

# AGENDA

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**Meeting:** Northern Area Planning Committee

**Place:** [Access the Online Meeting Here](#)

**Date:** Wednesday 7 October 2020

**Time:** 3.00 pm

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Please direct any enquiries on this Agenda to Ellen Ghey, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718259 or email [ellen.ghey@wiltshire.gov.uk](mailto:ellen.ghey@wiltshire.gov.uk)

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

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## Membership:

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

## Substitutes:

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

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## **Public Participation**

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

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

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

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

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 18*)

To approve and sign as a correct record the minutes of the meeting held on 4 March 2020.

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.

During the ongoing COVID-19 situation the Council is operating revised procedures and the public are able to participate in meetings online after registering with the officer named on this agenda, and in accordance with the deadlines below.

[Guidance on how to participate in this meeting online](#)

[Access the online meeting of the NAPC here](#)

### **Statements**

Members of the public who wish to submit a statement in relation to an item on this agenda should submit this in writing to the officer named on this agenda no later than 5pm on Friday 2 October 2020.

Submitted statements should:

- State whom the statement is from (including if representing another person or organisation);
- State clearly whether the statement is in objection to or support of the application;
- Be readable aloud in approximately three minutes (for members of the public and statutory consultees) and in four minutes (for parish council representatives – 1 per parish council).

Up to three objectors and three supporters are normally allowed for each item on the agenda, plus statutory consultees and parish councils.

Those submitting statements are expected to join the online meeting to read the statement themselves, or to provide a substitute to read the statement on their behalf.

## **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 electronically to the officer named on the front of this agenda no later than 5pm on Wednesday 30 September 2020 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 2 October 2020.

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 members prior to the meeting and made available at the meeting and on the Council's website. Questions and answers will normally be taken as read at the meeting.

### **6 Planning Appeals and Updates** *(Pages 19 - 24)*

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

### **7 Planning Applications**

To consider and determine the following planning applications.

#### **7a 20/01057/FUL - Calne Medical Centre** *(Pages 25 - 56)*

Development of a Medical Centre (with integral Pharmacy) with associated development, including means of access, access road, diagnostics/ambulance bay, car and cycle parking, bin storage area and hard and soft landscaping.

#### **7b 19/06559/OUT - Golden Lands, Calne** *(Pages 57 - 70)*

Outline application for the layout and redevelopment of residential site including the demolition of existing structures and erection of up to 3no. dwellings including means of access, with all other matters reserved.

8

### **Urgent Items**

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

### **Part II**

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

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### Northern Area Planning Committee

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#### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 MARCH 2020 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

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

#### **Also Present:**

Cllr Ben Anderson

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#### 11 **Apologies**

Apologies were received from Cllr Brian Mathew.

Cllr Brian Mathew was substituted by Cllr Ruth Hopkinson.

#### 12 **Minutes of the Previous Meeting**

The minutes of the meeting held on 29 January 2020 were presented.

#### **Resolved:**

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

#### 13 **Declarations of Interest**

Cllr Ashley O'Neill declared an interest in agenda item no. 7b (he grew up in Lacock and a resident sharing the same surname objected to the application, though this was not someone he knew personally). He declared he would participate in the debate and vote for each item with an open mind.

#### 14 **Chairman's Announcements**

There were no Chairman's announcements.

#### 15 **Public Participation**

The Committee noted the rules on public participation.

16 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

17 **Planning Applications**

The Committee considered the following applications:

18 **19/09183/FUL & 19/09407/LBC - 57 High Street, Corsham**

Public participation

Lesley Jefferson, local resident, spoke in objection to the application.

Rebecca Palmer, local resident, spoke in objection to the application.

Ben Pearce, Land Development & Planning Consultants Ltd, spoke in objection to the application.

Richard Harlow, the agent, spoke in support of the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission and listed building consent, subject to conditions, for the demolition of an existing single storey extension and the erection of a replacement single storey extension with internal works.

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes.

Key issues highlighted included: principle of the development; impact upon neighbour amenity; highways and parking; heritage and scale of extension.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: compatibility with adjoining businesses; lack of rear access; the size and scale of extension; impact on the adjoining residential property; impact on the listed building and whether the application falls into A1 retail use class.

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

Cllr Ruth Hopkinson, Division Member, spoke regarding the application with the main points focusing on: compatibility with adjoining businesses; lack of rear access; ventilation and odours; traffic and parking concerns; hazardous waste; overdevelopment of the site; impact on the listed building; impact on a historical and heritage site; the Corsham Neighbourhood Plan; impact on local amenity and the lack of engagement from the applicant.

The Planning Officer addressed some of the issues raised by the public and local members with the main points focusing on: whether the application falls



into A1 retail use class; whether the application sought a change of use; hazardous waste; mechanical ventilation and the applicant's hours of work.

At the start of the debate a proposal was moved by Cllr Peter Hutton, seconded by Cllr Toby Sturgis, to grant planning permission as detailed in the report.

During the debate the main points raised were: whether the application falls into A1 retail use class; traffic and parking concerns; applicant engagement with residents; the Corsham Neighbourhood Plan; the design of the application; impact on the listed building; the scale of the application; similar applications in nearby towns; impact on the conservation area; whether the application sought a change of use; compatibility with adjoining businesses; lack of rear access and impact on the adjoining residential property.

Following the debate, the motion was defeated.

A proposal was then moved by Cllr Gavin Grant, seconded by Cllr Howard Greenman, to refuse planning permission contrary to the officer's report.

This motion was carried.

A proposal was then moved by Cllr Gavin Grant, seconded by Cllr Chris Hurst, to refuse listed building consent contrary to the officer's report.

This motion was also carried.

### **Resolved**

**That planning permission and Listed Building Consent be refused for the following reason:**

#### **19/09183/FUL:**

**By reason of its design, scale and extent to which it fills the rear yard, the proposed extension is considered to harm the character and appearance of the listed building to which it would be attached. That harm is not outweighed by any identified public benefit and the proposed development is therefore considered to fail the requirements of policy CP57 (iii) and (iv) and policy CP58 of the Wiltshire Core Strategy as well as policy HE1 of the Corsham Neighbourhood Plan 2016-2026 and relevant paragraphs in sections 12 and 16 to the NPPF.**

#### **19/09407/LBC:**

**By reason of its design, scale and extent to which it fills the rear yard, the proposed extension is considered to harm the character and appearance of the listed building to which it would be attached. That harm is not outweighed by any identified public benefit and the proposed development is therefore considered to fail the requirements of policy CP57 (iii) and (iv) and policy CP58 of the Wiltshire Core Strategy as well as**

**policy HE1 of the Corsham Neighbourhood Plan 2016-2026 and relevant paragraphs in sections 12 and 16 to the NPPF.**

19 **19/08542/FUL and 19/08758/LBC - Sundawn, Chapel Hill, Lacock, Chippenham**

Public participation

Mark Funnel, the National Trust, spoke in objection to the application.

