using the former Concrete Products Factory at Sands Farm was not available. The extended period of time that the Lower Compton proposals have been in the planning system has seen a number of changes and the acquisition by Hills of the Sands Farm Concrete Products Factory has allowed this option to come forward.
15. The legal challenge was heard in the Planning Court on 1-2 May 2018 and the judge found the challenge to succeed on two grounds. The Court has ordered that the decision of the planning inspector granting planning permission to retain and extend the MRF at Lower Compton shall be quashed and remitted back to the Secretary of State for redetermination.

Site Description

16. The existing Lower Compton Waste Management Facility is located approximately 1km to the east of Calne and approximately 1km north of the A4. Immediately to the south of the site entrance is the residential area of Lower Compton. Located 950m to the south east is the village of Cherhill and Quemerford is located approximately 950m to the south west. The village of Compton Bassett is located approximately 1.6km to the north east of the facility.
17. To the north and west of the application site is the mineral extraction and waste landfill area known as Old Camp Farm. Beyond this to the north is the mineral extraction and landfill extension site known as Low Lane. The western edge of the wider Lower Compton Waste Management area adjoins Sands Farm landfill site owned by Viridor Waste Management.
18. The application site itself is situated within the south-eastern corner of a wider area occupied by a number of waste-related uses (including non-hazardous landfill, landfill gas electricity generation, a Household Recycling Centre, composting operations, and a skip waste recycling operation). A large screening bund is also included within the application area. It lies to the east and south of the MRF and extends northwards, adjacent to the Old Camp Farm site.

19. Vehicular access to the application site and the overall Lower Compton Waste Management Facility is via the C15 road. The C15 road is served directly from the A4 from the east and the A3102 and the A4 from the west. The site entrance is accessed via a three-arm mini roundabout on the C15, approximately 700m north of a junction with the A4 between Cherhill and Calne.



Planning History

20. The existing MRF building and screening bund is currently the subject of planning consent reference N/96/2022 dated 27th March 1997 and permits the temporary development until 31st December 2016. Condition 5 of the permission was later varied in 2006 to change the hours of operation through permission reference N/06/07018 dated 10th November 2006.
21. The wider Lower Compton site has a planning history that dates back to the early 1970s; the original permission for sand extraction being granted in 1972. Since Hills acquired the Compton Bassett quarry and landfill from the former Wiltshire County Council in 1996, the nature and extent of the application site and wider Lower Compton Waste Management Facility has steadily grown. It has been the subject of a number of planning applications concerning mineral extraction and waste management operations. Some are time limited through their specific permission, whereas others have no time limitations.

22. The relevant planning history is summarised as follows:

N.96.2022	Environmental Improvements (screen bund) and the provision of a Materials Recycling Facility
N.06.07018	S.73 application: Use of the MRF without compliance with condition 5 of planning Permission N.96.2022 dated 27 March 1997. To change operational hours at the MRF approved under consent ref.N.96.2022.
N/06/07003	Household Recycling Centre
N/04/0665	Concrete Plant
N/09/01497	Mineral Extraction and Landfill
13/05229WCM	Low Lane Mineral Extraction and Landfill
N/09/01498WCM	Composting Operations
N/06/07019	Recycling and recovery facility and composting facility
N/05//07042	Temporary container storage and parking area
N/06/07017	Lorry Parking north of MRF
N/99/0977	Electricity Generation Plant
N09/0932	Compost & Soil Blending
14/09744/WCM	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development

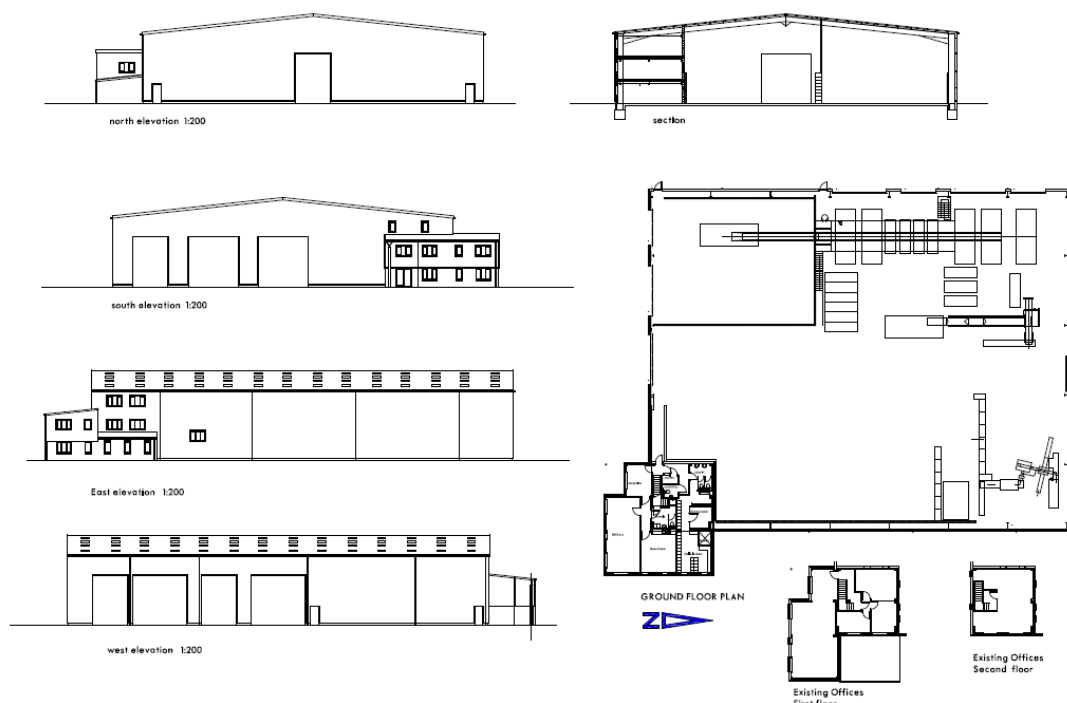
The Proposal

23. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way that it considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).

24. The five applications comprise: -

- i. HGV Relief Road - The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without using the A4 in the centre of Calne. (Ref No: 17/10550/WCM);
- ii. Retention and Change of Use of the Concrete Products factory to a mixed industrial, storage and waste management use. This development would use the HGV Relief Road. (Ref No: 17/10554/WCM);
- iii. **Change of Use of the existing Lower Compton MRF only for waste transfer (not waste transfer and MRF as consented at Appeal) and to retain the building in its existing configuration, not to extend its size. This development would make use of the HGV Relief Road. (Ref No: 17/10557/WCM).**

- iv. Section 73 application to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042. This development would utilise the HGV Relief Road. (Ref No: 17/10539/WCM) and;
 - v. Section 73 application to extend the time period for restoration by landfill of the Low Lane site until August 2028. This development would utilise the HGV Relief Road. (Ref No: 17/10543/WCM).
25. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne.
26. This report considers the planning application (iii) Change of Use of the existing Lower Compton MRF.
27. The planning application seeks permission for Change of Use of the Lower Compton MRF only for waste transfer (not waste transfer and MRF as previously proposed/consented) and to retain the building in its existing configuration, not to extend its size. A separate application has been made to use the former Concrete Products factory at the adjacent Sands Farm Quarry site for a range of uses including the MRF element. This proposal therefore is to retain the building at Lower Compton at its existing footprint and use it for the waste transfer element. The existing sorting equipment will be removed and bays created within the building to manage green waste transfer separately from the non-hazardous waste transfer.



28. The previous proposal/consent was for an annual throughput of 119,000 tonnes per annum (tpa), comprising 44,000tpa of recyclables, 35,000tpa transfer of residual wastes and 40,000tpa green waste transfer. This application reduces that to a total of 75,000 tpa as the Sands Farm Materials Recycling Facility will manage the 44,000 tpa of recyclables.
29. The existing offices that are incorporated in the building will continue to be used in association with Hills activities at Lower Compton. External areas will continue to be used for parking and storage, the red line of this application incorporates the parking area to the north of the building.
30. The bund immediately to the east of the building has been included in this application for the avoidance of doubt and to provide surety that the planting agreed for that bund under the Appeal consent will be carried forward in this proposal. Additionally, at Appeal, a number of improvements to the access off the C15 were agreed along with an access road maintenance plan. It is proposed that both these will be carried forward into the use of the building solely as a waste transfer facility.
31. The proposed operational hours of the Lower Compton Waste Transfer Facility are as those previously consented:-
- 07:00 to 20:00 hours Monday to Friday
 - 07:00 to 13:00 hours Saturday
 - and shall not take place on Sundays or Bank Holidays, other than as indicated below:
 - 07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)
 - 07:00 to 20:00 hours Saturdays following Bank Holidays
 - 07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day
 - 13:00 to 20:00 Saturday receipt of wastes from household waste recycling centres
 - 07:00 to 18:00 Sunday receipt of wastes from household waste recycling centres
 - No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

Environmental Impact Assessment

32. The Local Planning Authority has adopted a screening opinion which concludes that an Environmental Impact Assessment is not required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Statement of Community Involvement

33. The applicant provided details of consultations with key stakeholders and local community representatives on the alternative proposal to the planning permission for a Material Recycling Facility (MRF) and Waste Transfer Station (WTS) at Lower Compton. A document has been produced setting out details of planning applications and illustrated on a pull-out site plan and map.

34. Groups consulted regarding the plans include members of the Calne Area Board, Calne Area Parish Forum, members of Calne Without / Cherhill / Compton Bassett Parish Councils, the Lower Compton Community Liaison Group and representatives of Wiltshire Waste Alliance. Presentations, site tours and meetings have been provided.

Planning Policy

35. The following Development Plan documents and policies have been considered for this planning application:

Wiltshire Core Strategy, January 2015

- Core Policy 8: Calne Community Area;
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape;
- Core Policy 55: Air Quality;
- Core Policy 60: Sustainable Transport;
- Core Policy 61: Transport and Development;
- Core Policy 62: Development impacts on the Transport Network;
- Core Policy 65: Movement of Goods

Calne Community Neighbourhood Plan 2016-2026 (Made February 2018).

- Policy GA2 – Highway Impact
- Policy WS1 – Employment
- Policy NE2 – Setting of Calne and Calne Without
- Policy NE3 – Biodiversity

Wiltshire and Swindon Waste Core Strategy 2009

- Policy WCS1: The Need for Additional Waste Management Capacity and Self Sufficiency
- Policy WCS2: Future Waste Site Locations
- Policy WCS3: Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility

Wiltshire and Swindon Waste Site Allocations Local Plan February 2013

- Policy WSA1: Presumption in Favour of Sustainable Development
- Inset Map N3: Hills Resource Recovery Centre, Compton Bassett

Wiltshire and Swindon Waste Development Control Policies DPD 2009

- Policy WDC1: Key criteria for ensuring sustainable waste management development
- Policy WDC2: Managing the impact of waste management
- Policy WDC7: Conserving Landscape Character
- Policy WDC8: Biodiversity and Geological Interest
- Policy WDC10: Restoration of Waste Management Sites
- Policy WDC11: Sustainable Transportation of Waste

National Planning Policy context.

36. The following documents are also material to the consideration of the planning application:
- The National Planning Policy Framework (March 2012)
 - The National Planning Policy for Waste (October 2014)

Summary of consultation responses

37. The application has been the subject of three periods of consultation in response to initial and further submissions by the applicant. The following summary represents the position of consultees following the outcome and conclusion of the consultation exercises and is not intended to be a full detailed description of all comments submitted during each of the consultations undertaken.

38. **Calne Without Parish Council** – objects for following reasons:

The proposal is based on the principle of the aggregation of recycling materials and waste from all over Wiltshire. This is in contravention of Wiltshire Council's adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles should be avoided.

The Lower Compton site is not included as an allocated future MRF/WTS site in the Wiltshire and Swindon Waste Core Strategy

The vehicle movements that would result from the proposed Change of Use would give rise to unnecessary environmental damage and significantly impact the safety of road users and residents near the proposed HGV routes.

The proposed routing for HGVs would result in an unacceptable number of HGV movements passing through the three villages of Sandy Lane, Derry Hill and Studley causing noise, air pollution, visual intrusion and severance of parts of the communities.

Much is made of the impact of reducing the HGV movements through the Air Quality Management Area (AQMA) in the centre of Calne. Air quality in Calne has been improving steadily in recent years, in fact, only two of the 7 sites monitored within the Calne AQMA still exceed the 40 µg/m³ limit for NO₂. Of the two sites exceeding the limit (Curzon St and New Road) the New Road site will experience reduced HGV traffic resulting from the applicant's plans to re-route their HGVs from the north and west. However, none of the three most polluted sites would receive any benefit by diverting the 118 HGV trips a day from the south as they currently do not use these roads. The only benefit of re-routing this traffic from the south would be to further reduce HGVs on London Road and Silver St which have not exceeded the NO₂ limit

Whilst there may be some benefits in Hills routing some of their HGVs from the north and west, there is no justification for re-routing HGV trips from the south, away from

the current route, via a longer, more circuitous and unsuitable route through the villages of Sandy Lane, Derry Hill and Studley.

The proposed traffic management plan is unreasonable as it requires only the approval of Calne Town Council with no requirement to consult with the adjoining parish or town councils that would be directly affected by the extra HGVs.

The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Lane, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for 5 years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.

The Council supports the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton by removing 185 HGVs

The Council believes it is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.

39. **Calne Town Council** – unanimously resolved to consider these five applications together; the Town Council will support the applications subject to:
- Appropriate conditions which require the creation, implementation and operation of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments.
 - Appropriate signage around the town to advise drivers of the approved routes to access and exit the sites (provided by way of a S106 agreement).
 - Appropriate conditions to manage the wheel washing and canoping of loads.
 - Financial contribution to the setup and delivery of an education programme to address road safety in local schools.
40. **Environment Agency** - no objection to the proposed development, but request an informative be added to any permission granted advising that the proposed elopment may require a variation to the Environmental Permit held for the site/operations.

41. **Natural England** – note that this is one of a series of interrelated planning applications and advise that these applications should be considered together and in combination. The site is immediately adjacent to the North Wessex Downs AONB and as such advises that national and local policies, together with local landscape expertise and information are used to determine the proposal.
42. **Historic England** - do not wish to offer any comments.
43. **North Wessex Downs AONB Partnership** – no comments received.
44. **Wiltshire Council Archaeology** – no comment.
45. **Wiltshire Council Highways Officer** – the additional information received in respect of a junction assessment for the A342/A4 junction, based on traffic counts undertaken in April 2018, indicate the junction operating at 21% of capacity with virtually no queuing. This would confirm that there would not be an instance of two HGVs queuing to turn right at the A342/A4 junction.

Whilst I have reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, I would have to accept the assessments by WYG of the capacity of the junction and potential for queuing HGVs. In this regard, and given the A342 is the local HGV route, I would not be able to substantiate an objection, as this route would be in accordance with the Wiltshire Freight Strategy. It should be noted, however, that WYG have not assessed the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads, but restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement.

Having regard to the change in the routeing of vehicles from the current pattern, I would recommend that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement. There should also be consideration of some mechanism to secure alterations to the routeing, such as a split usage of the A3102 and A342 routes, if the results of the monitoring indicate a safety issue, together with the provision of additional signage around the town, if required.

In the event that the applications are permitted, I would recommend that a legal agreement be required to secure the following:

- the routeing arrangement for HGVs into and out of the Lower Compton and Sands Farm sites via the highway network
- the submission of regular vehicle logs to inform the origin, destination and route of HGVs
- the provision of the Hills Relief Road within the combined sites
- the provision of additional signage around the town to advise drivers of the approved routes to access and exit the sites, if required

I would also recommend the following conditions:-

1. The total tonnage of material delivered to the Materials Recycling Facility and Waste Transfer Facility shall not exceed (insert tonnage amounts for appropriate application) in any twelve month period.

2. A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

3. Operations, including vehicles entering and leaving the site as shown on drawing reference (insert drawing Numbers for appropriate application) shall be restricted to the following durations:

07:00 to 20:00 hours Monday to Friday

07:00 to 13:00 hours Saturday and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)

07:00 to 20:00 hours Saturdays following Bank Holidays

07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day

13:00 to 20:00 Saturday receipt of wastes from household waste recycling centres

07:00 to 18:00 Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

4. Prior to the use of the Hills Relief Road, the improvement of the site access road at Lower Compton and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented.

5. Prior to the commencement of the development, an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016) shall be submitted to and approved in writing for both the Lower Compton and Sands Farm sites. The access road shall be maintained at all times in accordance with the approved details.

6. Prior to the commencement of development, a Travel Plan/Statement shall be submitted and approved in writing, and shall be implemented within 3 months of the date of permission.

7. Prior to the commencement of development, a Construction Management Plan for the Hills Relief Road, shall be submitted and approved.

8. Prior to the commencement of development, an Operational Plan shall be submitted to, and approved in writing, and shall include details of the origins and destinations of HGVs, and the timings of leaving and arriving at each site.

Furthermore, I would recommend that suitably worded conditions be imposed relating to wheel wash facilities within the site, and for appropriate dust management, in order to ensure dust and detritus is not discharged out onto the highway network.

46. **Wiltshire Council Environmental Health Officer** – whilst the Environment Agency regulate the waste site and as such would have investigated any noise or odour complaints, confirm no objections to the proposal.
47. **Wiltshire Council Ecologist** – on the basis that the application is solely for change of use, no objection to this application. There would be little likelihood of ecological impact from this proposal on its own if permitted.
48. **Wiltshire Council Landscape Officer** – no significant landscape and visual effects are expected due to the proposed change of use.
49. **Wiltshire Council Rights of Way Officer** – no comments received.

Publicity

50. The application was publicised by Newspaper notice, Site notice, Neighbour notification, Publication to the Council's website and Weekly lists of applications, and notification to the Town and Parish Councils in the locality. As noted above, the application has been the subject of three separate periods of consultation in response to initial and further submissions by the applicant.
51. 126 objections have been received. The following is a summary of matters raised:
 - All five applications should be put on hold until there has been a much broader investigation into the impact these applications have not only on those in the vicinity of Lower Compton and Sands Farm, but also neighbouring areas.
 - There is a need for some integrated planning, not piecemeal, not planning by creepage, to resolve the issues in Calne, taking into account the inadequate road infrastructure in Wiltshire, the impact on people and on property in the greater surrounds and not just the locality of the application(s). It is not acceptable to try and resolve one issue by simply moving it elsewhere.
 - In combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.
 - Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.
 - Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.