Des Seal, local resident, spoke in objection to the application.

Mark Johns, the applicant, spoke in support to the application.

Samuel Croft, the agent, spoke in support to the application.

John Bolden, Vice-Chair of Lacock Parish Council, spoke in objection to the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission and listed building consent, subject to conditions, for a proposed ground floor and upper ground floor extension.

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes.

Key issues highlighted included: principle of development; design and scale; impact upon a listed building and the conservation area; impact on residential amenity and highways and parking.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the design and scale of the application and the materials used in the construction of the external surfaces and their design.

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

Cllr Ben Anderson, Division Member, spoke regarding the application with the main points focusing on: the massing, size and scale of the application; the unique and distinctive character of the local area; the impact on the wider area; overdevelopment of the site; impact on neighbourhood amenity; impact on the listed building and the lack of public benefit.

The Planning Officer addressed some of the issues raised by the public and local members with the main point focusing on the Committee's responsibility to compare the applications harm with its public benefit.

At the start of the debate a proposal was moved by Cllr Peter Hutton, seconded by Cllr Tony Trotman to grant planning permission as detailed in the report and subject to additional conditions regarding the construction of external surfaces.

During the debate the main points raised were: the public benefit of the application; the impact on neighbouring residential properties; the size and scale of the application; the impact on the Old Chapel; the construction of the external surfaces and their design; impact on neighbour amenity; impact upon a listed building and the conservation area; the unique and distinctive character of the local area and the weight of the views of those that are entrusted with the area's conservation.

Following the debate, the motion was defeated.

A proposal was then moved by Cllr Grant, seconded by Cllr Greenman, to refuse planning permission contrary to the officer's report.

This motion was carried.

A proposal was then moved by Cllr Grant, seconded by Cllr Greenman, to refuse listed building consent, contrary to the officer's report.

This motion was also carried.

### **Resolved**

**That planning permission and Listed Building Consent be refused for the following reason:**

#### **19/0842/FUL:**

**By reason of its design, massing, height above the existing roof and materials to be used, the box shaped garage extension element of the proposal would be out of character in the Conservation Area and in the context of surrounding Listed Buildings. Accordingly, the development is considered to be harmful to the character and appearance of the locality and surrounding Listed Buildings and that harm would not be outweighed by any identified public benefits. The proposed development fails the requirements of policy CP57 (iii) and (iv) and policy CP58 of the Wiltshire Core Strategy as well as relevant paragraphs in sections 12 and 16 to the NPPF.**

#### **19/08758/LBC:**

**By reason of its design, massing, height above the existing roof and materials to be used, the box shaped garage extension element of the proposal would be out of character in the context of the Listed Building to which it would relate. Accordingly, the works are considered to be harmful to the setting of the Listed Building and that harm would not be outweighed by any identified public benefits. The proposed works fail the requirements of policy CP57 (iii) and (iv) and policy CP58 of the Wiltshire Core Strategy as well as relevant paragraphs in sections 12 and 16 to the NPPF.**

20 **19/10769/FUL - Ranch House Farm, Bath Road, Colerne**

Public participation

Gary Brain, local resident, spoke in support to the application.

The Planning Officer, Simon Smith, introduced a report which recommended refusing planning permission for the erection of an open timber cart barn.

Key issues highlighted included: principle of development; appropriateness of development in a green belt site and harm to the openness; impact on rural landscape and the Area of Outstanding Natural Beauty; residential amenity and highways safety.

There were no technical questions.

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

Cllr Ruth Hopkinson, on behalf of the Division Member, spoke regarding the application with the main points focusing on: the material differences of the application to a previously refused scheme; that it was in keeping with surrounding architecture; tree retention; the lack of objection and the support of the parish council and the covering of parked cars within the estate.

The Planning Officer addressed some of the issues raised by the public and local members with the main point focusing on permitted development rights.

At the start of the debate a proposal was moved by Cllr Tony Trotman, seconded by Cllr Christine Crisp to refuse planning permission as detailed in the report.

During the debate the main points raised were: the impact on the rural landscape and an Area of Outstanding Natural Beauty and the appropriateness of development on a green belt site.

**Resolved**

**That planning permission be refused for the following reasons:**

- 1. The proposed building is considered to represent inappropriate development within the Green Belt which is, by definition, harmful. The proposal is contrary to Section 13, paragraphs 143, 144, 145 & 146 of the National Planning Policy Framework.**
- 2. The proposal, by reason of its scale and location, would result in an intrusive element, encroaching into the countryside contrary to Core Strategy Policy 51 criteria ii, iii vi & ix that require the protection of important landscape character and Core Strategy Policy 57 criteria i,**

**iii & vi which requires development to respond to landscape features and relate well to its surroundings. It is also contrary to Section 12, paragraph 127 and Section 15, paragraph 172, of the National Planning Policy Framework.**

21 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 pm – 6.00 pm)

The Officer who has produced these minutes is Craig Player of Democratic Services, direct line 01225 713191, e-mail [craig.player@wiltshire.gov.uk](mailto:craig.player@wiltshire.gov.uk)

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

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## NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

**4<sup>th</sup> March 2020**

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

### **Agenda Item 7a – 19/09183/FUL & 19/09407/LBC – 57 High Street, Corsham**

#### **Officer note:**

Incorrect reference is made at various points in the report to policy HE3 of the Corsham Neighbourhood Plan. The correct policy number is in fact policy HE1.

All considerations and conclusions should be made using reference to policy HE1 to the Corsham Neighbourhood Plan.

### **Agenda Item 7b – 19/08542/FUL and 19/08758/LBC – Sundawn, Chapel Hill, Lacock**

#### **Officer note:**

##### *Ground level*

The report references a c.500mm in the ground level of the existing garden as a result of development taking place. The applicant claims that the increase in ground level is in fact some 370mm.

Revised plans were submitted to reflect the true increase in ground level. In view of the reduction in the expected ground level increase and the fact that in all other respects the plans remain unchanged, the recommendation does not alter.