- There is no compelling rationale for the co-location of HGV maintainace facilities other than it is operationally convenient for Hills.
- There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.
- The town, its road system and the HGV route for North Wiltshire are not suitable for this scale of operations and a more suitable area should be chosen.
- Object to the rerouting of Hills HGV traffic from the the south of the county. The proposed route through the villages of Sandy Land, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for some years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.
- Support the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton
- It is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.
- A number of letters have been received following the same template as the objection submitted by Wiltshire Waste Alliance set out below.

52. **Wiltshire Waste Alliance (WWA)** – WWA was a main party involved in the planning appeal for application ref: 14/09744/WCM and brought the legal challenge against the decision of the planning inspector. WWA objects to the three applications referenced 17/10554/WCM [Retention and Change of Use of the Concrete Products factory], 17/10557/WCM [Change of Use of the existing Lower Compton MRF] and 17/10550/WCM [HGV Relief Road].

Consider that in combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.

Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire

Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.

Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.

There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.

The 17/10543 application states that sand extraction will be at a reduced rate due to low demand but that the landfill rate will remain unchanged. The reduced rate of extraction means that landfill will catch up with the available void volume such that landfill should be complete sooner than stated.

If permissions for activities such as the concrete plant operations are strictly time limited to the expiry of sand extraction (currently 2029) and the landfill restricted to 2030/31, then residents of Sand Pit Road and Derry Hill might at least look forwards to further reduction of HGV movements more acceptable than that proposed. This would leave Hills with a large permanent MRF facility for co-mingled waste; a white goods repair facility; and HGV overnight parking but would reduce the total HGV movements to more acceptable and sustainable levels.

53. **CPRE Wiltshire** –comments that it has for many years and at many times (Minerals and Waste reviews, local planning applications) expressed concerns about the level of HGV movements in and out of the Lower Compton site. Not only their increasing effect on the central area of Calne but on the road through the AONB to the A4, the A3102 and the A4 itself. We continue to express the view that this burgeoning industrial site should not have permanence and therefore this application should not be granted. The very large area which now comprises Hills land holdings is now trapped by the growth of the urban sprawl of Calne. In future years the only road exiting from the site which will not go through major residential areas will be the A4 east.
54. **North Wiltshire Friends of the Earth** - Object. Consider this a repeat of the previous application for the Compton Bassett site which was rejected earlier by the Council. In essence therefore the situation and considerations which pertained relating to this previous rejected application also apply to this present application, and should therefore predispose the Council to rejection of this present application. The essential difference is that the HGV movements, around 300 daily, will follow a different route of access. This new proposed access via Oxford Road and Sandpit Lane will place a huge inconvenience upon the residents of this area in terms of

noise, air pollution and loss of general amenity. The use of the Compton Bassett site as currently proposed by Hills Waste was never a part of the current Wiltshire and Swindon Waste Core Strategy, and therefore has no legitimacy in planning terms. For it to succeed, therefore, this application must result in benefits to this section of the local community. There are no benefits that we can discern, only deterioration in their quality of life, and so the planning application clearly merits rejection.

Planning Considerations

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

Principle of development

56. The application is for the change of use of the materials recycling facility building served off the C15 at Lower Compton, previously subject of planning application 14/09744/WCM, to a waste transfer building only, whilst maintaining the same footprint of building. The materials recycling element is now proposed to be carried out at the former Concrete Products factory on the adjacent Sands Farm Quarry site.
57. The Waste Core Strategy adopted in 2009 sets out the strategic direction for future waste management facilities in Wiltshire and Swindon. Policy WCS1 sets out the need for additional waste management capacity and policy WCS2 identifies where future waste sites should be located. Policy WCS3 identifies the estimated capacities that will need to be delivered, as indicated by the Evidence Base, and defines the preferred locations of waste management facilities by type and the provision of flexibility in line with policies WCS1 and WCS2.
58. The area within the Lower Compton site that the materials recycling building is situated is allocated for, and safeguarded as, a strategic waste management facility in the adopted Wiltshire and Swindon Waste Site Allocations Local Plan 2013. The Waste Site Allocations Local Plan presents what Wiltshire Council and Swindon Borough Council consider to be a sound framework of local and strategic sites suitable to meet future waste management needs across Wiltshire and Swindon. It is stated at paragraph 1.4 of the Local Plan that in principle the councils will be supportive of applications for appropriate waste management facilities within the locations set out in the plan document.
59. The overall aim of the Wiltshire and Swindon waste development framework is to encourage waste to be driven up the waste management hierarchy in order to break the reliance on landfill and thereby to maximise the re-use of material as a resource.
60. The proposed change of use would enclose the transfer and bulking up of up to 35,000tpa of municipal waste and up to 40,000tpa of green waste from household collections within Wiltshire (the same quantities as previously proposed/consented by

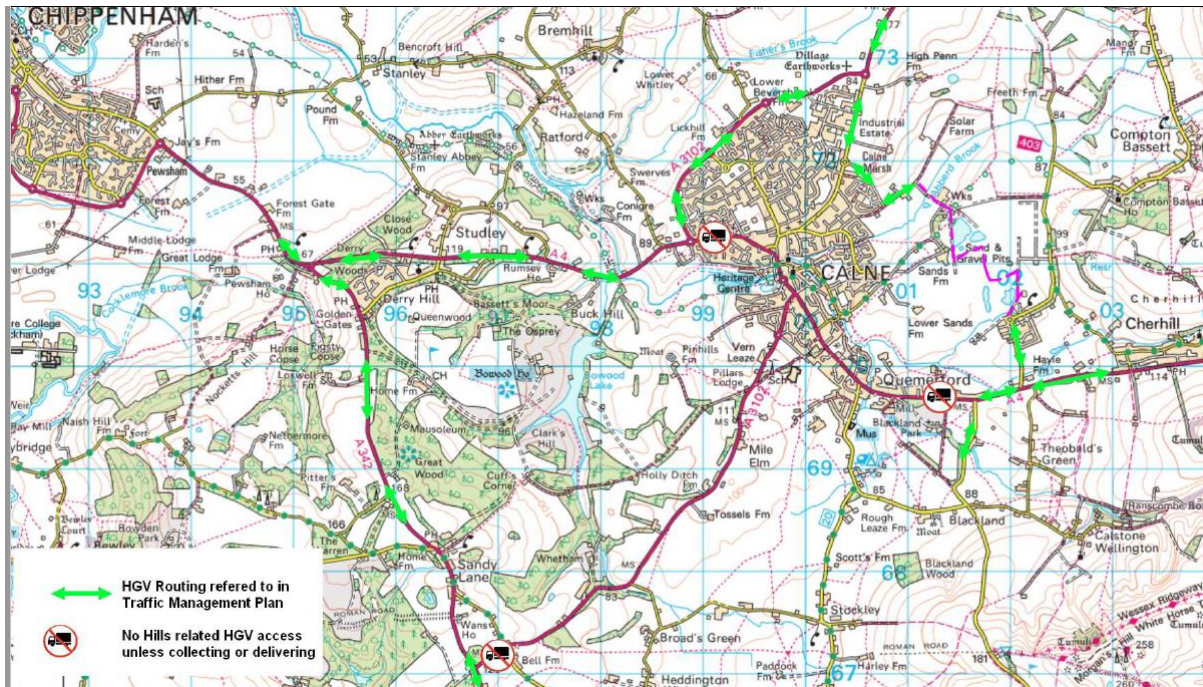
application ref: 14/09744/WCM). The waste would be brought to the site, sorted and then bulked up for transfer to service three key operations:

- (i) The export of green waste for off-site high grade composting at Parkgate Farm, Purton;
- (ii) The export of bulked residual municipal waste to provide feedstock for the Northacre Mechanical Biological Treatment (MBT) facility, Westbury; and
- (iii) The export of residual municipal wastes suitable for recovery under contract to an Energy from Waste (EfW) facility at Colnbrook, near Slough.

61. The proposed change of use would, as part of the suite of five applications submitted, form part of the network of facilities to deal with municipal waste in Wiltshire and Swindon, thus diverting waste from landfill and onto alternative waste treatment solutions. The proposal is therefore considered to be acceptable in principle, as compliant with the provisions of the Waste Core Strategy and Waste Site Allocations Local Plan.

Traffic and Transport

62. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, if approved, would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new routings would be available for all uses on site, including the waste transfer use.
63. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.
64. The Traffic Management Plan (TMP) would apply to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited; Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.



65. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford Road and Sand Pit Road to the Sands Farm access to the site. These vehicles will now exclusively use the Sands Farm Access and route via Oxford Road and the A3102 before turning west along the A4 and continuing towards Melksham via Derry Hill.
66. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
67. The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county, with the proposed route through the villages of Sandy Lane, Derry Hill and Studley considered to be a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The Parish Council considers that the air quality improvements to Calne town centre of diverting traffic from the north and west along with the shorter travel distances give sufficient benefits to warrant supporting this part of the proposals. However, it considers the air quality benefits in Calne of rerouting Hills HGVs from the south as negligible and is far outweighed by the significant safety risks of diverting traffic through potentially dangerous parts of the proposed route. Other representations from members of the public have also expressed concerns about the impact on rerouting HGVs via Sandpit Road and Derry Hill.
68. The principle of the TMP is considered acceptable by the Highways Authority. The Highways officer advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre and that there are advantages and disadvantages in respect of the existing routing via the A342/A3102 and of the

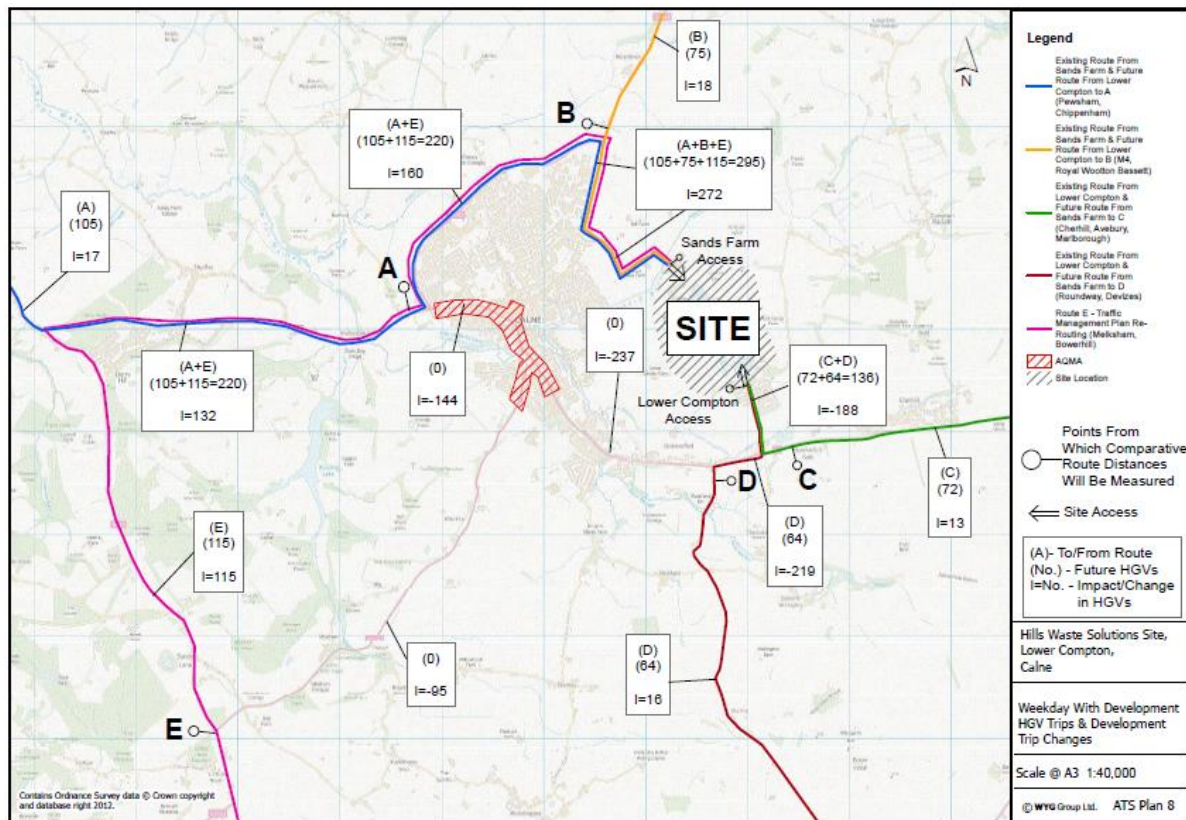
proposed routing via the A342/A4. The retention of the existing routing through the A342/A3102 would result in additional vehicles passing through the AQMA, but would reduce the HGV mileage generated by the facilities. Whereas adopting a new routing arrangement via the A342/A4 would increase the mileage travelled and the use of the A342 route and its junction with the A4, which is not currently used. However, it would reduce the impact on the AQMA.

69. Policy WDC2 (managing the impact of waste development) of the Waste Development Control Policies DPD states that proposals for waste management development will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigates against, or compensates for significant adverse impacts relating, among other things, to the transportation of waste. Policy WDC11 (sustainable transportation of waste) states that waste management development will be permitted where it is demonstrated that the proposals facilitate sustainable transport, and where appropriate planning applications will need to be accompanied by a Transport Assessment.
70. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.

Overall Impacts of Proposals

71. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes a Traffic & Transport Chapter which considers the transport issues associated with the development proposals, with the details behind those findings set out in a Transport Statement.
72. The ‘with development’ scenario considered within the Traffic & Transport Chapter generates a total of 431 site HGV trips per day. Compared to the baseline position of 347 site HGV trips per day, the development proposals will result in a net increase of 84 site HGV trips per day.
73. These HGV trips would be split across the routes to the site meaning the proposals would result in 272 more HGV trips per day experienced along Sand Pit Road and Oxford Road, 160 more HGV trips per day on the A3102 (Calne Bypass) and an additional 115 HGV trips per day along the A342.
74. The proposals would result in 144 fewer HGVs per day experienced through the AQMA, and 188 fewer trips per weekday on the C15. 95 HGV trips per day would be removed from the A3102 to the south and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA.

75. The plan reproduced below, ATS Plan 8, illustrates the total “With Development” HGV trips and then also presents the calculation of trip difference between “With Development” and baseline which is illustrated as “I” = impact.

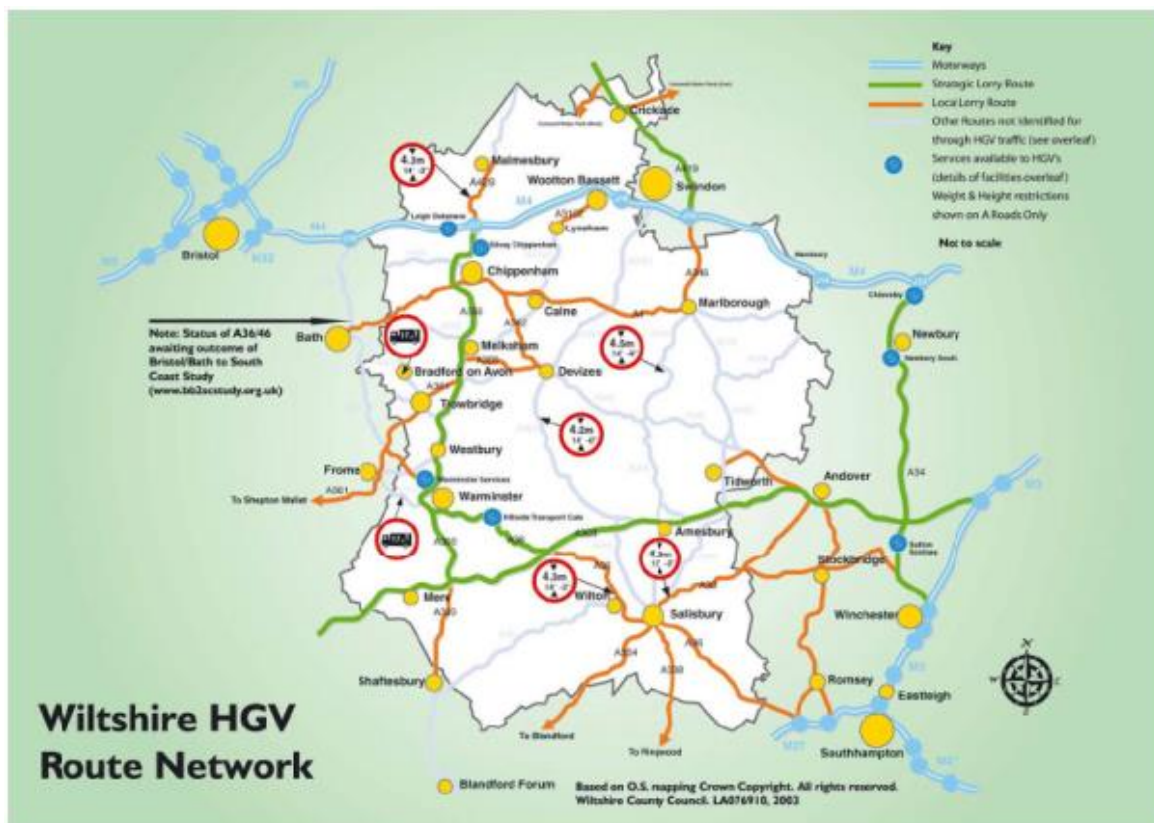


A larger version of plan can be found at Appendix 2.

- Impact on A342 junction with the A4
76. Whilst this route is not currently used, there are no legal restrictions on the Hills business (or any other road user) which would prevent it from being used. Against this legal baseline scenario, there would be no impact.
77. To address the Highway Authority’s comments however, additional data and assessments have been provided. These demonstrate that the junction is operating at 21% of capacity and the proposed use of the junction by Hills HGVs would not create any material capacity or safety issues. The junction is wide and built to modern standards with a dedicated right turn lane, adequate visibility, street lighting, wide verges etc. The approach to the junction from the east has a speed limit reduction to 40mph, reinforced with road signs and painted road markings. The addition of 115 HGVs per day along the A4 and on the A342 has been assessed as having imperceptible impact upon highway capacity and performance.
78. Whilst adopting the new routing arrangement would increase the total distance travelled by site HGVs per day, this increase in traffic would be experienced along less environmentally sensitive and less populated road links, with high capacities. It diverts traffic away from the Calne AQMA, away from the town centre and away from

the A3102 which has a worse accident record. In comparison to the existing routes, the A342 and A4 have less populated road frontages. The extra distance from Melksham to Calne via Derry Hill rather than Mile Elm is just over 1 mile.

79. Whilst the Highways officer has reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, the officer accepts the assessments of the capacity of the junction and potential for queuing HGVs and given the A342 is the local HGV route, advises an objection could not be substantiated, as this route would be in accordance with the Wiltshire Freight Strategy.



80. The Highways officer has highlighted that the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads has not been assessed, and suggests restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement. This is not however considered practical, as the origin or destination of the related vehicles changes daily and fluctuates with customer requirements, and the imposition of such a restriction would not satisfy the 6 tests for planning conditions advised in Planning Practice Guidance, particularly as this is a local lorry route.
81. However, having regard to the change in the routing of vehicles from the current pattern, the Highways officer recommendation that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement is considered

reasonable to ensure that the routing controls proposed in the TMP are generally complied with.

82. The submitted TMP suggests that any changes to the routing should be agreed with the Calne Town Council. However, in terms of monitoring and enforcement, this responsibility would rest with the Planning Authority - Wiltshire Council, and this correction will need to be made to the TMP in the final version of the legal agreement.

Impact on Sandpit Road

83. With respect to the concerns expressed over increased traffic along Sand Pit Road, it is recognised that the rerouting proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road.
84. Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and continues to serve another waste management facility situated off Abberd Lane. Whilst the concrete products factory ceased production in 2008, sand worked from surrounding mineral reserve blocks (Low Lane and Old Camp Farm) continues to be processed through the quarry processing plant and dispatched via Sandpit Road. This generates 23 HGV trips across the course of a working day.
85. It is worth noting that Sandpit Road was constructed by Aggregate Industries for the purpose of ensuring that HGV traffic associated with the Concrete Products Factory avoided the use of routes that would involve travelling through the centre of Calne. The original estimated movements for the Concrete Products Factory were 120 per day.
86. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.
87. In terms of operational impacts, junctions on Sand Pit Road, Oxford Road and the A3102 which will experience intensification have been tested and have been found to operate within capacity. All other effects experienced (severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accidents and safety), are assessed to be a 'Not Significant' impact.

Impact on Calne town centre

88. The link road through the site will enable vehicles from the Lower Compton site to access and egress at the Sands Farm facility. Similarly, the Sands Farm quarry traffic from the east and south east will be able to use the Lower Compton access rather than travel along the A4 and through AQMA as they do at present. The link road would join the two sites, thereby allowing traffic to effectively bypass Calne town centre.

89. The development proposals would result in 144 fewer HGVs per day experienced through the AQMA, 95 fewer HGVs per day would travel along the A3102 and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA.
90. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.

Conclusion on transport and traffic

91. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments.
92. On balance, it is considered the positive benefits to Calne town centre and its AQMA, particularly in the context of Development Plan policies that call for an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, outweigh any negative impacts from re-routeing HGVs along the A4 via Derry Hill.

Other highway matters

93. The application notes that as part of the MRF Appeal (14/09744/WCM), improvements to the Lower Compton access road were agreed including additional width, a pedestrian access and a maintenance programme. It is stated that these will be implemented as part of the relief road development if not already completed under the MRF consent. These have not been so completed and so conditions are proposed below to secure these matters. Likewise, a condition to secure an update of the travel plan is included.
94. With respect to the matters on which Calne Town Council has caveated its support for the proposals, conditions that require the provision of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments are considered appropriate and can be secured by planning condition and the Section 106 planning obligation respectively. Conditions are also listed below covering matters such as the provision of wheel washing facilities and site signage. A financial contribution towards a road safety education programme in local schools cannot be secured as it would not meet the statutory or policy tests for planning obligations.

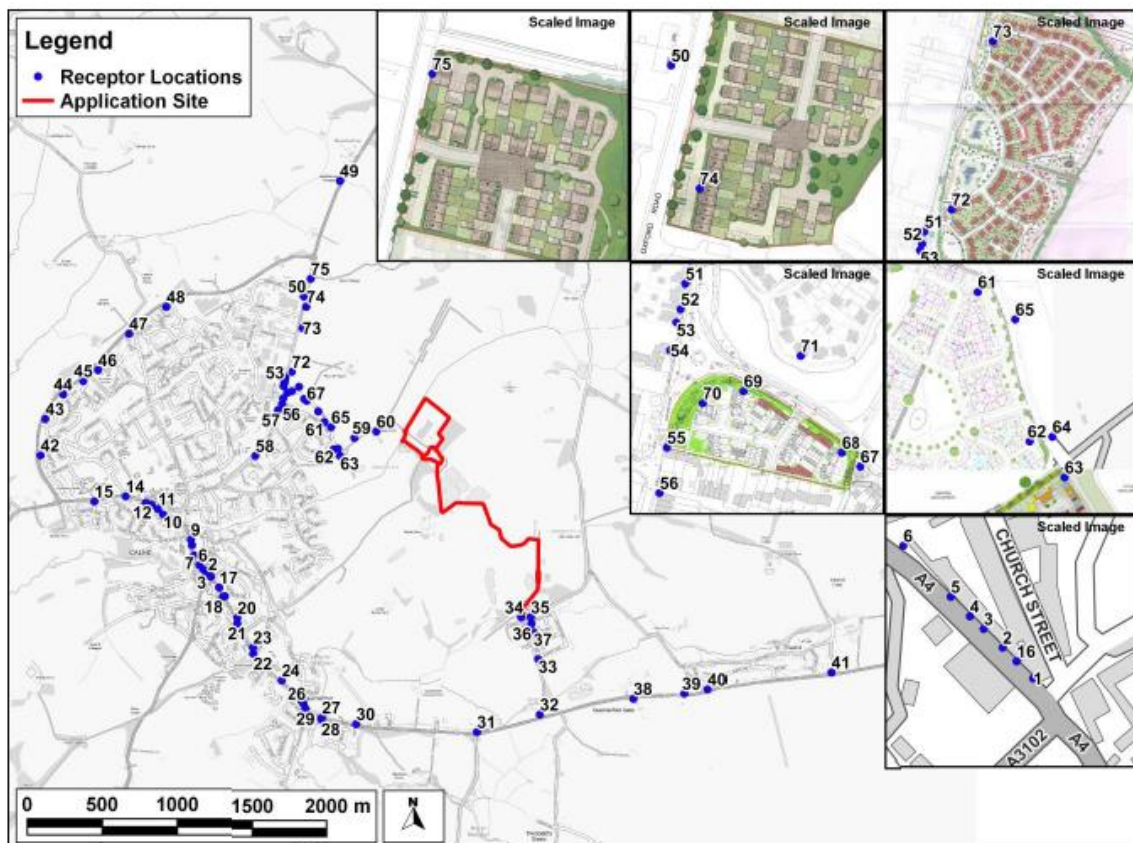
Air Quality

95. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, if approved, would allow traffic from the

north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new routings would be available for all uses on site, including the waste transfer use.

96. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals. This notes that existing air quality conditions in Calne are poor along the A4 and Wiltshire Council has declared an Air Quality Management Area (AQMA) covering part of the A4 in Calne where exceedances of a national air quality [annual mean nitrogen dioxide] objective are measured. The main source of pollution in Calne is emissions from road traffic.
97. Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The Calne Community Area Air Quality Action Plan 2018/19 was prepared in April 2018.
98. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.
99. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to air quality and climate change.
100. The operational impacts of re-routing HGVs, due to the development, have been assessed. Concentrations have been modelled for 75 worst-case receptors, representing existing properties where impacts are expected to be greatest.

Plan showing Receptor Locations:



101. The assessment has demonstrated that the changes in concentrations of fine particulate matter (PM10 and PM2.5) at relevant locations, relative to the objectives, will improve by 1% (when rounded) at two of the receptors and be 0% at all of the other receptors and the impacts will all be negligible.
102. In the case of nitrogen dioxide (NO2), the concentrations are predicted to improve by 1-4% at 37 of the receptors, show no change (when rounded) at 18 of the receptors and worsen by 1-2% at seven of the receptors.
103. The receptors showing a worsening in concentrations are those experiencing an increase in HGV flows i.e. Sand Pit Road, Oxford Road (between Sand Pit Road and its junction with the A3102), and on the A3102 (between Oxford Road and the A4). Because current concentrations are well below objectives, this worsening does not translate to an adverse impact. The impacts will therefore be negligible at 66 of the receptors, slight beneficial at two of the receptors, moderate beneficial at one of the receptors and substantial beneficial at six of the receptors.
104. The substantial beneficial impacts are all observed at the receptors (1, 2, 3, 4, 5 and 16) which are currently over the air quality objective, within the AQMA.

105. Concentrations have also been modelled for 20 worst-case receptors along the A4 and A342 that could be affected by the proposed re-routing of HGVs going to and coming from Sands Farm. The assessment has demonstrated that the changes in concentrations of PM10 and PM2.5, relative to the objectives, will be 0% at all of the receptors and the impacts will all be negligible. In the case of nitrogen dioxide, the concentrations are predicted to worsen by 1% at four of the receptors and will be 0% at the other 16 receptors. However, the impacts will negligible at all of the receptors, as the concentrations are well below the objective.
106. The overall operational air quality effects of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the impacts all being either beneficial or negligible. Furthermore, all of the beneficial impacts are within the AQMA, in particular at the areas of exceedance and the main locations of concern. This is because the scheme is essentially re-routing HGVs away from the areas of exceedance.
107. The assessment has demonstrated that the additional traffic generated by the proposed scheme would be 'not significant' but that there are substantial beneficial impacts within the AQMA, where receptors are closest to the carriageway. It is considered the proposed development scheme does not conflict with the requirements of Core Policies 8 and 55 of the Wiltshire Core Strategy, nor Policies WDC1 and WDC2 of the Swindon Waste Development Policies DPD. Additionally, it positively contributes to the Air Quality Action Plan and contributes to elements of the Air Quality Strategy for Wiltshire and Calne Community Area Air Quality Action Plan.

Landscape and Visual Impact

108. The Lower Compton Site is allocated in the Waste Site Allocations Local Plan. The Local Plan includes a Site Profile which lists a requirement for any application in respect of the site for a landscape and visual impact assessment (LVIA) to determine the impacts on local residences and the nearby North Wessex Downs Landscape, townscape and visual Area of Outstanding Natural Beauty (AONB). It is stated any landscape and visual impacts will need to be mitigated through sensitive site planning and screen planting.
109. The LVIA submitted for the previously submitted/consented application (ref: 14/09744/WCM) proposed a native tree and shrub planting belt is proposed along the east facing bund slope to minimise views of the existing (and proposed) buildings. The appeal decision noted that the existing building subject of this application is reasonably well separated spatially and visually from residential areas and from the AONB. Screening could, in the view of the inspector, be further reinforced by additional landscape planting secured by planning condition.

110. This additional planting is comprised in a 'Combined Landscape and Ecological Masterplan' and a 'Combined Landscape and Ecological Mitigation Plan', which is carried forward and submitted as part of this application. Suitable planning conditions securing the implementation of the plans are included in the proposal schedule of conditions below.

Conclusion

111. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which together seek to address concerns regarding traffic and air quality in the AQMA in Calne town centre, and the impact that HGVs associated with Hills' operations at Lower Compton have on these matters, raised during the planning application and appeal process for the previous application 14/09744/WCM (to retain and extend the existing Lower Compton MRF, including transfer activities etc).
112. The proposed change of use would enclose the transfer and bulking up of municipal waste and green waste from household collections within Wiltshire, forming part of the network of facilities to deal with municipal waste in Wiltshire diverting waste from landfill and onto alternative waste treatment solutions. The proposal is considered to be acceptable in principle, as compliant with the provisions of the Waste Core Strategy and Waste Site Allocations Local Plan.
113. The suite of five applications includes a proposal for an internal HGV relief road to link the Lower Compton site with the Sands Farm site. The proposed link road through the site, which this development would utilise, allows traffic to effectively bypass Calne town centre and Air Quality Management Area. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The Highways Authority advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre.
114. The application includes the additional planting on the eastern screen bund and the site entrance improvements previously submitted/agreed as part of the appeal process to ensure that they are implemented.
115. It is considered the development as proposed is in accordance with the Development Plan and that there are no material considerations to indicate that permission should be refused.

RECOMMENDATION

116. Having taken into account the environmental information, it is recommended that authority be Delegated to the Head of Development Management to Grant planning permission, subject to the completion of a planning obligation under Section S106 of

the Planning Acts within 6 months of the date of the resolution of this Committee to address the following requirements:-

○ Traffic Management Plan, and
subject to the following recommended planning conditions set out from paragraph 118 below.

117. In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for the following reason:-

○ The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

118. **Conditions:-**

1) The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2) The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:

- Drawing No: 18769-10000-001 Location Plan dated Aug 2017
- Drawing No: HILLS/1011-DWG-003 – Existing Site Layout – dated 11-08-2011
- Drawing No: HILLS/1011-DWG-004 – Existing MRF Building Plans, Elevations and Section – dated 09-08-2011
- Drawing No: HILLS/1011-DWG-010-REVE – Combined Landscape and Ecological Mitigation Plan – dated June 2011
- Drawing No: HILLS/1011-DWG-012-REVF – Combined Landscape and Ecological Masterplan – dated June 2011
- Drawing No: A094007-SK005 – Proposed Site Access Improvements and Footway Provision - dated 20.01.2017

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

3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

REASON: To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the

development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

REASON: In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste delivered to and processed at the Waste Transfer Station shall not exceed 75,000 tonnes in any twelve month period.

REASON: To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste / waste derived products despatched from the site shall be maintained by the applicant at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

REASON: In order that the Local Planning Authority can monitor the approved development.

- 7) Operations authorised by this permission shall be restricted to the following durations:

07:00 to 20:00 hours Monday to Friday
07:00 to 13:00 hours Saturday

and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)
07:00 to 20:00 hours Saturdays following Bank Holidays
07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day
13:00 to 20:00 hours Saturday receipt of wastes from household waste recycling centres
07:00 to 18:00 hours Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The improvement of the site access road and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented within 12 months of the Change of Use being commenced as notified under Condition 1.

REASON: In the interests of road safety for public users of the road

- 11) 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 building; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