In the event that the Committee resolves to grant planning permission, condition 03 to 19/08542/FUL and condition 02 to 19/08758/LBC should be amended to refer to the following plans:

Drg no. 007:001:A Proposed Site Plan  
Drg no. 007:002 :A Proposed Ground Floor Plan  
Drg no. 007:003:A Proposed First Floor Plan  
(Received by LPA 27 Nov 2019)

Drg no. 007-004 South Elevation  
Drg no. 007-005 West Elevation  
Drg no. 007-006 East Elevation  
Drg no. 007-007 Section North  
Drg no. 007-008 Section West  
Drg no. 007-009 Section AA  
Drg no. 007-AN1 Garden Section (Longitudinal)  
Drg no. 007-AN3 Garden Section (Transverse)  
(Received by LPA 04 March 2019)

### *Existing garage*

It has emerged that the survey and proposed drawings submitted by the applicant incorrectly depict the eaves and ridge height of the garage as being taller than they are in reality.

Corrected drawings have now been received as well as a confirmation that the proposal does not involve the demolition, rebuilding or increasing in height of the existing element of the garage in any way. The proposed extension to the garage will remain at 600mm above existing ridge height as already reported.

Since the proposal does not change the existing element of the garage, the impact upon No.4 Chapel Hill (the nearest neighbour) is as per that set out in the report and the recommendation is unchanged.

The applicant has, however, confirmed that they would be content to accept a planning condition which, for the avoidance of doubt, expressly prohibits any raising of height of the existing element of the garage and to specify the maximum extent of its extension. For this reason, in the event the Committee resolves to grant planning permission, the following condition should be added to 19/08542/FUL:

07 The proposed development shall result in no increase in ridge or eaves height of the existing element of the garage above existing. Further, the above ground extension to the existing garage shall extend to a point no more than 600m above the existing ridge height of the garage.

REASON: For the avoidance of doubt and so as to protect the amenities of the neighbouring residential properties.

### *National Trust*

Although not a statutory consultee for development such as this, the National Trust own a substantial number of properties and land at Lacock. The NT have decided to make representations on these two applications. Perhaps incorrectly omitted from being referenced in the report, their comments are repeated below in full:

*The National Trust is a charity and Europe's largest conservation organisation, which is responsible for the protection of some of the most beautiful, historically important and environmentally sensitive places in England, Wales and Northern Ireland. The Trust has a statutory duty under the National Trust Acts to promote the conservation of these places.*

*The Trust acts as a custodian of the picturesque and historic village of Lacock. This landholding comprises around 131 hectares of land and over 100 individual buildings, many of which are listed, including the grade I listed Lacock Abbey. Near to the application property (Sundawn), the Trust owns no. 3 Cantax Hill, a grade II listed dwelling.*

*In response to the current planning application, we are very concerned about the scale, extent and wider impacts of the proposed extension. The extension would have a considerable footprint, joining the dwelling and the outbuilding. This would take up a large area of the property's garden and involve significant excavation work and alteration to existing land levels. Furthermore, the extension incorporates a two-storey element that projects upwards as a rectangular box-like structure, which would be visible in wider views, including from Cantax Hill.*



*Whilst we note the reference in the planning application to the needs of modern family life, the application property is a grade II listed building, and we do not consider that the proposed extension responds sensitively to the existing dwelling, or its setting. It should also be noted that the property is surrounded by four other listed buildings (including 3 Cantax Hill) and lies within the Lacock Conservation Area. We do not consider that the proposed extension would conserve or enhance the character and appearance of the Conservation Area. In our view it would clearly out of scale and character and would represent the over-development of the property.*

*In conclusion, the National Trust objects to the planning application, and we would ask that our comments and concerns are fully considered before the application comes to be determined.*

Please note that the substantive issues raised by the National Trust have been considered within the report and the recommendation remains unchanged.

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**Wiltshire Council**  
**Northern Area Planning Committee**  
**7<sup>th</sup> October 2020**

Planning Appeals Received between 21/02/2020 and 25/09/2020

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
18/00819/ENF	Land west of Bushton Road, Hilmarton Calne, Wiltshire SN11 8TA	HILMARTON	Without planning permission, the unauthorised material change of use of land for the stationing and residential occupation of caravans.	DEL	Hearing	-	11/05/2020	No
18/08571/FUL	Land west of Bushton Road, Hilmarton Calne, Wiltshire SN11 8TA	HILMARTON	Change of use of land to use as a residential caravan site for one gypsy family with 5 caravans, including no more than one static caravan/mobile home, together with laying of hardstanding, improvement of access and, erection of ancillary amenity building.	SPC	Hearing	Approve with Conditions	11/05/2020	Yes
18/00485/ENF	Follywood Farm Brinkworth Road Royal Wootton Bassett Wiltshire	ROYAL WOOTTON BASSETT	Possible breach of compliance with condition 1 -N/09/01452/FUL - removal from site	DEL	Hearing	-	23/04/2020	No
18/00982/ENF	Hare And Hounds Pickwick, Corsham Wiltshire, SN13 0HY	CORSHAM	Alleged unauthorised structure (large bin enclosure)	DEL	Hearing	-	21/05/2020	No
18/00973/OUT	Kington Langley Garage Malmesbury Road Kington Langley Wiltshire, SN15 5PY	KINGTON LANGLEY	Redevelopment involving demolition of existing garage buildings, retention and refurbishment of existing bungalow and erection of 4 dwellings and associated works (access not reserved)	DEL	Written Representations	Refuse	13/02/2020	No
18/09884/OUT	Land South of Westwells Road, between Rowan Lane & Jaggards Lane Neston , Corsham	CORSHAM	Residential development for up to 81 dwellings, that includes 8 Self Build dwellings, roads, footpaths, balancing areas and open space.	DEL	Hearing	Refuse	27/04/2020	No
18/11739/FUL	The Paddock Hook, Swindon Wiltshire, SN4 8EA	LYDIARD TREGOZ	Change of use of land to a residential caravan site consisting of 4 no. pitches each containing 1 no. mobile home, 1 no. touring caravan, 1 no. semi-detached utility building, car parking, access and childrens play area.	SPC	Hearing	Approve with Conditions	24/02/2020	Yes
19/00951/ENF	Land South of Bridge Paddocks, Leigh Swindon, Wiltshire SN6 6RQ	PURTON	Unauthorised subdivision of land	DEL	Written Representations	-	15/05/2020	No
19/01292/CLE	Pinnells Farm Bungalow Sodom Lane Grittenham, Wiltshire SN15 4JS	BRINKWORTH	Certificate of lawfulness for dwelling known as Pinnells Farm Bungalow and its residential curtilage not built in accordance with condition 4 of planning permission 72/UA/447/0	DEL	Written Reps	Refuse	17/02/2020	No