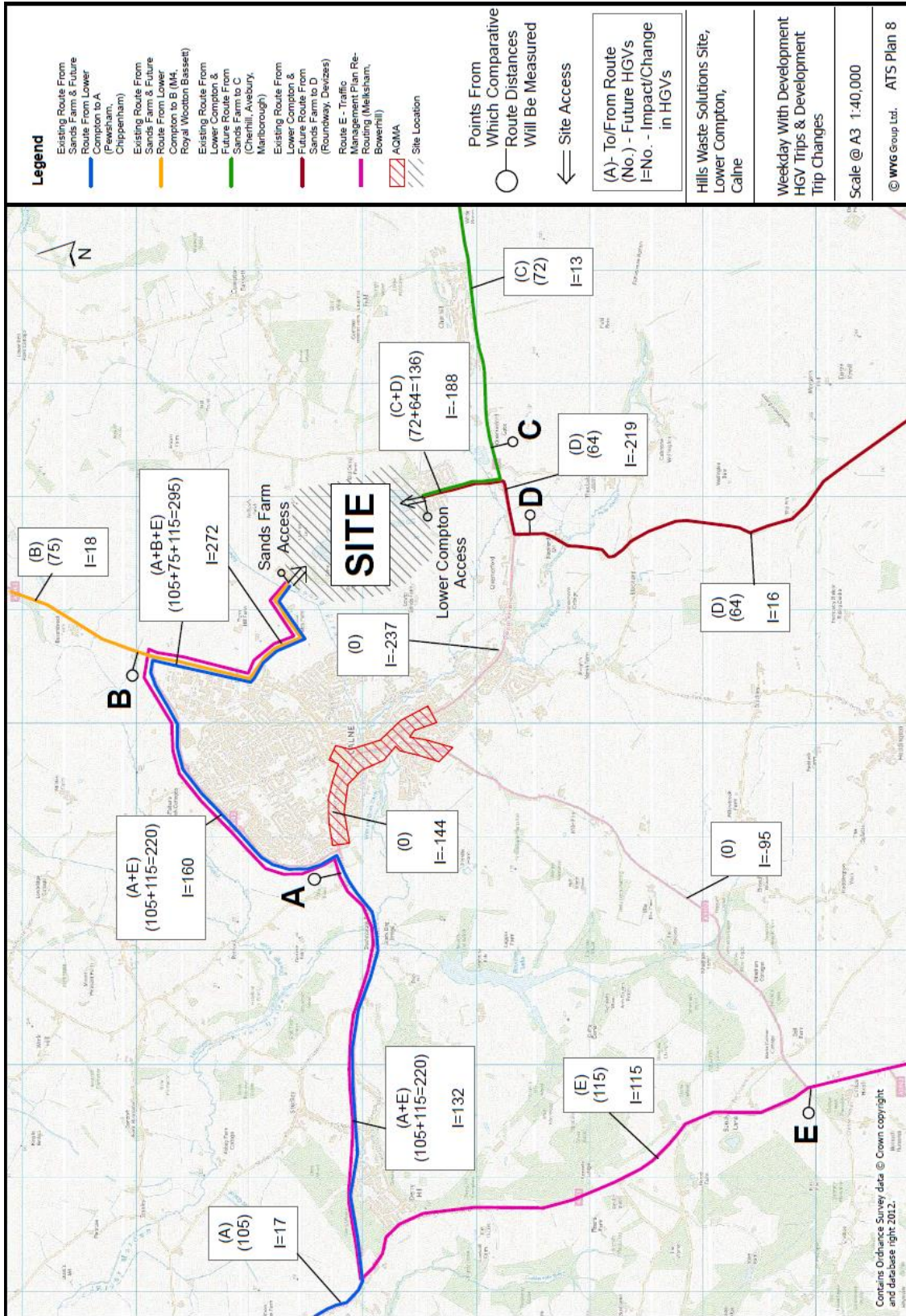
Appendix 1

Proposed Lower Compton and Sands Farm HGV Management Plan

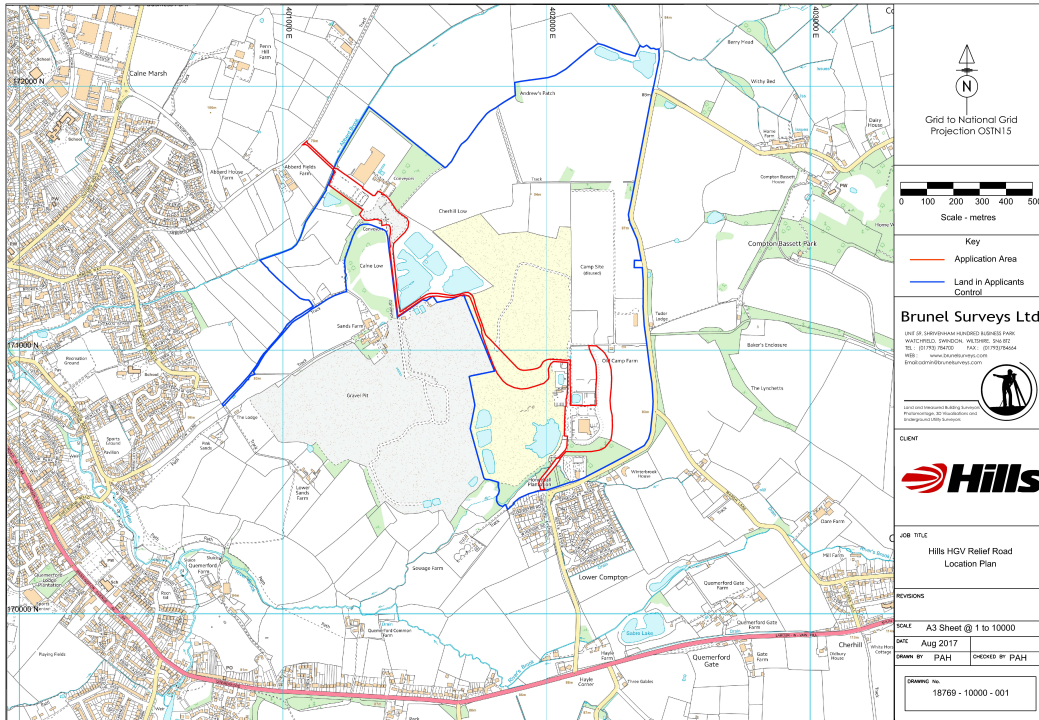
1. This Traffic Management Plan is intended to provide an agreed framework of acceptable heavy goods vehicle (HGV) movements that will facilitate the commercial operation of the wider Lower Compton site activities (to include the Sands Farm Facility) so as to minimise the potential adverse impact on the local community and environment at all times.
2. The basic principal is to minimise HGV movements through the centre of Calne, whilst allowing local waste collection services, mineral or concrete deliveries, including those within the Calne town boundary, to be provided efficiently and effectively.
3. The Traffic Management Plan has taken note of the requirements of the Wiltshire Council's Strategic Plan 2016 (including the Wiltshire Air Quality Strategy 2011-2015); the Calne and Calne Without Neighbourhood Plan (draft March 2017) and Calne Community Air Quality Action Plan (Draft, November 2015).
4. This Traffic Management Plan applies to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited (HWSL); Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
5. The intended detailed HGV movement restrictions shall be as follows, unless otherwise agreed by Calne Town Council, such agreement not to be unreasonably withheld:
 - a. There will be only 2 points by which HGVs and other vehicles may access the Lower Compton site; namely the existing access point from the A4 along the C15 road at the south of the site adjacent to Lower Compton (referred to as the "Lower Compton access") and an access from the western side of the site from the Oxford Road roundabout at the Bug and Spider public house via Sandpit Lane (referred to as the "Western access").
 - b. HGVs approaching the Lower Compton and Sands Farm sites from the east along the A4 road will be expected to turn right onto the C15 road through Lower Compton and use the Lower Compton access.
 - c. HGVs approaching the Lower Compton site and Sands Farms from the south along the C50 road will be expected to turn right onto the A4, then left onto the C15 link road through Lower Compton and use the Lower Compton Access.

- d. HGVs approaching the Lower Compton and Sands Farm sites from the west along the A4 road will be expected to turn left onto the relief road, (A3102) at the roundabout junction with Greenacres Way, continue along the relief road to the roundabout junction with Oxford Road, then south to the roundabout adjacent to the Bug and Spider Public House and turn left onto Sandpit Road in order to access the Lower Compton and Sands Farm sites via the Western access.
- e. Use of the A3102 road from Mile Elm to the Silver Street junction with the A4 at the White Hart Public House and the use of Stockley Lane junction with the A4 is expressly prohibited to all HGVs intending to access the wider Lower Compton site from the outside of Calne.
- f. Vehicles collecting from or delivering to premises within the Calne town boundary will be permitted to travel around the town only and will be required to access the site when necessary via the nearest gate to their location at the time.
6. Traffic movement details through Calne will be provided by the Lower Compton site operators and monitored by Calne Town Council. In the event of a material breach of the Traffic Management Plan, appropriate action will be taken against drivers of the LGV found to be in breach by Hills, actioned against in a timely and effective manner.
7. Responsibility for the implementation of the Traffic Management Plan rests solely with Hills.

Appendix 2



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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	20 June 2018
Application Numbers	A. 17/10539/WCM and B. 17/10543/WCM
Site Address	A. Lower Compton, Old Camp Farm Mineral Extraction and Landfill Compton Bassett SN11 8RB B. Low Lane Landfill, Lower Compton, SN11 8RB
Proposals	A. Variation of conditions 3 & 4 of Planning Permission N/09/01497/WCM (Extension to a Sand Quarry and Infilling with Waste) to extend the end date of mineral extraction until 17 October 2029 and to extend the end date of restoration by landfill until 31 December 2042. and B. Variation of condition 3 of planning permission 13/05229/WCM (Extension of mineral and landfill operations) to extend the operational end date of the landfill until 31 August 2028 and complete subsequent restoration by 31 August 2029.
Applicant	Hills Waste Solutions Ltd
Town/Parish Council	Calne Without / Cherhill
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	402140 170917
Type of application	County Matter
Case Officer	Jason Day

Reason for the application being considered by Committee

1. The Head of Development Management considers that this suite of applications should be considered by the committee as they involve matters of strategic significance that have previously been considered by the committee and that have raised matters of public interest that have been contested both at appeal and in the Courts.

Purpose of Report

2. The purpose of the report is to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that authority be delegated to the Head of Service for Development Management to grant conditional planning permission, subject to the completion of a

planning obligation under Section 106 of the Planning Acts to address highway matters.

Report Summary

3. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
4. This report considers two planning applications made to extend the dates on which mineral extraction ceases and restoration by landfill is completed on two areas within the wider Lower Compton facility.
5. The key issues in considering the application are as follows:
 - Principle of the development.
 - Landscape and Visual Impact
 - Biodiversity
 - Traffic and Transport
 - Air Quality
6. To date, the application has generated a total of 24 letters of objection from individuals and none in support. This includes additional letters of objection that have been submitted in response to publicity of further environmental information requested as part of the determination process.
7. Calne Without Parish Council and Compton Bassett Parish Council object to the applications. Calne Town Council and Cherhill Parish Council support the applications, subject to provisos.

Background

8. These Planning Applications form part of a suite of five key applications at Lower Compton and Sands Farm which together seek to set out Hills' proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the application process of application 14/09744/WCM (Lower Compton MRF).
9. The applications, which together cover mineral extraction, restoration via landfill, waste transfer, Materials Recycling (MRF), vehicle parking and depot facilities, aggregate bagging, lintel manufacture, materials testing and other minor uses aim to share, transparently, Hills' view of how the site will operate over the next 20 – 25 years. If they are all approved, they will allow Hills to make the necessary investment to provide an internal HGV relief road which will link the Sands Farm site with the Lower Compton site.

Site Description

10. The Lower Compton and Old Camp Farm mineral extraction areas and landfills lie to the east of Calne. Low Lane landfill is directly to the north of these sites. They form part of a wider site which includes the Household Recycling Centre, the green waste management area, the waste recycling recovery and treatment area, concrete batching plant and the Materials Recycling Facility/ Waste Transfer area.
11. Both areas are currently accessed from the C15 at Lower Compton. Extracted minerals are however taken by conveyor to the Sands Farm Processing Plat and exported by road via Sandpit Road, Calne. The area is served by the A3102 and A4 Local Lorry Routes.
12. The combined area of the Lower Compton Landfill and the Old Camp Farm mineral extraction and landfill is approximately 50 hectares and the full extent of Low Lane is approximately 23 hectares. Screen bunding to the east of both and the north of Low Lane is included in these areas. Both areas are working sites with areas restored, areas in use and areas yet to be commenced.

Planning History

13. The quarrying at Lower Compton dates back to the 1940s. Wiltshire County Council operated the landfill at the site from 1979, awarding a contract in 1996 to Hills to operate the landfill. This gave rise to a planning consent N96.0174, which has been varied a number of times to address primarily restoration contours and operational hours.
14. Old Camp Farm mineral extraction and restoration by infilling was granted in May 2002 (ref: N.01.2803). This permission has also been varied a number of times in the intervening years, to tie with changes made on the Lower Compton site and to allow the contours to marry with those of the Low Lane Landfill which it adjoins to the north.
15. Submission of an application in 2009 consolidated both permissions for Old Camp Farm and Lower Compton Landfills, and the current extant permission which covers both areas of land is N/09/01497/WCM. It is this consent which includes the time limitation that this application seeks to change.
16. The relevant planning history for the Lower Compton and Old Camp Farm areas is summarised below:
 - Continued restoration of Sand Workings by tipping (N.96.1074);
 - Varied to change the restoration drawings in condition 1 (N00.0182);
 - Extension to sand quarry and infilling with waste and variation of condition to amend restoration scheme (N.01.2803);
 - Section 73: Extension to sand quarry and infilling with waste without complying with Condition 2 of planning permission N.01.2803. (N.04.3060);
 - Section 73: Extension to sand quarry and infilling with waste without compliance with Condition 8 of Planning Permission N.04.3060 (Operating Hours). (N.06.07021);

- Section 73 application for extension to a sand quarry and infilling with waste, without complying with conditions 3 (end date) and 5 (phasing and restoration) of N.04.3060 (N.06.07008);
 - Section 73 Application - Extension to a Sand Quarry and Infilling with Waste Without Compliance with Condition 8 of Planning Permission N.06.07008 (Hours of Operation) -(N.09.01497).
17. Low Lane mineral extraction and landfill was granted in 2007, but due to difficulties diverting a public footpath did not commence until 2009. Sand extraction has been completed at Low Lane. As with the Lower Compton landfill and associated Old Camp Farm extension, the site has been subject to a number of changes to approved planning both to its operational hours and the phasing of the landfill operations. The current consent is 13/05229 and it is an extension of time of this consent that is sought.
18. The relevant planning history for the Low Lane area is summarised below:
- Low Lane Extension - Mineral Extraction and Restoration to Agriculture Using Imported Waste (N06.07009)
 - S73 Application: Extension of Mineral & Landfill Operations Without Compliance with Condition 9 of N/06/07009 to Change Operation Hours (N/11/03553/WCM)
 - S73 Application - Extension of mineral and landfill operations without compliance of Condition 2 of N/11/03553/WCM to extend mineral extractions until 31 December 2018(13/05229/WCM).

The Proposal

19. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way that it considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
20. The five applications comprise: -
- i. HGV Relief Road - The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without using the A4 in the centre of Calne. (Ref No: 17/10550/WCM);
 - ii. Retention and Change of Use of the Concrete Products factory to a mixed industrial, storage and waste management use. This development would use the HGV Relief Road. (Ref No: 17/10554/WCM);
 - iii. Change of Use of the existing Lower Compton MRF only for waste transfer (not waste transfer and MRF as consented at Appeal) and to retain the building in its existing configuration, not to extend its size. This development would make use of the HGV Relief Road. (Ref No: 17/10557/WCM).
 - iv. **Section 73 application to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and**

restoration by landfill until 2042. This development would utilise the HGV Relief Road. (Ref No: 17/10539/WCM) and;

- v. Section 73 application to extend the time period for restoration by landfill of the Low Lane site until August 2028. This development would utilise the HGV Relief Road. (Ref No: 17/10543/WCM).**

21. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne.
22. This report considers two planning applications (iv and v) to extend the dates on which mineral extraction ceases and restoration by landfill is completed on two areas within the wider Lower Compton facility.

A. Lower Compton and Old Camp Farm Area (Ref: 17/10539/WCM)

23. The existing site at Lower Compton has been used for sand extraction and landfilling since the late 1970s. Wiltshire County Council operated the landfill at the site from 1979, awarding a contract in 1996 to Hills to operate the landfill.
24. The primary landfill has two extensions: (i) Old Camp Farm lies to the east of the Lower Compton landfill, north of the green waste management area and shares the same planning permission as the principal area. (ii) Low Lane lies to the north.
25. Sand extraction at Lower Compton and Old Camp Farm is due to cease by 24th May 2018, with subsequent restoration by landfill completed by 24th May 2022. However, due to working the Low Lane Extension before the Old Camp Farm extension and the slow-down in sales over recent years there remains sand to be extracted in the Lower Compton / Old Camp Farm permission area.
26. The application (A) for the Lower Compton and Old Camp Farm area therefore seeks to extend the end date of mineral extraction until 2029, based on annual sales of 60,000 tonnes of sand. Within the same application, it is then proposed to extend the end date of restoration by landfill until 2042, based on current infill rates of around 110,000 tonnes per annum being maintained.
27. Condition 3 of Permission N0901497/WCM currently states:

- 3) *The extraction of sand shall cease on or before 24th May 2018.*

Reason: To ensure that the development is carried out in accordance with the approved details.

28. It is proposed that the condition 3 of Permission N0901497/WCM is varied to:

The extraction of sand shall cease on or before 24th May 2029.

29. Condition 4 of Permission N0901497/WCM currently states:

- 4) *The tipping/deposit of waste material and restoration operations shall cease on or before 24th May 2022.*

Reason: To ensure that the development is carried out in accordance with the approved details.

30. It is proposed that condition 4 of Permission N09.01497/WCM is varied to:

The tipping/deposit of waste material and restoration operations shall cease on or before 24th May 2042.

Low Lane Extension Area (Application ref: 17/10543/WCM)

31. Planning permission for the Low Lane Extension was granted in 2007, for both mineral extraction and restoration to agriculture using imported waste.

32. The Low Lane Extension is due to be restored by 31st December 2019. However, the amount of waste going to landfill has slowed down in recent years due to the levels of waste recycling and recovery. Despite this, a need for void space remains and is required for dealing with waste that cannot be recycled or used for energy recovery.

33. The application (B) for the Low Lane Extension area therefore seeks to extend the operational end date of the landfill until 31st August 2028, and complete subsequent restoration by 31st August 2029. This date has been based on 110,000 tonnes per annum input, which reflects the level of landfilling in recent years.

- xx. Condition 3 of the planning consent 13/05229/WCM states:

“The deposition of waste at the site shall cease no later than 31st December 2018. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved scheme submitted in application No. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.”

34. It is proposed that condition 3 of planning permission ref: 13/05229/WCM is varied to:

“The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application No. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.”

Environmental Impact Assessment

35. The application is accompanied by an Environmental Statement (ES) which reports the results of an Environmental Impact Assessment (EIA) undertaken of the

proposed development, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

36. The scheme assessed by the Environmental Statement (ES) is subject of two planning applications:
- Extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042 [Ref No: 17/10539/WCM] and;
 - Extend the time period for restoration by landfill of the Low Lane site until August 2028 [Ref No: 17/10543/WCM].
37. The ES includes assessments of environmental effects relating to:
- Reasonable Alternatives studied
 - Landscape and Visual Impact Assessment
38. Following a request from the Council, the applicant provided further information regarding the remaining mineral to be extracted and landfill that will be imported along with historic, current and projected mineral output and waste inputs.

Statement of Community Involvement

39. The applicant provided details of consultations with key stakeholders and local community representatives on the alternative proposal to the planning permission for a Material Recycling Facility (MRF) and Waste Transfer Station (WTS) at Lower Compton. A document has been produced setting out details of planning applications and illustrated on a pull-out site plan and map.
40. Groups consulted regarding the plans include members of the Calne Area Board, Calne Area Parish Forum, members of Calne Without / Cherhill / Compton Bassett Parish Councils, the Lower Compton Community Liaison Group and representatives of Wiltshire Waste Alliance. Presentations, site tours and meetings have been provided.

Planning Policy

41. The following Development Plan documents and policies have been considered for this planning application:

Wiltshire and Swindon Minerals Core Strategy 2009

- Policy MCS1 - Meeting the Need for Primary Aggregate Minerals
- Policy MCS1 (A) Strategic Approach to Identifying Future Supplies of Aggregate Minerals
- Policy MCS (B) Generic Criteria for Guiding the Location of Minerals Development
- Policies MCS 7–10 set out the general considerations to be taken into account at the planning application stage.

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan 2013

- Policy MSA1
- The Calne Area - context

Wiltshire and Swindon Minerals Development Control Policies Development Plan Document 2009

- MDC1: Key criteria for sustainable minerals development
- MDC2: Managing the impacts of minerals development
- MDC5: Protection and enhancement of Wiltshire and Swindon's landscape character
- MDC6: Biodiversity and geological interest
- MDC8: Sustainable transport and minerals development
- MDC9: Restoration, aftercare and after-use management of minerals development

Wiltshire and Swindon Waste Core Strategy 2009

- Policy WCS1: The Need for Additional Waste Management Capacity and Self Sufficiency
- Policy WCS2: Future Waste Site Locations
- Policy WCS3: Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility

Wiltshire and Swindon Waste Site Allocations Local Plan February 2013

- Policy WSA1: Presumption in Favour of Sustainable Development
- Inset Map N3: Hills Resource Recovery Centre, Compton Bassett

Wiltshire and Swindon Waste Development Control Policies DPD 2009

- Policy WDC1: Key criteria for ensuring sustainable waste management development
- Policy WDC2: Managing the impact of waste management
- Policy WDC7: Conserving Landscape Character
- Policy WDC8: Biodiversity and Geological Interest
- Policy WDC10: Restoration of Waste Management Sites
- Policy WDC11: Sustainable Transportation of Waste
- Policy WDC13: Landfill Development

Wiltshire Core Strategy. January 2015

- Core Policy 8: Calne Community Area;
- Core Policy 50 - Biodiversity and geodiversity
- Core Policy 51 - Landscape

National Planning Policy context.

42. The following documents are also material to the consideration of the planning application:
- The National Planning Policy Framework (March 2012)

- The National Planning Policy for Waste (October 2014)

Summary of consultation responses

43. The application has been the subject of two periods of consultation in response to initial and further submissions by the applicant. The following summary represents the position of consultees following the outcome and conclusion of the two consultation exercises.
44. **Calne Without Parish Council** - objects to the suite of 5 applications and to the rerouting of Hills HGV traffic from the south of the county through the villages of Sandy Lane, Derry Hill and Studley.

Objects to both applications to extend the operational end dates for mineral extraction and restoration by landfill on the grounds that the time period proposed to fill the void created by the sand extraction is substantially longer than the applicants figures would suggest.

If both applications are granted, the extension would allow a period of 13 years (25 May 2029 to 25 May 2042) to fill the void created by the sand extraction at Old Camp Farm, which is substantially longer than the applicants figures would suggest. The reasons for this are as follows: a. The original permission allowed a period of 4 years from 25 May 2018 to 25 May 2022 for the landfill to fill the void at Old Camp Farm created by the sand extraction. The Low Lane permission allowed a period of 5 years (from 31 December 2013 to 31 December 2018) for the landfill to fill the slightly larger void created by the sand extraction at Low Lane. b. The N/17/10543 application states that sand extraction will be at a reduced rate of 60,000 tonnes per annum (tpa) due to low demand but that the landfill rate will remain unchanged at 110,000tpa. c. Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 25 May 2033 and not 25 May 2042 as proposed.

Should Wiltshire Council be minded to approve this and the related applications, despite the clear contraventions of the Wiltshire Council's Core Strategy and the additional arguments outlined above, then the Council must require the applicant to enter a binding agreement to follow a traffic management plan that requires all HGV movements from the south to use the current route via the A3102 and enter the site from the Lower Compton entrance. In this way, the centre of Calne, the outlying London Road corridor and Lower Compton will all experience a significant reduction of around 185 HGV trips per day, without any increase in HGVs through Sandy Lane, Derry Hill, Studley or Mile End and Silver St.

The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Lane, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality

levels for 5 years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.

The Council supports the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton by removing 185 HGVs

The Council believes it is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.

45. **Calne Town Council** – unanimously resolved to consider the five applications together. The Town Council will support the applications subject to: -

- Appropriate conditions which require the creation, implementation and operation of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments.
- Appropriate signage around the town to advise drivers of the approved routes to access and exit the sites (provided by way of a S106 agreement).
- Appropriate conditions to manage the wheel washing and canopying of loads.
- Financial contribution to the setup and delivery of an education programme to address road safety in local schools.

46. **Compton Bassett Parish Council** - objects to the landfill permission extension to 25 May 2042 as both unnecessary and unreasonable. This effectively allows a period of 13 years (25 May 2029 to 25 May 2042) to fill the void created by the sand extraction at Old Camp Farm. Considers this an unreasonably lengthy period for landfill for the following reasons: The original permission allowed a period of 4 years from 25 May 2018 to 25 May 2022 for the landfill to fill the void at Old Camp Farm created by the sand extraction. The Low Lane permission allowed a period of 5 years – from 31 December 2013 to 31 December 2018 – for the landfill to fill the slightly larger void created by the sand extraction at Low Lane. The N/17/10543 application states that sand extraction will be at a reduced rate of 60,000 tonnes per annum (tpa) due to a low demand but that the landfill rate will remain unchanged at 110,000 tpa. Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 25 May 2033 and not 25 May 2042 as proposed.

It might be argued by the applicant that landfill rates will fall in the future so that a longer landfill period will be required. This is a fallacious argument because the

landfill rate is currently filling the void space almost twice as fast as it is being created by sand extraction. The wider landfill site is divided into around 34 cells (see N/06/07009), with Cell 25 currently being prepared for landfill and with sand still to be extracted from cells 38-34 at Old Camp Farm. It follows that landfill will catch up with sand extraction (60,000 tpa) by around August 2021 and thereafter landfill can only occur at a reduced rate (half the proposed current rate of 110,000tpa), as determined by the rate of sand extraction (by 25 May 2029), the landfill will be ready and waiting to fill this last cell immediately. This means that even at 50% of the current landfill rate, the landfill would be complete by 25 May 2031 at the latest.

47. **Environment Agency** – no objection to either proposed extension to the operational end date of the landfill.
48. **Natural England** – no objection. The site is immediately adjacent to the North Wessex Downs AONB and as such advises that national and local policies, together with local landscape expertise and information, are used to determine the proposal. Advise that the relevant AONB Partnership or Conservation Board be consulted.
49. **Historic England** – do not wish to offer any comments.
50. **North Wessex Downs AONB Partnership** – no comments received.
51. **Wiltshire Council Archaeology** – no comment on either application.
52. **Wiltshire Council Ecologist** – supports both applications, subject to conditions. Notes that further information submitted includes additional explanation and rationale of how the related processes at Lower Compton, Freeth Farm and Old Camp Farm are intended to be brought forward.

Whilst in agreement with the logical progression described, and that the agreed restoration will be implemented in full, still have concerns that the extension of time until final restoration is achieved will prolong disturbance to wildlife in the local area within and around the site and will also prolong the lack of permeability of the landscape by wildlife populations. Considers this an adverse impact to biodiversity that requires suitable mitigation to remove or significantly reduce the impact.

While noted that some significant planting and other habitat creation will be undertaken in relation to the two “change of use” sites dealt with under applications 17/10557/WCM and 17/10554/WCM, which are within the wider site owned and operated by Hill’s, this is mitigation and enhancement for those sites, as required under NPPF. Additional mitigation and enhancement is required in relation to the mineral extraction and the landfill parts of the site.

To provide this, suggested that the restoration phasing could be revised to better manage impacts for wildlife within the site. The focus should be on creating and maintaining habitat connectivity across the site, wherever possible. The planting around the two change of use sites is due to be carried out in 2018, however there is no other restoration due to happen until 2029 according to the phasing plans. Therefore advises that a condition should be applied requiring a revised restoration plan which manages the impacts for wildlife within the site, should be agreed with the LPAs ecologist. In addition, the existing LEMP should be re-visited and the applicant

should ensure that all existing mitigation and enhancement measures for already restored areas are being implemented.

53. **Wiltshire Council Landscape Officer** – Supports the applications. Additional information has been supplied by the applicant to justify the extension of time requested. Over the last few years there has been a steady decline in the volume of waste to landfill in the UK. This is credited to the upsurge in recycling and recovery. While this is welcomed the knock on effect is the slowdown of material to complete landfill sites restoration within the agreed/permitted timeframe.

The options proposed for the site are discussed in some detail:

1. Complete the landfill faster – This would result in more traffic in terms of the number of deliveries and additional waste would need to be imported possibly from outside of the operational area. This would inevitably result in a loss of tranquillity and amenity for local residents, potential issues with a lack of void space for the county although in landscape terms the site would be restored quicker and the impacts removed.
2. Do nothing scenario – If the sites are abandoned by the operator when the current permissions expire there will be a permanent residual scar on the landscape. It will in time green over but the mitigation would not be delivered and the site will remain at odds with the local landscape character. In terms of the proximity to the AONB this is not an option. The CROW Act, NPPF, WCS and the AONB Management Plan all place great emphasis on the importance of designated landscapes and their settings, it is therefore not a scenario that WC can comfortably support.
3. Extend the time to completion – This option forms the basis for the current applications. The extension of time will allow the site to be progressively restored while continuing to balance the associated impacts e.g. traffic.

In terms of landscape and visual effects this will impact on a local level extending the restoration from imminent to medium to long term. The LVIA has provided a fairly robust assessment against the LVIA submitted with the 2006 application and has found that there will be no additional adverse effects but that they will just go on for longer. This is partly down to the completion of the mobilisation operations such as soil stripping and screen bund construction; the sites are now being worked behind bunds reducing their landscape and visual influence locally.

The area that the application is lacking is a review of what could be achieved in terms of bringing forward restoration and/or improved management of habitats. Notes the County Ecologist has raised similar concerns, particularly the adverse effect of the lack of permeability of the landscape for wildlife populations.

The extension of time applications do not propose any additional mitigation as it is judged that the approved restoration scheme is sufficient. However in light of the proposal to delay restoration for the medium to long term there needs to be an overarching Landscape and Ecology Strategy in order to comply with the Core Strategy to 'restore land in a phased and timely manner to maximise the potential for after use'.

Supports the principle of the application however thinks that this needs to be balanced with conditions (see County Ecologist comments) to ensure that there is a

review of the current scheme and a programme of phased restoration/habitat management going forward.

Review of ES

A Landscape and Visual Impact Assessment (LVIA) has been submitted with the above applications and forms part of the Environmental Statement. It has been prepared following current best practice methodology published by the Landscape Institute and IEMA, the 'Guidelines for Landscape and Visual Impact Assessment' 3rd Edition (2013).

I have reviewed the assessment criteria and view point selection and note that the assessment has been undertaken with regard to relevant policies and guidance including

- NPPF & PPG
- Wiltshire and Swindon Waste Core Strategy Development Plan Document (July 2009)
- Wiltshire and Swindon, Waste Development Control Policies Development Plan Document (Sept 2009)
- Wiltshire and Swindon Waste Site Allocations Local Plan
- North Wiltshire Local Plan 2011
- LDF Wiltshire Core Strategy
- North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2009-2014

Assessment of likely effects associated with extension of time (additional to those already identified by previous LVIA Peter Swann 2006)

Old Camp Farm	- Mineral extraction +11 years (completion 2029)
	- Landfill & restoration + 20 years (completion 2042)
Lower Compton	- Landfill & restoration + 20 years (completion 2042)

Effects on the physical landscape are judged neutral as there will be no changes to the consented scheme. In terms of character the site continues to be part of a working landscape under restoration and effects on character areas are judged to be negligible.

Visual effects will continue for the long term and range from neutral to moderate adverse. The visual receptors most adversely affected by the prolonged development are users of PROWs in the immediate and local landscape, and the HRC.

Assessment of likely effects associated with extension of time (additional to those already identified by previous LVIA Peter Swann 2006)

Low Lane	- Landfill & restoration + 10 years (completion 2028)
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Effects on the physical landscape are judged neutral as there will be no changes to the consented scheme. In terms of character the site continues to be part of a working landscape under restoration and effects on character areas are judged to be negligible.

The major visual effects associated with the scheme that were identified in the 2006 LVIA have now been completed e.g. soil stripping, screen bund construction and the current phase of works were identified as having negligible effect due to the screening provided. As restoration progresses Freeth Farm house and some PROWs

(including CBAS9 within the AONB) are expected to have more open views of machinery towards the end of operations, giving rise to major to moderate adverse effects. This is consistent with the 2006 LVIA, and for some receptors in the wider landscape & employment sites the significance of visual effects is judged to be lower.

Cumulative effects

Considering the cumulative effects *'in relation to the range of consented and proposed cumulative developments, the cumulative effects on the landscape and visual receptors will range between long term, permanent and temporary, direct and indirect effects of Negligible and Neutral to Major Negative significance'* the most significant being permanent loss of green field sites to residential, PROW users in proximity to the sites and Freeth Farm.

54. **Wiltshire Council Environmental Health Officer** – advises that the Environment Agency regulate the sites and as such would have investigated any noise or odour complaints. No objections to the variations, would simply expect any existing noise or operating hours conditions to be applied to any approval.
55. **Wiltshire Council Highways Officer** – comments the site is accessed from the C15 at Lower Compton and this results in traffic to and from the site having to pass through the town centre and within the Air Quality Management Area (AQMA). One of the applications (17/10550/WCM) submitted seeks approval for a relief road within the site which would enable traffic to move through the site to access and exit onto the C15 and onto the A4 south of the site, and from Sand Pit Road and onto the Oxford Road roundabout to the west of the site. This would significantly reduce the impact of HGVs through the town centre. Advises the principle of the proposals within this application for continued extraction and landfill beyond the current permitted dates are considered acceptable in highway terms, and whilst there would be a longer period for the operations to be carried out, there would not be any additional HGV movements over and above what has been accepted in the past.
56. **Wiltshire Council Rights of Way Officer** – no comments received.

Publicity

57. The application was publicised by Newspaper notice, Site notice, Neighbour notification, Publication to the Council's website and Weekly lists of applications, and notification to the Town and Parish Councils in the locality. As noted above, the application has been the subject of 2 separate periods of consultation in response to initial and further submissions by the applicant.
58. 24 objections have been received. The following is a summary of matters raised:
 - All five applications should be put on hold until there has been a much broader investigation into the impact these applications have not only on those in the vicinity of Lower Compton and Sands Farm, but also neighbouring areas.
 - It is not acceptable to try and resolve one issue by simply moving it elsewhere.

- This application will have a serious effect on the expanding local community and dramatically increase HGV traffic through what will be a residential area
 - Local residents have had to endure the smells and rubbish emanating from this site for far too long and had been looking forward to it coming to an end. It is not necessary or reasonable to extend it.
 - Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 2033 and not 2042 as proposed.
 - Landfill will catch up with sand extraction (60,000tpa) by around August 2021 and thereafter landfill can only occur at a reduced rate (half the proposed current rate of 110,000tpa), as determined by the rate of sand extraction. This means that even at 50% of the current landfill rate, the landfill would be complete by 25 May 2031 at the latest.
59. **CPRE Wiltshire** – comments (in relation to 17/10543/WCM only) that the commercial demand for sand is low and it is market speculation to imagine that by increasing the permission for 11 years, assets can be recovered. Figures show the current landfill permission should cease by around 2030 and we believe it is unreasonable to continue to seek a 13 year extension. Calne and the Compton Bassett area have seen a steady erosion of the original, fundamental principle that this site would eventually be returned to a natural landscape. The combined application is yet another erosion of this environmental restitution.

Planning Considerations

60. 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.
61. The EIA Regulations require that before determining any EIA application, the local planning authority must take into consideration the information contained in the Environmental Statement (ES) (including any further information), any comments made by the consultation bodies, and any representations from members of the public about environmental issues.
62. Two planning applications are made by Hills Waste Solutions Ltd to vary the date on which mineral extraction ceases and restoration is completed on two areas within the wider Lower Compton facility. An application is made to extend the period for restoration by landfill of the Low Lane site until August 2028. An application is also made to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042. No changes are proposed to the consented restoration scheme as part of either application relating to the extension of time.

63. The applications are made pursuant to section 73 of the 1990 Act (determination of applications to develop land without compliance with conditions previously attached). Planning Practice Guidance advises that in deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. It should be noted that the original planning permission will continue to exist whatever the outcome of the application under section 73.

Principle of development

64. These two applications relate to previously granted planning permissions for the extension of mineral extraction and restoration by landfill on land within the wider Lower Compton facility. The principle of such development was assessed against the provisions of the Development Plan and relevant National planning policy and guidance in force at that time.
65. It was concluded that in the case of Old Camp Farm, extraction of sand prior to landfilling was justified to avoid sterilisation the mineral resource and the landfill would make a substantial contribution to meeting an identified shortfall in landfill capacity. In the case of Low Lane, it was concluded the development would provide sufficient sand reserves to boost the sand landbank and landfill was an appropriate and necessary means of providing beneficial restoration and afteruse of the site, providing suitable void space for the landfilling of waste to meet the demonstrated shortfall in capacity in Wiltshire.
66. The sand reserves at Calne continue to form part of the landbank of mineral reserves that seeks to ensure a steady and adequate supply of aggregate mineral in accordance with national and local policy. The waste development plans likewise rely on the use of this consented voidspace in calculating Wiltshire and Swindon's waste management capacity needs up to 2026.
67. In the context of the current Development Plan and Government guidance, the main consideration for these proposals is whether the proposed time extensions are acceptable. The Development Plan (policies MDC1, MDC9, WDC1, WDC10, WDC13) require applicants to demonstrate a high quality and appropriate restoration scheme for minerals and landfill sites and this includes consideration of timescales. Both the NPPF and NPPW state that when determining planning applications, local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions. This is the reason for and function of the conditions that these applications seek to 'vary'.
68. The applications as submitted provided some information with regard to need and justification for the extensions of time proposed. The information explained that the granting of permission for the Low Lane Extension meant that the working of Old Camp Farm and the restoration of the Lower Compton void were displaced in favour of Low Lane. (For operational reasons, the sand reserves were to be worked in the

Low Lane area before those in Old Camp Farm). Since then, landfilling rates at Low Lane have reduced, having a knock-on effect on all the timeframes across the wider site. Mineral extraction rates have fluctuated in recent decades impacted by economic downturn.