19/03435/FUL	Land to rear of 8 - 13 High Street, Calne Wiltshire	CALNE	39 Apartments for older people (sixty years of age and/or partner over fifty-five years of age), Guest Apartment, Communal Facilities, Access, Car Parking, Landscaping and 4 Retail Units.	NAPC	Hearing	Refuse	03/03/2020	No
19/06412/LBC	The Grove 9 High Road Ashton Keynes SN6 6NX	ASHTON KEYNES	Replacement windows to front of property.	DEL	Written Representations	Refuse	06/07/2020	No
19/06418/CLE	Follywood Farm Brinkworth Road Royal Wootton Bassett Swindon, Wiltshire SN4 8DT	ROYAL WOOTTON BASSETT	Use of Existing Structure as Self-Contained Dwellinghouse (class C3).	DEL	Hearing	Refuse	23/04/2020	No
19/06846/FUL	Divine Café, Main Road Cherhill, SN11 8UU	CHERHILL	Demolition of the existing toilet/store and covered sitting area, conversion of the existing cafe and erection of an extension to form a M.O.T. garage, use of the site as a hand car wash and for car sales.	DEL	Written Representations	Refuse	28/05/2020	No
19/07293/106	The Old Stables Hollyhouse Farm Bushton, Wiltshire SN4 7PX	CLYFFE PYPARD	Modification/Variation of Section 106 Agreement for 99/00220/FUL to allow Renting out of the Property	DEL	Written Representations	Refuse	13/07/2020	No
19/07914/PNCOU	The Barn, Purkini Farm Stoke Common Lane Purton Stoke Wiltshire, SN5 4LL	PURTON	Notification for Prior Approval under Class Q for a Proposed Change of Use of an Agricultural Building to a Single Dwellinghouse (Use Class C3) and for Associated Operational Development	DEL	Written Representations	Refuse	12/06/2020	No
19/08996/FUL	Ivy House Lakes Whitehill Lane Grittenham, Wiltshire SN15 4JU	ROYAL WOOTTON BASSETT	Conversion of redundant agricultural building to two dwellings and associated works.	DEL	Written Representations	Refuse	09/07/2020	No
19/09183/FUL & 19/09407/LBC	57 High Street Corsham SN13 0EZ	CORSHAM	Demolition of Existing Single Storey Extension, Erection of Replacement Single Storey Extension with Internal Works & Rebuilding of Part-demolished Wall	NAPC	Written Representations	Approve with Conditions	07/07/2020	Yes
19/09295/PNCOU	North Barn Wootton Fields Farm Marlborough Road Royal Wootton Bassett SN4 7EJ	ROYAL WOOTTON BASSETT	Prior Approval of Proposed Change of Use of Agricultural Building to 2 no. Dwellings (Use Class C3), and for Associated Operational Development.	DEL	Written Representations	Refuse	25/03/2020	No

19/10252/PNCOU	Barn adjacent to 9 Lower Lodge Farm Lower Lodge Wiltshire, SN15 3QZ	CHIPPENHAM	Notification for Prior Approval under Class Q for a change of use of Agricultural Building to a single dwelling house and associated operational development	DEL	Written Representations	Refuse	27/02/2020	No
19/10402/FUL	Land at Lydiard Green Lydiard Millicent SN5 3LP	LYDIARD MILLICENT	Retrospective application for erection of three dwellings	DEL	Written Representations	Refuse	09/06/2020	No
19/11277/FUL	178 Yew Tree House Sheldon Road Chippenham Wiltshire, SN14 0BZ	CHIPPENHAM	Dropped kerb and replace lawn with a driveway for 4 cars.	DEL	House Holder Appeal	Refuse	01/06/2020	No
19/11324/FUL	45A Marlborough Road Royal Wootton Bassett SN4 7SA	ROYAL WOOTTON BASSETT	Two storey rear extension.	DEL	House Holder Appeal	Refuse	16/06/2020	No
19/12094/FUL	Allspheres Farm Upper Minety Hankerton, SN16 9LH	HANKERTON	Enlargement of Farm Dwelling by Adding a First Floor	DEL	Written Representations	Refuse	11/08/2020	No
20/01994/FUL	19 Milbourne Park Milbourne, SN16 9JE	ST PAUL MALMESBURY WITHOUT	Subdivision of existing plot and construction of a new two bedroom bungalow	DEL	Written Representations	Refuse	20/06/2020	No

Planning Appeals Decided between 21/02/2020 and 25/09/2020

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
17/08188/OUT	Land at Purton Road Swindon	PURTON	Outline application for a residential development of up to 81 dwellings and associated infrastructure with all matters reserved with the exception of access.	DEL	Inquiry	Refuse	Dismissed	06/04/2020	Appellant Applied for Costs – <b>PARTIALLY ALLOWED</b>
18/03524/FUL	Land to the Rear of The Paddock Heath Lane, Startley Chippenham Wiltshire, SN15 5HH	GREAT SOMERFORD	Change of Use of Land to a Private Gypsy and Traveller Caravan Site Consisting of Three Pitches Each of Which Would Contain One Mobile Home, One Utility Dayroom and One Touring Caravan and Associated Works	DEL	Hearing	Refuse	Allowed with Conditions	27/02/2020	Appellant Applied for Costs – <b>REFUSED</b>
18/10261/FUL	Ravenscourt Crudwell, SN16 9ER	CRUDWELL	Alterations to parking hardstanding	DEL	Written Reps	Refuse	Allowed with Conditions	27/03/2020	Appellant Applied for Costs – <b>REFUSED</b>
19/00951/ENF	Land South of Bridge Paddocks, Leigh Swindon, Wiltshire SN6 6RQ	PURTON	Unauthorised subdivision of land	DEL	Written Reps	-	Enforcement Notice Upheld	20/07/2020	None
19/01292/CLE	Pinnells Farm Bungalow Sodom Lane Grittenham Wiltshire, SN15 4JS	BRINKWORTH	Certificate of lawfulness for dwelling known as Pinnells Farm Bungalow and its residential curtilage not built in accordance with condition 4 of planning permission 72/UA/447/0	DEL	Written Reps	Refuse	Dismissed	11/05/2020	None
19/03141/FUL	112 High Street Cricklade SN6 6AF	CRICKLADE	Change of use of vacant A2 premises to single residential unit C3a to include single storey rear extension (43 square metres) and associated internal and external alterations	DEL	Written Reps	Refuse	Dismissed	30/06/2020	None
19/04730/FUL	5 Polar Gardens The Street Luckington, SN14 6PZ	LUCKINGTON	Carport and Shed	DEL	House Holder Appeal	Refuse	Allowed with Conditions	07/04/2020	None
19/05395/FUL & 19/05698/LBC	The Gables Main Road, Corston SN16 0HD	ST PAUL MALMESBURY WITHOUT	Removal of modern conservatory, erection of single storey extension to provide open plan kitchen/dining area and boot room.	DEL	Written Reps	Refuse	Dismissed	17/03/2020	None
19/06412/LBC	The Grove 9 High Road Ashton Keynes SN6 6NX	ASHTON KEYNES	Replacement windows to front of property.	DEL	Written Reps	Refuse	Dismissed	27/08/2020	None

19/06726/FUL	Greatfield Farm 6 Greatfield Swindon, Wiltshire SN4 8EQ	LYDIARD MILLICENT	Retention of Building for B1, B2 and B8 Purposes, Together with Provision of Car Parking	DEL	Written Reps	Refuse	Dismissed	27/02/2020	None
19/06846/FUL	Divine Café, Main Road Cherhill, SN11 8UU	CHERHILL	Demolition of the existing toilet/store and covered sitting area, conversion of the existing cafe and erection of an extension to form a M.O.T. garage, use of the site as a hand car wash and for car sales.	DEL	Written Reps	Refuse	Dismissed	11/08/2020	None
19/07683/FUL	Plum Tree Cottage Kemble Wick GL7 6EQ	CRUDWELL	Creation of concrete plinth and erection of stable block (retrospective)	DEL	Written Reps	Refuse	Dismissed	06/02/2020	Appellant Applied for Costs – <b>REFUSED</b>
19/07914/PNCOU	The Barn, Purkini Farm Stoke Common Lane Purton Stoke Wiltshire, SN5 4LL	PURTON	Notification for Prior Approval under Class Q for a Proposed Change of Use of an Agricultural Building to a Single Dwellinghouse (Use Class C3) and for Associated Operational Development	DEL	Written Reps	Refuse	Allowed with Conditions	02/09/2020	Appellant Applied for Costs – <b>REFUSED</b>
19/08997/PNCOU	Agricultural Building Rosier's Yard Wood Street Clyffe Pypard Swindon, Wiltshire SN4 7PZ	CLYFFE PYPARD	Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to a Dwellinghouse (Class C3), and for Associated Operational Development.	DEL	Written Reps	Refuse	Dismissed	23/07/2020	None
19/09183/FUL & 19/09407/LBC	57 High Street Corsham SN13 0EZ	CORSHAM	Demolition of Existing Single Storey Extension, Erection of Replacement Single Storey Extension with Internal Works & Rebuilding of Part-demolished Wall	NAPC	Written Reps	Approve with Conditions	Allowed with Conditions	27/08/2020	None
19/09295/PNCOU	North Barn Wootton Fields Farm Marlborough Road Royal Wootton Bassett SN4 7EJ	ROYAL WOOTTON BASSETT	Prior Approval of Proposed Change of Use of Agricultural Building to 2 no. Dwellings (Use Class C3), and for Associated Operational Development.	DEL	Written Reps	Refuse	Dismissed	13/07/2020	None
19/10402/FUL	Land at Lydiard Green Lydiard Millicent SN5 3LP	LYDIARD MILLICENT	Retrospective application for erection of three dwellings	DEL	Written Reps	Refuse	Dismissed	21/09/2020	Appellant Applied for Costs – <b>REFUSED</b>
19/11277/FUL	178 Yew Tree House Sheldon Road Chippenham Wiltshire, SN14 0BZ	CHIPPENHAM	Dropped kerb and replace lawn with a driveway for 4 cars.	DEL	House Holder Appeal	Refuse	Dismissed	16/07/2020	None

19/11324/FUL	45A Marlborough Road, Royal Wootton Bassett, SN4 7SA	ROYAL WOOTTON BASSETT	Two storey rear extension.	DEL	House Holder Appeal	Refuse	Allowed with Conditions	17/08/2020	None
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## REPORT FOR STRATEGIC PLANNING COMMITTEE

Report No.

<b>Date of Meeting</b>	7 <sup>th</sup> October 2020
<b>Application Number</b>	20/01057/FUL
<b>Site Address</b>	Land north-west of Silver Street and south of Fynamore Gardens
<b>Proposal</b>	Development of a Medical Centre (with integral Pharmacy) with associated development, including means of access, access road, diagnostics/ambulance bay, car and cycle parking, bin storage area and hard and soft landscaping
<b>Applicant</b>	Assura Plc.
<b>Town Council</b>	Calne Town Council
<b>Electoral Division</b>	Calne Central – Councillor Ian Thorn
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Simon Smith

### Reason for the application being considered by Committee

This application has been called-in to the Northern Area Planning Committee by Councillor Thorn so as to consider the scale of the development, its visual impact on the surrounding area, the relationship with adjoining properties, its design, environmental and highway impact as well as car parking provision.

### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan and other material considerations and to consider the recommendation that the Committee resolve to delegate Officers to negotiate of a satisfactory access arrangement to the site from Silver Street and, upon agreement of those satisfactory access arrangements, that planning permission should be **GRANTED** subject to the imposition of planning conditions.

### 2. Report Summary

The key issues in considering the applications are as follows:

- Principle of development and location
- Access, parking and highway capacity
- Design, layout and impact on landscape
- Impact on neighbour amenity
- Impact on setting of Grade II\* listed Verne Leaze
- Ecology
- Archaeology

Calne Town Council support the proposal subject to several features being incorporated.

Ninety-one (91) letters of representation have been received, split 44 in support and 47 in objection. In both counts, these numbers include multiple letters from same households, the applicant and the CPRE.