69. Consultations and publicity of the applications received a number of objections, including those from Compton Bassett Parish Council and Calne Without Parish Council. The responses called into question the proposed timings to landfill the void created by sand extraction, with these considered to be longer than the applicants figures suggest and therefore unnecessary and unreasonable.
70. It was also noted by officers that 2006 planning application for the Low Lane extension (N.06.07009) was submitted in parallel with an application to 'vary' the conditions of the permission for Compton Bassett Landfill (N.06.07008). These applications set out how Low Lane would be worked before Old Camp Farm and implications for timescales. The applications also included revised phasing and restoration plans showing how Old Camp Farm and Low Lane could be worked and restored as one site rather than two; which was secured by condition. This background information was not covered in the submitted application.
71. Accordingly, officers requested that the Applicant provide further justification for the extended time periods being proposed. The Applicant has duly added further information to the Planning Statement submitted with each planning application. The options available are discussed in some detail:
 - a) Complete the landfill faster – This would result in more traffic in terms of the number of deliveries and additional waste would need to be imported possibly from outside of the plan area. This would inevitably result in a loss of tranquillity and amenity for local residents, potential issues with a lack of void space for the county, although in landscape terms the site would be restored quicker and the impacts removed.
 - b) Do-nothing scenario – If the sites are abandoned by the operator when the current permissions expire there will be a permanent residual scar on the landscape. It will in time green over but the mitigation would not be delivered and the site will remain at odds with the local landscape character. In terms of the proximity to the AONB this is not an acceptable option. The CROW Act, NPPF, WCS and the AONB Management Plan all place great emphasis on the importance of designated landscapes and their settings, it is therefore not a scenario that could be supported.
 - c) Extend the time to completion – This option forms the basis for the current applications. The extension of time will allow the site to be progressively restored while continuing to balance the associated impacts e.g. traffic.
72. It is explained that the impact of recycling has significantly reduced landfill rates. The emphasis on recycling and recovery, imposed targets on diversion from landfill, as

well as the introduction of alternative end points for waste has all contributed to the plateauing of landfill inputs to the Low Lane site over the last few years.

73. It is explained that in 2017, when these applications were being prepared, the amount of waste which is needed to complete the restoration of both Low Lane and the combined Lower Compton / Old Camp Farm areas was assessed using specialist software which accounts for the engineering and infrastructure in each landfill cell amongst other factors. An estimated 1.38 million tonnes will be imported to complete infilling of Low Lane, and 1.37 million tonnes will be imported for restoration of Old Camp Farm and Lower Compton.
74. Landfilling at 110,000 tonnes per annum as set out in this proposal seeks a balance between the traffic levels associated with the site, ensuring that restoration is completed and securing a resource that is becoming more and more scarce. Whilst household waste to landfill has been much reduced, there remains a need for materials to be landfilled for which there are no other viable options. Materials unsuitable for recycling, unsuitable for fuel use in energy from waste plants and the residues of waste recycling and treatment facilities all require management by landfill.
75. Further information on the working and restoration scheme for the Low Lane site and the Lower Compton and Old Camp Farm areas has been provided, including revised drawings which show the landfill cell numbering and phasing and includes notation on the current area of landfill and the estimated time that each cell remaining will take to be infilled. The volume of waste to be deposited in the site would not change, only the time taken to reach this volume.
76. Planning Practice Guidance provides further information in support of the implementation of waste planning policy. It advises that waste planning authorities should be aware that the continued provision and availability of waste disposal sites, such as landfill, remain an important part of the network of facilities needed to manage England's waste. It is further advised that the continued movement of waste up the Waste Hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits to exercise the planning permission may be needed in some circumstances, provided this is in accordance with the Local Plan and having taken into account all material considerations. As such and in broad terms the principle of development is acceptable subject to compliance with other relevant policy provisions of the development plan relating to site specific matters. These are addressed under specific headings below.

Landscape and Visual Impact

77. The applications are accompanied by an Environmental Statement which primarily addresses the potential for significant landscape or visual impact from retaining the working landscape for longer than originally assessed. A Landscape and Visual Impact Assessment (LVIA) has been carried out to assess the effects anticipated to arise from the proposed extension of time to extract mineral, complete the landfilling

and deliver the consented restoration scheme associated with Old Camp Farm and Lower Compton; and complete the landfilling operations and deliver the restoration scheme at Low Lane Application Site.

78. An LVIA was prepared by Peter Swann Associates in 2006 relating to the original application for mineral extraction, landfilling and restoration for the Low Lane Application Site. The section 73 applications relate to the extension of time to complete the consented scheme and deliver the restoration proposals. The initial landscape and visual effects identified in the Peter Swann 2006 LVIA have already occurred and are continuing to occur, so the assessment considers whether there is any additional landscape and visual effects arising as a result of the extension of time. Overall, the most significant landscape and visual effects associated with completing the working operations and delivering the consented restoration proposals at the Old Camp Farm and Lower Compton Application Site, alongside that associated with the Low Lane Application Site are limited to the those receptors in close proximity to the Application Sites. These effects will continue to the medium to long term and on a landscape that has experienced ongoing change since the 1940's.
79. The Council's Landscape Officer has reviewed the LVIA and advises the LVIA has provided a fairly robust assessment against the LVIA submitted with the 2006 application and has found that there will be no additional adverse effects but that they will just go on for longer. This is partly down to the completion of the mobilisation operations such as soil stripping and screen bund construction; the sites are now being worked behind bunds reducing their landscape and visual influence locally.
80. The Landscape Officer does however consider the applications to be lacking on the point of reviewing what could be achieved in terms of bringing forward restoration and/or improved management of habitats. The County Ecologist has raised similar concerns. The extension of time applications do not propose any additional mitigation as it is judged that the approved restoration scheme is sufficient. However in light of the proposal to delay restoration for the medium to long term it is considered that there needs to be an overarching Landscape and Ecology Strategy in order to comply with the minerals Core Strategy to 'restore land in a phased and timely manner to maximise the potential for after use'. Accordingly, an additional condition to those previously imposed is included in the recommended schedule of conditions below to require the submission for approval of a Landscape and Environmental Management Plan. The Plan will ensure appropriate on-going management of the land to deliver the landscape and biodiversity objectives of the originally approved scheme in a phased and timely manner.

Biodiversity

81. These two applications form part of a suite of five proposals that which together set out proposals to manage waste and minerals at Calne and Lower Compton in the long term. As noted by the Council's Ecologist, some significant planting and other habitat creation would be undertaken in relation to the two 'change of use sites' dealt with under applications 17/10557/WCM and 17/10554/WCM, which are within the

wider site owned and operated by Hills. However, this is mitigation and enhancement for those sites, as required under NPPF. Additional mitigation and enhancement is required in relation to the mineral extraction and the landfill parts of the site as the extension of time until final restoration is achieved will prolong disturbance to wildlife in the local area within and around the site and will also prolong the lack of permeability of the landscape by wildlife populations. The Council's Ecologist considers that this is an adverse impact to biodiversity that requires suitable mitigation that will remove or significantly reduce the impact.

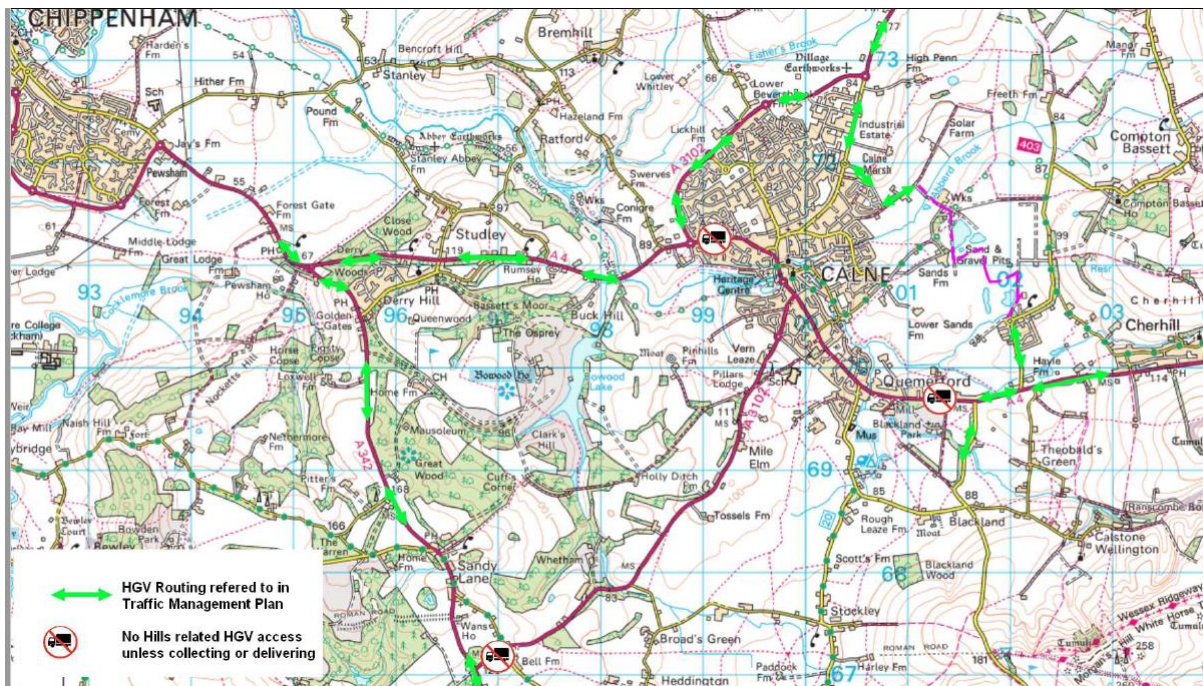
82. To provide this, the Council's Ecologist suggests that the restoration phasing could be reviewed to better manage impacts for wildlife within the site. The focus should be on creating and maintaining habitat connectivity across the site, wherever possible. In addition, a revised Landscape Environmental Management Plan should be produced that covers the extended period of extraction, landfill and restoration and which also has a regular review mechanism.
83. Planning conditions seeking such measures have been proposed by the Ecologist and these are considered necessary and reasonable in light of the extended time period proposed and are included in the list of recommended conditions below. This approach would be consistent with Policy MDC9 of the Minerals Development Control Policies DPD that recognises biodiversity gains can be made in the restoration of mineral sites, through contributing to Biodiversity Action Plan targets and that where appropriate phased restoration schemes can incorporate measures such as advanced tree planting, to ensure that biodiversity benefits are realised at the earliest opportunity.

Traffic and Transport

84. As noted by the Council's Highways Officer, whilst there would be a longer period for the operations, there would not be any additional HGV movements over and above what has been accepted in the past.
85. Core Policy 8 of the Wiltshire Core Strategy states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.41 (of the Strategy) will be addressed. The policy specifies that: "*a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles*".
86. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, if approved, would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new

routings would be available for all uses on site, including the mineral extraction and restoration via landfill operations.

- 87. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.
- 88. The Traffic Management Plan (TMP) would apply to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited; Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.

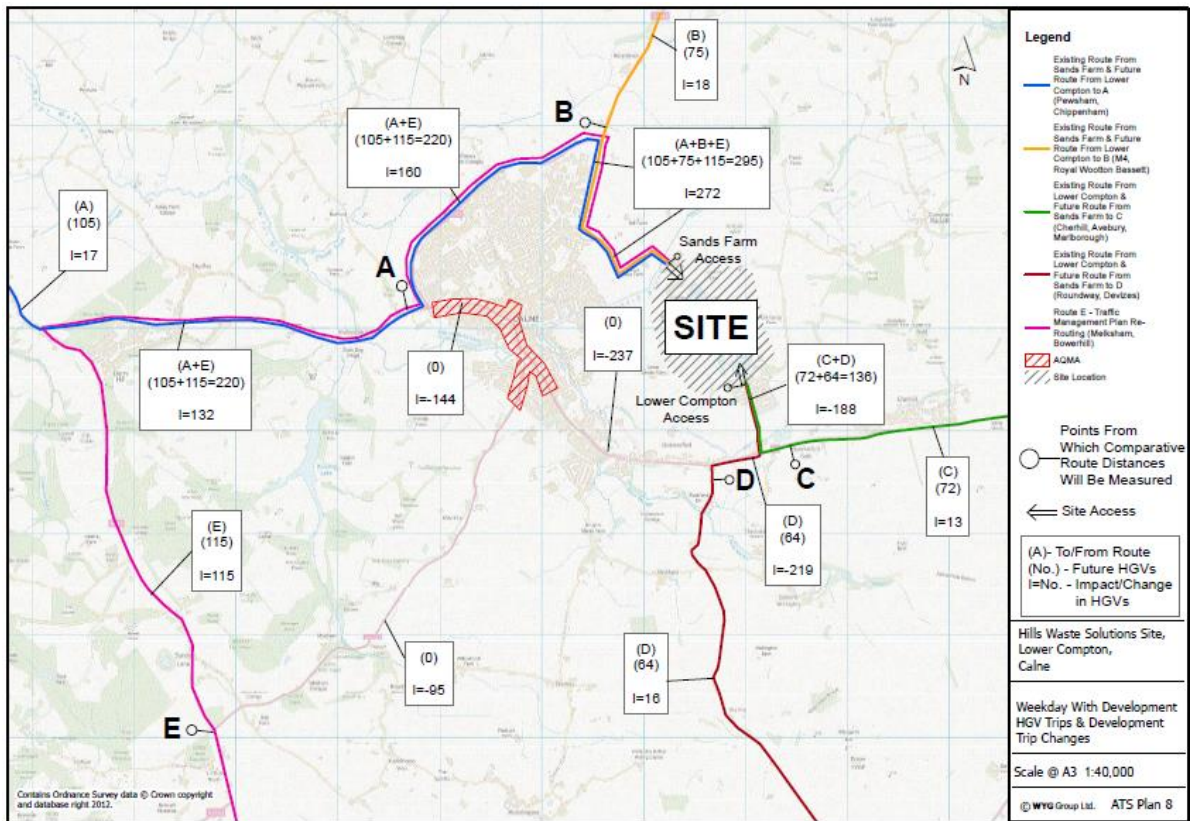


- 88. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford Road and Sand Pit Road to the Sands Farm access to the site. These vehicles will now exclusively use the Sands Farm Access and route via Oxford Road and the A3102 before turning west along the A4 and continuing towards Melksham via Derry Hill.

89. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
90. The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county, with the proposed route through the villages of Sandy Lane, Derry Hill and Studley considered to be a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The Parish Council considers that the air quality improvements to Calne town centre of diverting traffic from the north and west along with the shorter travel distances give sufficient benefits to warrant supporting this part of the proposals. However, it considers the air quality benefits in Calne of rerouting Hills HGVs from the south as negligible and is far outweighed by the significant safety risks of diverting traffic through potentially dangerous parts of the proposed route. Other representations from members of the public have also expressed concerns about the impact on rerouteing HGVs via Sandpit Road and Derry Hill.
91. The principle of the TMP is considered acceptable by the Highways Authority. The Highways officer advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre and that there are advantages and disadvantages in respect of the existing routing via the A342/A3102 and of the proposed routing via the A342/A4. The retention of the existing routing through the A342/A3102 would result in additional vehicles passing through the AQMA, but would reduce the HGV mileage generated by the facilities. Whereas adopting a new routing arrangement via the A342/A4 would increase the mileage travelled and the use of the A342 route and its junction with the A4, which is not currently used. However, it would reduce the impact on the AQMA.
92. Operations and uses, including development relating to access to highways, ancillary to the use of land, the carrying out of building, engineering or other operations or the erection of plant or machinery for the purposes of waste management, are prescribed as "county matters" (minerals and waste application). Policy WDC2 (managing the impact of waste development) of the Waste Development Control Policies DPD states that proposals for waste management development will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigates against, or compensates for significant adverse impacts relating, among other things, to the transportation of waste. Policy WDC11 (sustainable transportation of waste) states that waste management development will be permitted where it is demonstrated that the proposals facilitate sustainable transport, and where appropriate planning applications will need to be accompanied by a Transport Assessment.
93. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: "*a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles*".

Overall Impacts of Proposals

94. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes a Traffic & Transport Chapter which considers the transport issues associated with the development proposals, with the details behind those findings set out in a Transport Statement.
95. The 'with development' scenario considered within the Traffic & Transport Chapter generates a total of 431 site HGV trips per day. Compared to the baseline position of 347 site HGV trips per day, the development proposals will result in a net increase of 84 site HGV trips per day.
96. These HGV trips would be split across the routes to the site meaning the proposals would result in 272 more HGV trips per day experienced along Sand Pit Road and Oxford Road, 160 more HGV trips per day on the A3102 (Calne Bypass) and an additional 115 HGV trips per day along the A342.
97. The proposals would result in 144 fewer HGVs per day experienced through the AQMA, and 188 fewer trips per weekday on the C15. 95 HGV trips per day would be removed from the A3102 to the south and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA.
98. The plan reproduced below, ATS Plan 8, illustrates the total "With Development" HGV trips and then also presents the calculation of trip difference between "With Development" and baseline which is illustrated as "I" = impact.

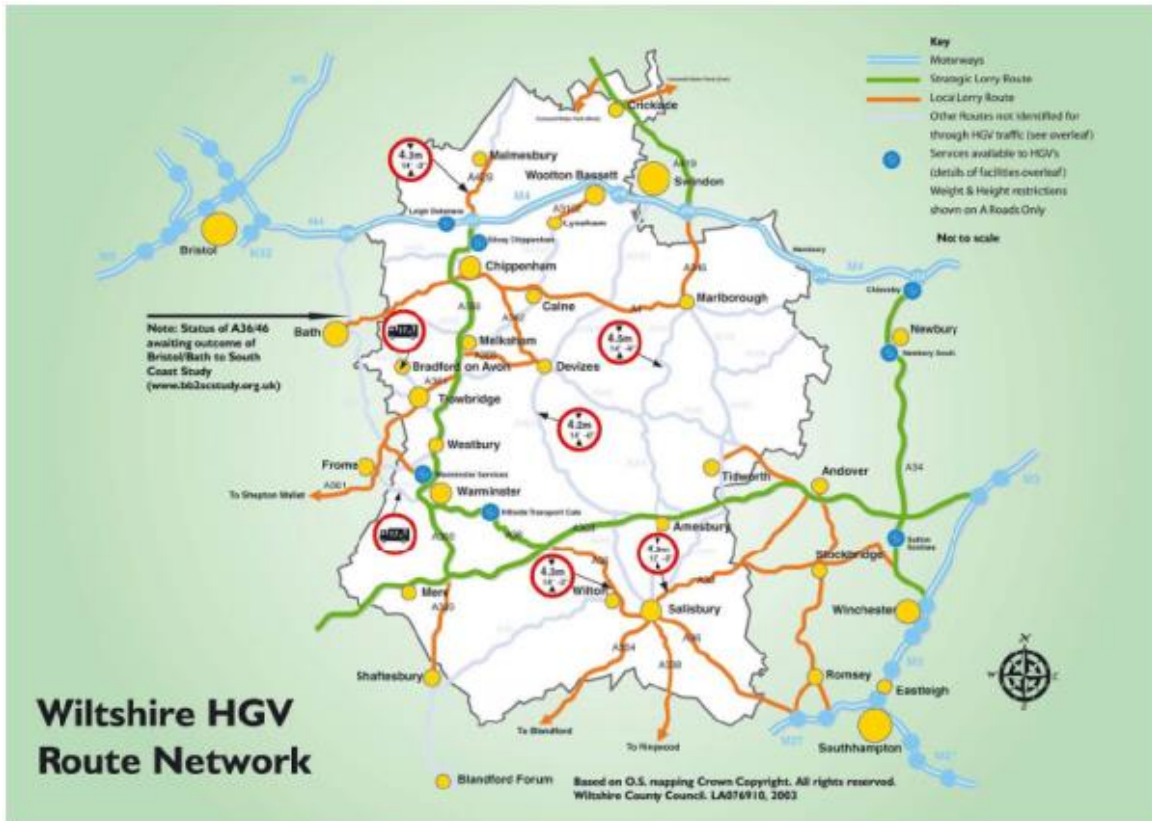


A larger version of plan can be found at Appendix 2.