### 3. The Proposal

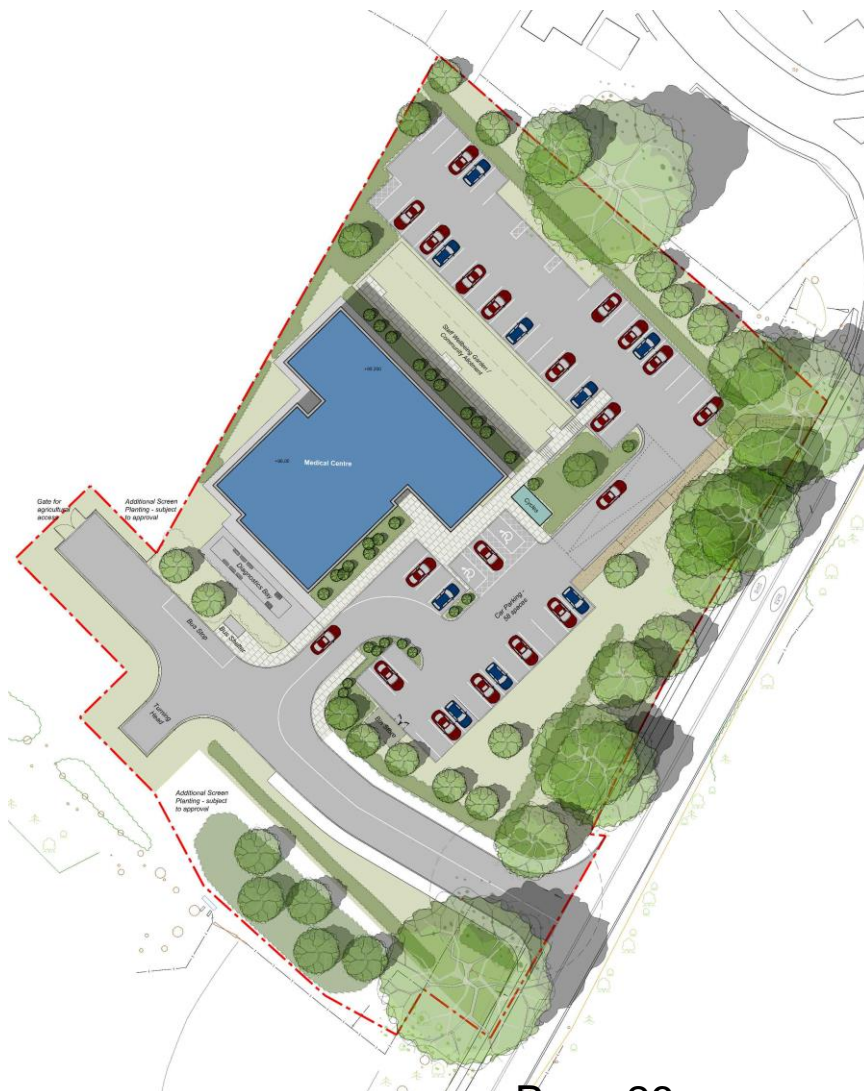
The application seeks planning permission for the construction of a new “medical centre” with integral pharmacy. It is understood that the new medical centre will be a replacement for the existing Patford House Surgery in the centre of Calne, which the applicant claims is no longer fit for purpose. Critically, this application does not seek permission from the Council *apropos* the future use of the existing Patford House site and its planning use will continue to be a doctors surgery regardless of the outcome of this application.

The application also seeks permission for vehicular and pedestrian access points onto Silver Street, some 58 car parking (including disabled) spaces and space for secure cycle parking. The plans show no provision for the parking of powered two-wheelers.

The proposed new medical centre building is configured in an approximate ‘T’-shaped and accommodation over two floors with some 11no. consulting rooms and a multitude of offices, admin spaces and other ancillary facilities. The submission confirms a GIA of 809 sqm. For the medical centre, 100sqm for the pharmacy.

External finish is a mix of Cotswold stone, buff brick, render and timber cladding and grey roof tiles. Due to the site topography, parking is set at two levels, with a ramp down to the area closest to Fynemore Gardens. A separate pedestrian access is shown as being provided in the North-Eastern corner of the site.

The site layout of the proposed development is shown thus:



The layout plans show dedicated space for mobile diagnostic/ambulance bay adjacent to the South-West elevation of the proposed building (for travelling services, such as mobile breast screening units or blood donation units, to use the space).

The submission suggests that room for future expansion of the building is retained to the North-Eastern part of the site, currently labelled as “external amenity area”, and is claimed to be used as such until such time as it may be needed.

Pedestrian and vehicular access to the site is via the A3102 Silver Street (currently having a speed limit of 50mph), at a point opposite the new housing development taking place on the opposite side of Silver Street; comprising a simple priority junction with right-turn lane “dove-tailing” that for the housing site. A continuous footway from the roundabout adjacent to the south-eastern site boundary to the upper tier car park in front of the proposed medical centre building.

A large turning area and “agricultural access” has been created to the South West of the medical centre building. The plans suggest the creation of a bus stop in this area.

#### **4. Site Description**

The application site located on the Northern side of the A3102 (known as Silver Street), immediately opposite the new housing development being undertaken on the Southern side of the public highway, adjacent to the White Horse Way and the John Bentley School.

The application site is demonstrably greenfield, it being open fields and never having been previously built upon. Its frontage to the A3102 is defined by dense tree and hedgerow cover, which largely prevents views into the site from the public highway. None of those trees are protected.

To the immediate South West of the application site is the property known as Verne Leaze, a Grade II\* listed property. Originally part of a small country estate (which would have included the application site), Verne Leaze continues to have the early nineteenth century country house at its heart (originally called Highlands but known as Vern Leaze since the 1930s). On the roadside at the North East entrance (and next to the proposed medical centre entrance), a mid-nineteenth century estate lodge also continues to exist within the Verne Leaze curtilage.

To the immediate North East, the application site shares a common boundary with a large number of modern residential properties at Fynemore Gardens. Sloping from South-West to North-East, Fynemore gardens are set at a lower level than the application site; the boundary between defined by existing trees and garden fencing.

No other planning policy designations cover the application site and it is not located in an area of high floor risk.

#### **5. Planning History**

No previous planning applications submitted on the application site, although both it and the land beyond was promoted for housing development during the preparation of the Calne Community Neighbourhood Plan. It is not allocated for any development within the Neighbourhood Plan – Policy H1 choosing to instead allocate land at North of Low Lane, to the Eastern side of Calne.

#### **6. Relevant Local Planning Policy**

Wiltshire Core Strategy Jan 2015

Core Policy 1 - Settlement Strategy

Core Policy 2 - Delivery Strategy  
Core Policy 8 – Calne Community Area  
Core Policy 57 - Ensuring high quality design and place shaping  
Core Policy 58 - Ensuring the Conservation of the Historic Environment  
Core Policy 61 - Transport and Development  
Core Policy 62 - Development impacts on the transport network

North Wiltshire Local Plan 2011

Saved policy NE14 – Trees, site features and the control of development

Wiltshire Local Transport Plan 2011 – 2016 (LTP3)

Wiltshire Local Transport Plan 2011 – 2016: Powered Two-Wheeler Strategy

Wiltshire Local Transport Plan 2011 – 2016: Cycling Strategy

Calne Community Neighbourhood Plan 2016 - 2026

Policy CF1 – Health, Leisure and Wellbeing  
Policy CF2 – Community Assets  
Policy BE1 – Integration and Landscaping  
Policy BE2 – Design Principles and Local Distinctiveness  
Policy NE2 – Setting of Calne and Calne Without  
Policy NE3 – Biodiversity

## **7. Summary of consultation responses**

Calne Town Council – No objection subject to particular features being secured. Commentary repeated in full below.