Impact on A342 junction with the A4

99. Whilst this route is not currently used, there are no legal restrictions on the Hills business (or any other road user) which would prevent it from being used. Against this legal baseline scenario, there would be no impact.
100. To address the Highway Authority's comments however, additional data and assessments have been provided. These demonstrate that the junction is operating at 21% of capacity and the proposed use of the junction by Hills HGVs would not create any material capacity or safety issues. The junction is wide and built to modern standards with a dedicated right turn lane, adequate visibility, street lighting, wide verges etc. The approach to the junction from the east has a speed limit reduction to 40mph, reinforced with road signs and painted road markings. The addition of 115 HGVs per day along the A4 and on the A342 has been assessed as having imperceptible impact upon highway capacity and performance.
101. Whilst adopting the new routing arrangement would increase the total distance travelled by site HGVs per day, this increase in traffic would be experienced along less environmentally sensitive and less populated road links, with high capacities. It diverts traffic away from the Calne AQMA, away from the town centre and away from the A3102 which has a worse accident record. In comparison to the existing routes, the A342 and A4 have less populated road frontages. The extra distance from Melksham to Calne via Derry Hill rather than Mile Elm is just over 1 mile.

102. Whilst the Highways officer has reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, the officer accepts the assessments of the capacity of the junction and potential for queuing HGVs and given the A342 is the local HGV route, advises an objection could not be substantiated, as this route would be in accordance with the Wiltshire Freight Strategy.



103. The highways officer has highlighted that the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads has not been assessed, and suggests restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement. This is not however considered practical, as the origin or destination of the related vehicles changes daily and fluctuates with customer requirements, and the imposition of such a restriction would not satisfy the 6 tests for planning conditions advised in Planning Practice Guidance, particularly as this is a local lorry route.

104. However, having regard to the change in the routing of vehicles from the current pattern, the Highways officer recommendation that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement is considered reasonable to ensure that the routing controls proposed in the TMP are generally complied with.

105. The submitted TMP suggests that any changes to the routing should be agreed with the Calne Town Council. However, in terms of monitoring and enforcement, this responsibility would rest with the Planning Authority - Wiltshire Council, and this correction will need to be made to the TMP in the final version of the legal agreement.

Impact on Sandpit Road

106. With respect to the concerns expressed over increased traffic along Sand Pit Road, it is recognised that the rerouting proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road.
107. Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and continues to serve another waste management facility situated off Abberd Lane. Whilst the concrete products factory ceased production in 2008, sand worked from surrounding mineral reserve blocks (Low Lane and Old Camp Farm) continues to be processed through the quarry processing plant and dispatched via Sandpit Road. This generates 23 HGV trips across the course of a working day.
108. It is worth noting that Sandpit Road was constructed by Aggregate Industries for the purpose of ensuring that HGV traffic associated with the Concrete Products Factory avoided the use of routes that would involve travelling through the centre of Calne. The original estimated movements for the Concrete Products Factory were 120 per day.
109. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.
110. In terms of operational impacts, junctions on Sand Pit Road, Oxford Road and the A3102 which will experience intensification have been tested and have been found to operate within capacity. All other effects experienced (severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accidents and safety), are assessed to be a 'Not Significant' impact.

Impact on Calne town centre

111. The link road through the site will enable vehicles from the Lower Compton site to access and egress at the Sands Farm facility. Similarly, the Sands Farm quarry traffic from the east and south east will be able to use the Lower Compton access rather than travel along the A4 and through AQMA as they do at present. The link road would join the two sites, thereby allowing traffic to effectively bypass Calne town centre.

112. The development proposals would result in 144 fewer HGVs per day experienced through the AQMA, 95 fewer HGVs per day would travel along the A3102 and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA.
113. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.

Conclusion on transport and traffic

114. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments.
115. On balance, it is considered the positive benefits to Calne town centre and its AQMA, particularly in the context of Development Plan policies that call for an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, outweigh any negative impacts from re-routeing HGVs along the A4 via Derry Hill.

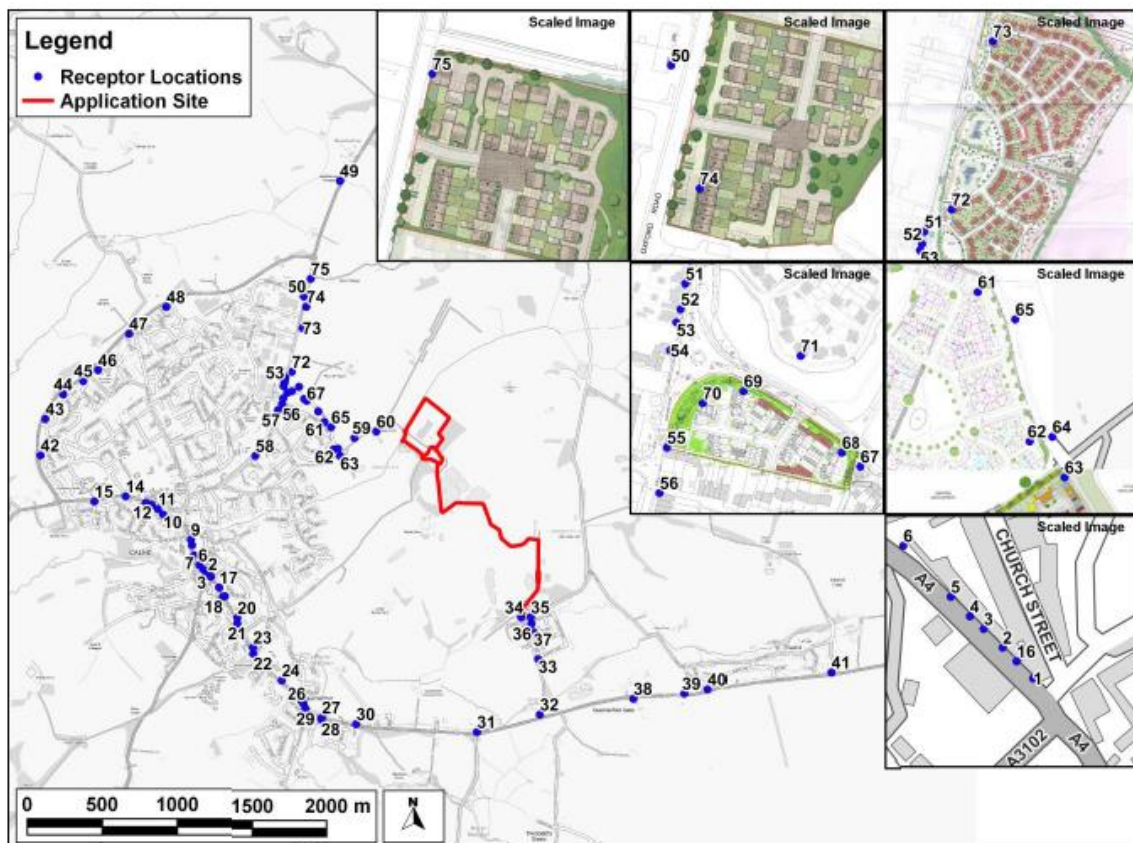
Other highway matters

116. The application notes that as part of the MRF Appeal (14/09744/WCM), improvements to the Lower Compton access road were agreed including additional width, a pedestrian access and a maintenance programme. It is stated that these will be implemented as part of the relief road development if not already completed under the MRF consent. These have not been so completed and so conditions are proposed below to secure these matters. Likewise, a condition to secure an update of the travel plan is included.
117. With respect to the matters on which Calne Town Council has caveated its support for the proposals, conditions that require the provision of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments are considered appropriate and can be secured by planning condition and the Section 106 planning obligation respectively. Conditions are also listed below covering matters such as the provision of wheel washing facilities and site signage. A financial contribution towards a road safety education programme in local schools cannot be secured as it would not meet the statutory or policy tests for planning obligations.

Air Quality

118. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, if approved, would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new routings would be available for all uses on site, including the mineral extraction and restoration via landfill operations.
119. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals. This notes that existing air quality conditions in Calne are poor along the A4 and Wiltshire Council has declared an Air Quality Management Area (AQMA) covering part of the A4 in Calne where exceedances of a national air quality [annual mean nitrogen dioxide] objective are measured. The main source of pollution in Calne is emissions from road traffic.
120. Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The Calne Community Area Air Quality Action Plan 2018/19 was prepared in April 2018.
121. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.
122. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to air quality and climate change.
123. The operational impacts of re-routing HGVs, due to the development, have been assessed. Concentrations have been modelled for 75 worst-case receptors, representing existing properties where impacts are expected to be greatest.

Plan showing Receptor Locations:



124. The assessment has demonstrated that the changes in concentrations of fine particulate matter (PM10 and PM2.5) at relevant locations, relative to the objectives, will improve by 1% (when rounded) at two of the receptors and be 0% at all of the other receptors and the impacts will all be negligible.
125. In the case of nitrogen dioxide (NO2), the concentrations are predicted to improve by 1-4% at 37 of the receptors, show no change (when rounded) at 18 of the receptors and worsen by 1-2% at seven of the receptors.
126. The receptors showing a worsening in concentrations are those experiencing an increase in HGV flows i.e. Sand Pit Road, Oxford Road (between Sand Pit Road and its junction with the A3102), and on the A3102 (between Oxford Road and the A4). Because current concentrations are well below objectives, this worsening does not translate to an adverse impact. The impacts will therefore be negligible at 66 of the receptors, slight beneficial at two of the receptors, moderate beneficial at one of the receptors and substantial beneficial at six of the receptors.
127. The substantial beneficial impacts are all observed at the receptors (1, 2, 3, 4, 5 and 16) which are currently over the air quality objective, within the AQMA.

128. Concentrations have also been modelled for 20 worst-case receptors along the A4 and A342 that could be affected by the proposed re-routing of HGVs going to and coming from Sands Farm. The assessment has demonstrated that the changes in concentrations of PM10 and PM2.5, relative to the objectives, will be 0% at all of the receptors and the impacts will all be negligible. In the case of nitrogen dioxide, the concentrations are predicted to worsen by 1% at four of the receptors and will be 0% at the other 16 receptors. However, the impacts will negligible at all of the receptors, as the concentrations are well below the objective.
129. The overall operational air quality effects of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the impacts all being either beneficial or negligible. Furthermore, all of the beneficial impacts are within the AQMA, in particular at the areas of exceedance and the main locations of concern. This is because the scheme is essentially re-routing HGVs away from the areas of exceedance.
130. The assessment has demonstrated that the additional traffic generated by the proposed scheme would be 'not significant' but that there are substantial beneficial impacts within the AQMA, where receptors are closest to the carriageway. It is considered the proposed development scheme does not conflict with the requirements of Core Policies 8 and 55 of the Wiltshire Core Strategy, nor Policies WDC1 and WDC2 of the Swindon Waste Development Policies DPD. Additionally, it positively contributes to the Air Quality Action Plan and contributes to elements of the Air Quality Strategy for Wiltshire and Calne Community Area Air Quality Action Plan.

Conclusion

131. These Planning Applications form part of a suite of five applications at Lower Compton and Sands Farm which together seek to address concerns regarding traffic and air quality in the AQMA in Calne town centre, and the impact that HGVs associated with Hills' operations at Lower Compton have on these matters, raised during the planning application and appeal process for the previous application 14/09744/WCM (to retain and extend the existing Lower Compton MRF, including transfer activities etc).
132. The application documents demonstrate that the rate at which sand has been extracted is lower than originally forecast and so the length of time to complete extraction of the permitted reserves will take longer than estimated. Equally, the impact of recycling has significantly reduced landfill rates. The sand reserves at Calne continue to form part of the landbank of mineral reserves that seeks to ensure a steady and adequate supply of aggregate mineral in accordance with national and local policy. The waste development plans likewise rely on the use of this consented voidspace in calculating Wiltshire and Swindon's waste management capacity needs. National Planning Practice Guidance acknowledges that the changes to waste disposal may result in additional time required for landfill sites.

133. Apart from the vehicle routing options offered by the HGV relief road and associated Traffic Management Plan, all other restrictions on the operation of the sites would remain in place, and the site would also still be regulated by the Environmental Permit issued by the Environment Agency. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The Highways Authority advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.
134. Given the established impact of the site, it is considered no significant additional harm would arise as a result of extending the time limit for operations. As such, the proposal is considered to accord with local and national planning policy and is therefore recommended for approval.

RECOMMENDATION

135. It is recommended that: -

A. **For application ref: 17/10539/WCM (Lower Compton and Old Camp Farm Area)** authority be Delegated to the Head of Development Management to **grant planning permission**, subject to the completion of a planning obligation under Section 106 of the Planning Acts within 6 months of the date of the resolution of this Committee to address the following requirements:-

- o Traffic Management Plan, and
subject to the following recommended planning conditions set out from paragraph 136 below.

B. **For application ref: 17/10543/WCM (Low Lane Extension Area)** authority be Delegated to the Head of Development Management to **grant planning permission**, subject to the completion of a planning obligation under Section 106 of the Planning Acts within 6 months of the date of the resolution of this Committee to address the following requirements:-

- o Traffic Management Plan, and

subject to the following recommended planning conditions set out from paragraph 137 below.

xx. In the event that the parties do not agree to complete the planning obligation within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for both developments for the following reasons:-

- o The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies

8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

136. **Recommended conditions for application ref: 17/10539/WCM (Lower Compton and Old Camp Farm area):**

- 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) Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.

Reason: To enable the Mineral Planning Authority to monitor the operations and to ensure compliance with this permission.

- 3) The extraction of sand shall cease on or before 24th May 2029.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 4) The tipping/deposit of waste material and restoration operations shall cease on or before 24 May 2042.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 5) The working, restoration and aftercare of the site shall be carried out only in accordance with Drawings Nos. 6304-5000-001 RRC Landfill Restoration Pre Settlement and 6304-5000-002 RRC Landfill Restoration Post Settlement.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings and structures shall be erected, extended, installed, re-arranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 7) No topsoil, subsoil or overburden shall be exported from the site.

Reason: To ensure the satisfactory restoration of the site.

- 8) Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority in writing within seven days) no mineral extraction operations, including vehicles entering or leaving the site, shall be carried out at the site except between the times:-

07.00 hours and 20.00 hours Monday to Friday;

And

07.00 hours to 13.00 hours Saturday;

No operations shall be carried out at any time on Sundays or Bank or Public Holidays.

Reason: In the interests of local amenity.

- 9) Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:-

07.00 hours and 20.00 hours Monday to Friday; and

07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follows New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

Reason: In the interests of local amenity.

- 10) No minerals except sand shall be removed from the site.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 11) No waste other than that defined as inert shall be tipped within the area shaded blue on Drawing No. COM/2500/G/21A dated February 2001 of planning permission N.01.2803 and this area shall be restored in accordance with Condition 20 below.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 12) Topsoil and subsoil and soil making material shall only be stripped when they are in a dry and friable condition and no movement, spreading or levelling of soils shall occur:

- (a) During the months October to March (inclusive)
- (b) When the full depth of soil to be stripped has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 - 'British Standard Method Test for Soils for Civil Engineering Purposes' or
- (c) There are pools of water on the soil surface.

Reason: To prevent damage to soils.

- 13) All topsoil, subsoil and soil making materials shall be stored separately and in separate mounds which shall:

- (a) Not exceed 3 metres in height in the case of topsoil, or 5 metres in height in the case of subsoils.
- (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations.
- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3 metre stand-off, undisturbed around each storage mound.
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

Reason: To prevent the loss of soil for restoration and minimise damage to soil structure during storage.

- 14) All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

Reason: To prevent the spread of agricultural weeds.

- 15) Noise levels from operations on the site shall not exceed 55 dB(A) LAeq (1 hour) at any residential or noise sensitive property, the measurement to be taken at not less than 3.5 metres from the façade and at a height of 1.5 metres above ground level except during temporary operations when the limit shall be 70 dB(A) LAeq (1 hour) measured in the same manner.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

16) Steps shall be taken to minimise the generation and emission of noise, dust and fumes from any use or operation authorised or required by this planning permission. Such steps shall include:

(a) The spraying of water to lay dust on the surface of the site, access and haul roads as appropriate.

(b) The spraying of water to lay dust on the surface of stockpiles within the site as appropriate.

(c) The proper use of wheel cleaning facilities by vehicles leaving the site.

(d) Fitting all plant, machinery and vehicles with effective silencers maintained in accordance with the manufacturers specifications.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

17. The scheme for controlling scavenging birds, approved pursuant to Condition 14 of planning permission N.01.2803 shall apply for the duration of all operations hereby permitted.

Reason: To prevent increased aviation hazard through potential for birdstrike.