12<sup>th</sup> June comments:

*“In considering the amended plans submitted for planning application 20/01057/FUL the Town Development & Planning Committee has carefully considered the public benefit that the replacement surgery provision could bring to the Town and welcomes the investment in primary care facilities. This has been considered against the Calne Community Neighbourhood Plan and Wiltshire Core Strategy.*

*In reaching this decision the benefit of primary care facilities have been given sufficient weight to set aside the objection that the site is outside the settlement boundary and contrary to Policy 2 of the Wiltshire Core Strategy. However access to the site needs to ensure compliance with Core Policy 61 the Wiltshire Core Strategy.*

*We ask that a sum is committed to provide funding for a dial a ride or similar ‘on demand’ public service.*

*We ask that the applicant is required to enter into an agreement to fund improvements to the pedestrian and cyclist access to the site to and from the Town Centre with will include improved signage and lighting.*

*To ensure highway safety that no right turn is allowed from the new Surgery onto the A3102 and that traffic turns left only and uses the White Horse Way Roundabout.*

*To ensure highway and pedestrian safety a speed limit review is undertaken.*

*The Town Development & Planning Committee has approved a Sustainability Statement as part of the Climate Emergency & Climate and Environmental Pledge which we would ask is considered when determining this application.*

*Subject to above matters being addressed the Town Development & Planning Committee would SUPPORT this proposal.”*

12<sup>th</sup> August comments, to be read in conjunction with earlier 12<sup>th</sup> June comments:

*“RESOLVED to submit no additional comments in relation to the amended plans submitted in July 2020 for application 20/01057/FUL however attention was drawn to the following items which need addressing:*

*Comments from County Archaeologist dated 3rd August - A programme of trial trenching is required prior to determination.*

*Comments from County Ecologist dated 3rd August - In order to be able to fully assess the ecological impacts of the scheme, further information is required;*

*County Highways Officer - no updated response to concerns raised on original and amended plans.”*

NOTE: With the exception of the Highway Engineer now confirming their satisfaction with the application, none of the requirements set out by the Calne Town Council in either response have been incorporated into the proposals.

Wiltshire Council Conservation Officer - Objection. See main “Planning Considerations” section for detailed analysis.

Historic England – Objection. Extract from final comments set out below:

*“We remain of the opinion that the development will be harmful to the significance of Verne Leaze. The harm to Verne Leaze is caused by encroachment of development into its historic park land, despite the lack of inter-visibility between the house and the medical centre; and through suburbanisation of the western side of the A3102, causing erosion of the rural setting of the house. These issues were raised and explored more fully in our letter of 2 April.*

*We note that in the planning agent’s email of 19 May to you, it is stated that it is “clear from [Historic England’s] original response that any residual harm is to the negligible end of the ‘less than substantial’ spectrum”. Historic England would like to clarify that we have not stated this, and have instead indicated that the harm that is caused to Verne Leaze lies within the ‘less than substantial’ range as described by the National Planning Policy Framework (NPPF), and therefore paragraph 196 will be relevant to your authority’s decision making.”*

Wiltshire Council Archaeologist – Objection. See main “Planning Considerations” section for detailed analysis.

Wiltshire Council Ecologist – Objection. See main “Planning Considerations” section for detailed analysis.

Wales and West Utilities – Note that pipes are in the area and may be affected and at risk during construction works. Should the planning application be approved then requires the applicant of these works to contact to discuss requirements in detail before any works commence on site.

Wiltshire Council Highways – Whilst originally raising no objections to the proposed access arrangements, the Highway Engineer has now raised objections:

*“...the issues we have with the proposed junction arrangement:*

- a) The crossroads design introduces significant conflicting vehicle movements between the proposed development and the existing residential development.*
- b) The proposed dovetailing of the right turn lanes has potential to create a number of points of conflict. In particular with vehicles turning right out of either side road.*
- c) The current right hand turn lane for the housing estate has been incorrectly designed with the right turn lane being too far forward, vehicles sat in either right hand turn lane will block any movements from the side roads.*
- d) The design does not provide a buffer between the right turn lanes, any vehicle making a right hand turn manoeuvre will be required to encroach into the opposite right turn lane in order to make this manoeuvre, this increases risk of conflict at this location.*
- e) The applicant has not provided any drawings with forward visibility demonstrated, from assessing the site, the location of the junction is likely to have substandard visibility, therefore it would be inappropriate to accept a design without adequate forward visibility being fully demonstrated by the applicant.*

*...based on the information provided within the application 20/01057/FUL, the highway authority is not satisfied that a suitable and safe junction is being proposed, and would therefore be required to refuse permission.”*

In other respects (accessibility, parking and highway capacity), the Council's Highway Engineer raises no in principle objections to the proposals.

## **8. Publicity**

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

Ninety-one (91) letters of representation have been received, split 44 in support and 47 in objection. On both counts, these numbers include multiple letters from same individual households, the applicant, the CPRE and NHS Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group.

In support of the proposals, the following main issues are raised:

- The existing surgery (Patford House) is not fit for purpose and is inadequate for a town size of Calne
- Lack of alternative sites
- Nice looking building
- Lots of parking proposed

In objection to the proposals, the following main issues are raised:

- Contrary to Calne neighbourhood Plan – land not to be released until 2026
- Will encourage more traffic to use Silver Street and other roads in the locality which are already congested – particular concern about time taken to egress from Fynemore Gardens
- Highway safety will be compromised – particularly for those walking to school
- Will encourage more housing development on land to rear of application site
- Majority of patients and staff will have to travel to site by car – surgery should be located in town centre where better public transport and walking/cycle links are possible
- Site is not accessible by means other than the car due to narrow pavements and uphill location
- Other better sites available in Calne town centre – especially for a pharmacy

- Insufficient car parking
- Will increase air and light pollution to adjoining residents.
- Overlooking from car park
- Surface water run-off from car park into adjoining gardens
- Impact on landscape and setting of Verne Leaze listed building
- Loss of trees and impact on wildlife on site
- Three pipelines are located in the area which would prohibit development
- Will generate desire for lots of signage which could be illuminated
- No public consultation was undertaken by the applicant prior to the submission of the application
- Reduction in house values in locality

## 9. Planning Considerations

### 9.1 Principle of development and location

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

In this case, the Wiltshire Core Strategy (WCS), including those saved policies of the North Wiltshire Local Plan, and the Calne Community Neighbourhood Plan forms the relevant development plan when considering this application.

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

The application site is located adjoining to the edge of, but entirely outside, the defined limits of development for Calne (Calne being regarded as a Principal Settlement by the *Settlement Strategy* set out in CP1 of the WCS). Whilst Policy CF1 to the North Wiltshire Local Plan confirmed the acceptability of community facilities such as that being proposed in locations adjoining the framework boundaries to town and village, this element of CF1 has been superseded by the Wiltshire Core Strategy, which contains no such provision. Equally, there is nothing within the Calne Neighbourhood plan which suggests such locations for medical centres or community facilities of any kind would be acceptable on land outside of the settlement boundary to Calne (in fact, neither does the Neighbourhood Plan suggest it would be unacceptable either). Neither the WCS or the NP allocate land for new medical facilities, a fact rightly pointed out by the submission.