18. Within six months of the date of this permission being implemented, a detailed scheme to accommodate surface water run-off from the restored site shall be submitted to the Mineral Planning Authority for approval. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure the adequate drainage of the site.

19. The site access and hard surfaced areas used by vehicles shall be watered or treated with approved dust laying agent at times as may be necessary to prevent dust nuisance arising from the site.

Reason: To safeguard the amenity of the area and local residents.

20. Within a period not exceeding 12 months of a phase being tipped and sealed to its pre final level, it shall be covered with a layer of subsoil at least 300 mm in depth and topsoil 150 mm in depth.

Reason: To ensure the productive afteruse of the land.

21. Within 12 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following:

(a) The position, species and sizes of all existing trees, shrubs and hedgerows to be retained and the proposal for protection throughout the operations.

(b) The position, species, spacing and initial sizes of all new trees, hedges and shrubs.

(c) The programme of implementation of the scheme.

(d) The arrangements for subsequent maintenance.

(e) Any tree or shrub which dies within five years of being planted shall be replaced with new stock to the satisfaction of the Mineral Planning Authority and be maintained for a period of five years.

Reason: To improve the appearance of the site in the interests of visual amenity and to assist in absorbing the site back into the local landscape.

22. On completion of the importation of all landfill material, all machinery, plant, buildings, structures and any other site facility not essential for restoration/aftercare or for continuing landfill gas/leachate monitoring and control shall be removed or demolished and removed from the site. Any hardcore or material likely to interfere with the restoration of the land shall be removed prior to the final seeding and cultivation of the land.

Reason: To ensure the satisfactory restoration of the site.

23. All internal haul roads shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

Reason: To ensure the satisfactory restoration of the site.

24. Prior to the commencement of the development hereby permitted, an aftercare scheme showing the steps to be taken to restore the physical characteristics of the land to a condition suitable for agriculture shall be submitted to and agreed in writing by the Mineral Planning Authority. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and related to the restoration of the site in accordance with the conditions of this permission. The steps to be taken shall cover a period of five years from the completion and reinstatement of topsoils over the site.

Reason: In the interests of safeguarding and enhancing the visual amenities of the site.

25) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.

137. **Recommended conditions for application ref: 17/10543/WCM (Low Lane Extension area):**

1) Written notification of the date of each of the following operations shall be sent to the Mineral Planning Authority within 7 days of such operations taking place:

- a) implementation of this planning permission;
- b) commencement of soil stripping in each phase;
- c) completion of restoration of each phase; and
- d) completion of final restoration under this planning permission;

REASON: To enable the Mineral Planning Authority to monitor the operations and compliance with the planning permission.

2) Extraction of minerals shall cease by the 31st December 2018.

REASON: To comply with Schedule 5, Part I (1) (1) of the Town and Country Planning Act 1990 (as amended) and to ensure development is carried out in accordance with submitted application and approved details.

3). The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application no. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.

REASON: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

4. The development hereby permitted shall be carried out in accordance with the following approved working programme and restoration plans:

- Drawing No. 6774-001C dated February 2011
- Drawing No. 6774-002C dated February 2011
- Drawing No. 6774-003C dated February 2011
- Drawing No. 6774-004 dated February 2011
- Drawing No. 6774-005C dated February 2011
- Drawing No. 6774-006C dated February 2011
- Drawing No. 6774-007C dated February 2011

REASON: For the avoidance of doubt and to ensure development is carried out in accordance with the approved application details.

5. No later than 12 months from the cessation of tipping, all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site shall be removed from the site.

REASON: In the interests of the visual amenity of the area.

6. All commercial mineral vehicles leaving the Lower Compton site with mineral shall be sheeted. Commercial waste vehicles leaving the Lower Compton site shall be checked to ensure they have been completely emptied of waste.

REASON: For the avoidance of windblown dust and litter.

7. No commercial vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent mud, dust or other detritus being deposited on the highway.

REASON: In the interests of highway safety and to prevent mud being deposited on the highway.

8. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission.

REASON: There is an important need to secure control over additional plant and machinery to safeguard the adjacent Area of Outstanding Natural Beauty designation.

9. Except in emergencies to maintain safe working (which shall be notified to the Mineral Planning Authority in writing within seven days), no mineral extraction operations, including vehicles entering and leaving the site, shall be carried out at the site except between the hours of:

07.00 hours – 18.00 hours Monday to Friday;

07.00 hours – 13.00 hours Saturday;

No operations shall be carried out at any time on Sunday, Bank and Public Holidays.

Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:

07.00 hours and 18.00 hours Monday to Friday; and

0.700 hours and 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:

07.00 hours and 18.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday, and any special bank holidays announced in a particular year by HM Government;

13.00 hours to 18.00 hours on Saturdays immediately following the Christmas Day and Boxing Day holidays; and

13.00 hours and 18.00 hours on two consecutive Saturdays that immediately follow New Year's Day.

REASON: To protect the amenities of local residents.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers whose noise levels adjust automatically to surrounding noise levels.

REASON: To ensure the minimum disturbance from operations.

11. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to normal mineral extraction and processing and waste importing and processing operations, excluding temporary operations (see condition below), shall not exceed 55 dB(A) as recorded at any inhabited property.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

12. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to temporary operations, including topsoil and subsoil stripping, cell construction and capping and other works in connection with landscaping, shall not exceed 70 dB LAeq 1 hour as recorded at any inhabited property. Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of sixteen weeks in any twelve month period.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

13. The approved Dust Suppression and Minimising Measures scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 shall be implemented in full and shall be complied with at all times.

REASON: To protect the amenities of the locality from the effects of any dust arising from the development.

14. No movement of soil shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a suitably dry condition such that the topsoil can be separated from the subsoil without difficulty. All available topsoil and subsoil must be stripped, handled and stored separately and all

stripping, handling, and restoration shall take place under dry conditions to minimise structural damage.

REASON: In the interests of the satisfactory restoration of the site.

15. All topsoil and subsoil stripped prior to mineral extraction shall be stored separately and retained on-site for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during operations. No overburden shall be exported from the site until the soil screening bund to the east of the working areas has been completed.

REASON: To ensure that the site is satisfactorily restored.

16. The development hereby permitted shall be implemented in accordance with the approved Landscaping Planting and Management Plan set out in prepared by Peter Swann & Associates dated 8 August 2007 in all respects.

REASON: In the interest of the visual amenity of the local area and to safeguard the adjacent Area of Outstanding Natural Beauty

17. The development hereby permitted shall be implemented in accordance with the approved Aftercare Scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 in all respects.

REASON: To ensure the productive afteruse of the land and to ensure the success of the newly created habitats.

18. The stand-off zone between the boundary of the development and existing hedges and woodland shall be clearly defined by a fence with driven posts and shall be maintained for the life of operations on site. The stand-off distances shall be as follows:

Hedges - 4.0 metres stand-off from the drip line of the hedge to the foot of the bund
Hedges with trees - 5.0 metres stand-off from the drip line of the tree to the foot of the bund

No placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

REASON: To ensure that the development does not encroach on existing planting causing root damage and to conserve the habitat at the woodland/hedge edge as a feeding/refuge corridor for wildlife.

19. The capped landfill site shall be covered with a minimum 0.8 metres even depth of subsoil and 0.2 metres even depth of topsoil in the correct sequence. The quality of soil shall be appropriate for the site and its proposed restoration. The finished surface shall be left free from rubble and stones.

REASON: To ensure that the site is satisfactorily restored.

20. The clearance of woodland and felling of trees shall only take place between the end of August and the beginning of March, or following a search by a qualified person for active birds nest.

REASON: To avoid the nominal bird nesting season.

21. The development hereby permitted shall be implemented in accordance with the approved Surface Water Management Plan prepared by Atkins Ltd dated 13 July 2007 and additional details provided in the letter from Atkins to Land and Mineral Management Ltd dated 9 November 2007 in all respects.

REASON: To prevent the increased risk of flooding, to prevent pollution of the water environment and to ensure that surface water drainage facility functions for the lifetime of the development.

22. Any chemical, oil or fuel storage on the site shall be sited on an impervious surface with bund walls. The bunded areas shall be capable of containing 110% of the container(s) total volume and shall enclose within their cartilage all fill and draw pipes, vents and gauges. There shall be no drain through the bund floor or walls.

REASON: To minimise the risk of pollution of watercourses.

- 23) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

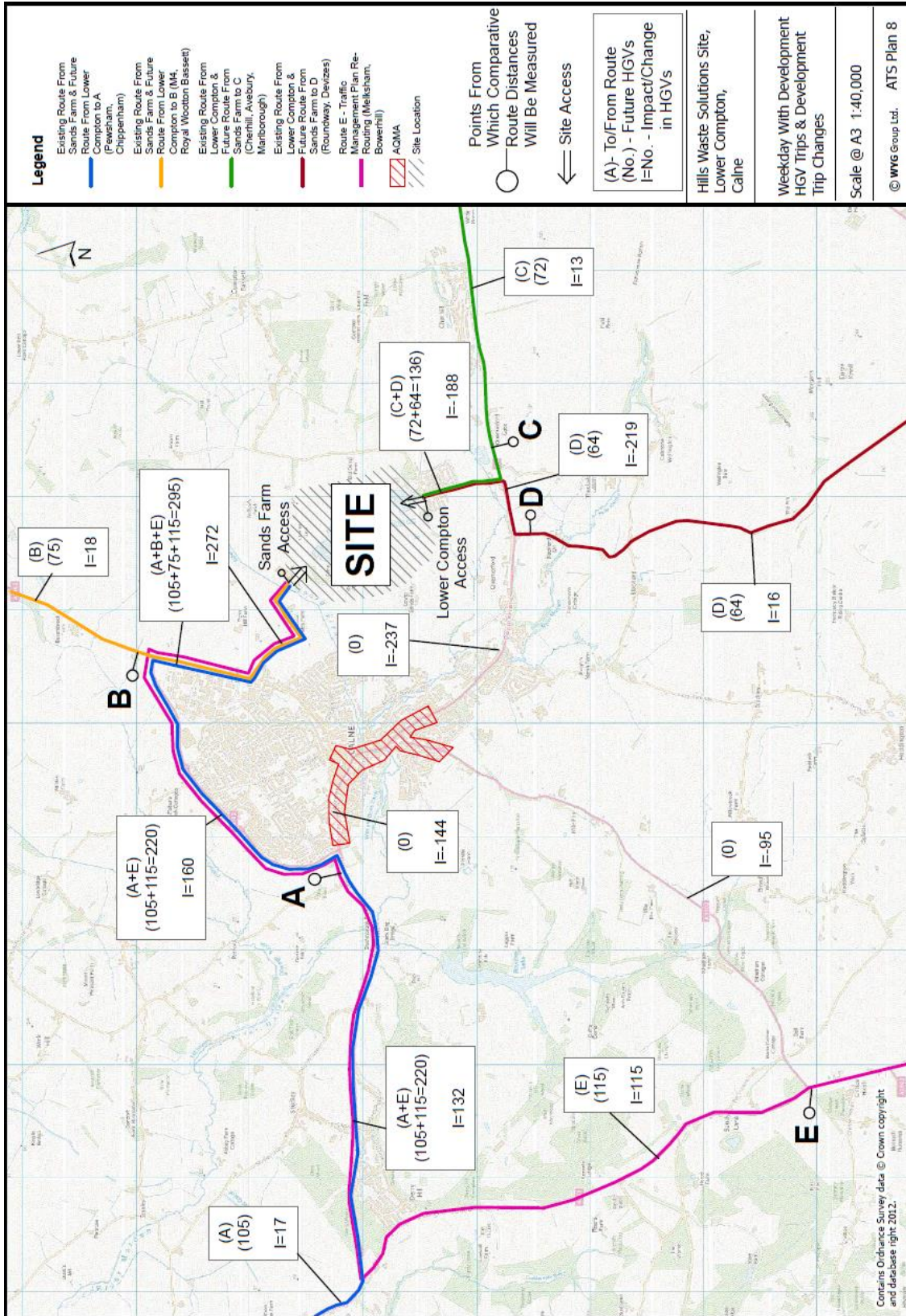
Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.

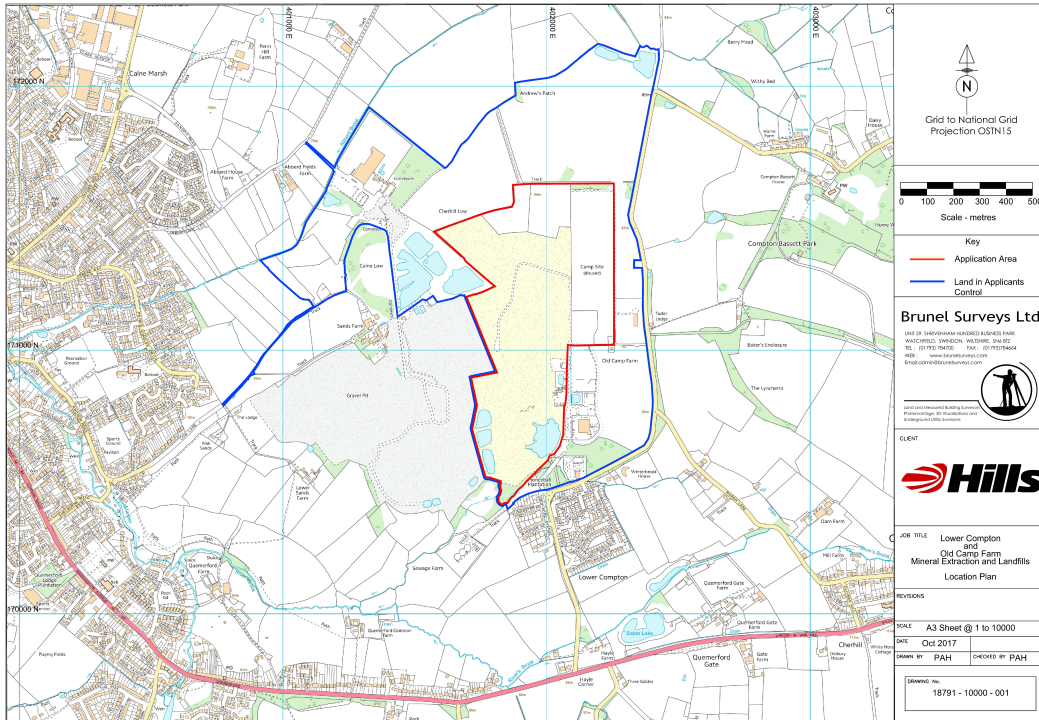
Proposed Lower Compton and Sands Farm HGV Management Plan

1. This Traffic Management Plan is intended to provide an agreed framework of acceptable heavy goods vehicle (HGV) movements that will facilitate the commercial operation of the wider Lower Compton site activities (to include the Sands Farm Facility) so as to minimise the potential adverse impact on the local community and environment at all times.
2. The basic principal is to minimise HGV movements through the centre of Calne, whilst allowing local waste collection services, mineral or concrete deliveries, including those within the Calne town boundary, to be provided efficiently and effectively.
3. The Traffic Management Plan has taken note of the requirements of the Wiltshire Council's Strategic Plan 2016 (including the Wiltshire Air Quality Strategy 2011-2015); the Calne and Calne Without Neighbourhood Plan (draft March 2017) and Calne Community Air Quality Action Plan (Draft, November 2015).
4. This Traffic Management Plan applies to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited (HWSL); Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
5. The intended detailed HGV movement restrictions shall be as follows, unless otherwise agreed by Calne Town Council, such agreement not to be unreasonably withheld:
 - a. There will be only 2 points by which HGVs and other vehicles may access the Lower Compton site; namely the existing access point from the A4 along the C15 road at the south of the site adjacent to Lower Compton (referred to as the "Lower Compton access") and an access from the western side of the site from the Oxford Road roundabout at the Bug and Spider public house via Sandpit Lane (referred to as the "Western access").
 - b. HGVs approaching the Lower Compton and Sands Farm sites from the east along the A4 road will be expected to turn right onto the C15 road through Lower Compton and use the Lower Compton access.
 - c. HGVs approaching the Lower Compton site and Sands Farms from the south along the C50 road will be expected to turn right onto the A4, then left onto the C15 link road through Lower Compton and use the Lower Compton Access.

- d. HGVs approaching the Lower Compton and Sands Farm sites from the west along the A4 road will be expected to turn left onto the relief road, (A3102) at the roundabout junction with Greenacres Way, continue along the relief road to the roundabout junction with Oxford Road, then south to the roundabout adjacent to the Bug and Spider Public House and turn left onto Sandpit Road in order to access the Lower Compton and Sands Farm sites via the Western access.
 - e. Use of the A3102 road from Mile Elm to the Silver Street junction with the A4 at the White Hart Public House and the use of Stockley Lane junction with the A4 is expressly prohibited to all HGVs intending to access the wider Lower Compton site from the outside of Calne.
 - f. Vehicles collecting from or delivering to premises within the Calne town boundary will be permitted to travel around the town only and will be required to access the site when necessary via the nearest gate to their location at the time.
- 6. Traffic movement details through Calne will be provided by the Lower Compton site operators and monitored by Calne Town Council. In the event of a material breach of the Traffic Management Plan, appropriate action will be taken against drivers of the LGV found to be in breach by Hills, actioned against in a timely and effective manner.
 - 7. Responsibility for the implementation of the Traffic Management Plan rests solely with Hills.

Appendix 2





Grid to National Grid
Projection OSTN15

0 100 200 300 400 500
Scale - metres

Key
 Application Area
 Land in Applicants Control

Brunel Surveys Ltd
 UNIT 10, SANDYHAWK HUNDRED BUSINESS PARK
 SANDYHAWK, SANDHURST, WILTSHIRE, SN4 8JZ
 TEL: 01753 764200 FAX: 01753 764204
 WEB: www.brunelsurveys.com
 EMAIL: enquiries@brunelsurveys.com

CLIENT
Hills

JOB TITLE
 Lower Compton
 and
 Old Camp Farm
 Mineral Extraction and Landfills
 Location Plan

REVISIONS

SCALE
 A3 Sheet @ 1 to 10000

DATE
 Oct 2017

DRAWN BY
 PAH

CHECKED BY
 PAH

DRAWING No.
 18791 - 10000 - 001

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