Nevertheless, the application site immediately adjoins the settlement boundary (it running along the back edge of the rear gardens of properties fronting Fynemore Gardens) and is positioned immediate opposite new residential development being constructed on the South-Eastern side of Silver Street (albeit, that development also being undertaken on land outside of the town's settlement boundaries). The application site is therefore contiguous on two sides with the built-up part of Calne town and in that context is demonstrably not considered to be isolated or remote from the town (in the terms expressed by the NPPF), using the terminology of the NPPF. Whilst contrary to the prevailing development plan, such a location is considered to be a material consideration which should nonetheless weigh in favour of the proposal.

Some of the objections raised to the development notes that the chosen site is on the South-Western edge of the town, when in fact the majority of the housing (particularly the new housing) is taken place on the North and Eastern sides of Calne and a good proportion of prospective patients would be forced to travel across the town in order to reach the site. Such observations are considered accurate and this feature of the site's location should perhaps rightly moderate the amount of weight that could be ascribed to the material consideration identified above.

Other concerns raised suggest that alternative, better located sites (ie. more central to the town centre and equidistant to the main and future centres of residential development) have not been considered by the applicant. In this regard, the applicant's submission does in fact list and provide at least a *prima facie* consideration as to the more obvious vacant sites and alternatives at Calne town. However, whilst the assessment perhaps gives rather cursory mention to "other town centre locations" and "local plan allocations" and does not provide any actual evidence of any enquiries or investigations carried out by the applicant to assess availability of such alternatives, it should be noted that neither the Wiltshire Core Strategy nor the Calne Neighbourhood plan actually allocate or specifically reference how new medical facilities (to accommodate Calne's growth) might be delivered across the plan period. To this extent, the submission perhaps does more to assess the availability and suitability of alternative sites that is strictly necessary to meet the requirements of planning policy.

Ultimately, whilst there is no specific local plan policy support for the principle of new community facilities on this site, the land is demonstrably very closely related to the settlement boundary and built up areas of Calne town and such a contextual location must weigh in favour of the development. Whilst the weight to be given to that material consideration should only perhaps be in the low to moderate region, since the site cannot in anyway be considered to be isolated or remote from the town, it is nonetheless considered sufficient to outweigh the provisions of the Wiltshire Core Strategy and Calne Neighbourhood Plan.

As a footnote to the above conclusion, it should be noted that several objections received in response to the application (rightly) observe that the land was previously part of new housing development being promoted by landowners/developers during preparation of the Neighbourhood Plan and that (wrongly) its exclusion from allocation for new development was also confirmation that it could not be built upon. Whilst there is nothing within the Neighbourhood Plan which specifically excludes the land from future development (the land was merely not allocated by the Plan), it is perhaps reasonable to speculate (as many of the concerns do) that new built form on the application site may dilute the perception of the wider landholding as being untouched open countryside and therefore potentially alter the balance of considerations in respect of any proposal for further development on the surrounding land. Further new development on the wider landholding will require a separate planning application, which must be considered on its own merits if and when submitted.

## 9.2 Accessibility, access arrangements, parking and highway capacity

### *Accessibility and parking*

As rehearsed in the section above, the application site is not considered remote or isolated in absolute terms, but it is acknowledged that it would be located on the edge of the town, away from its centres of gravity. For this reason, in their comments on the application, the Council's Highway Engineer has considered the accessibility of the site to potential patients and employees.

In their various comments on the application, the Council's Highway Engineer suggests that it is not possible to infer that any discounting to car movements to and from the site would be possible, given its location on the edge of Calne town (rather than its centre). They do, however, confirm that the applicant's claims of a bus service would increase the propensity for bus travel are likely correct, but that given the nature of the facility this may only have a significant impact on staff travel patterns and not necessarily alter the modes of transport likely for patients.

Indeed, following those initial concerns of the Council's Highway Engineer in respect of, *inter alia*, parking provision at the site (the level of which is often driven by how accessible a site is to means of transport other than the private car), the applicant prepared a submitted "Technical Note 1 – Transport" (prepared by Entran, April 2020) and revised layout plan. The Technical Note discusses a rearrangement of the parking at the site in order to accommodate a bus stop as well as a pedestrian



link into the North East of the site, at a point closest to the Silver Street/Fynemore Gardens junction and the direction from which patients will be travelling if arriving by foot. Both features are considered to be fundamental underpinnings to the site and its relationship with the town and accessibility and without them, its acceptability would be substantially diminished. Their delivery should be controlled through the use of suitably worded planning condition, although, in separate correspondence, the Council's Bus Network Manager has confirmed that they do not require the planning permission to compel the bus service to actually run. Whilst this does mean that there would be no guarantee the site would be serviced by a bus link, there is no evidence to suggest that a different position should be taken from the Bus Network Manager.

For medical centre/doctor surgery type uses, the Local Transport Plan 2011-2016 (LTP) specifies a standard of 5 car parking spaces per consulting room equating to a requirement of some 55 spaces. Whilst in response the applicant claimed that in their experience, there would be a requirement of 3 spaces (based on an average of 1 consultant, 1 patient and 1 patient waiting), equating to some 33 spaces for the consulting rooms, the eventually submitted revised plans do in fact show some 56 spaces, which would comfortably exceed the requirements of the LTP even accounting for overspill and the pharmacy element (which requires 3 spaces as a maximum). Policy BE3 to the Calne Neighbourhood Plan is not applicable since it explicitly refers to residential development.

With regard to cycle parking, the layout plan does appear to show a dedicated space (a simple rectangular block) close to the main building. However, and whilst acknowledging the text to some of the documents makes reference to the proposed cycle parking to be "secure", no details have been provided so as to be sure that it would meet the LTP Cycling Strategy. Since there does appear to be sufficient space on the site, it is considered reasonable to leave the detail of the secure storage to a particularly worded planning condition.

The submitted details make no dedicated provision for powered two-wheelers (PTW), as is required by the LTP Powered Two-Wheeler Strategy. Given the applicant's claims/hopes that a range of means of transport will be used to access the site, this does appear to be sub-optimal. It is assumed that the PTWs accessing the site would either be left in the cycle area or take up one of the car parking spaces, which is again, sub-optimal and would not respect the Council's LTP strategy. In such a circumstance and because there does appear to be space on site to deliver dedicated provision, it is considered relevant and reasonable to make use of planning conditions to require further details to be submitted for approval.

#### *Vehicular access from Silver Street*

As it stands, the application proposes a new vehicular access to be created for the site on to Silver Street at a point immediate opposite that access created for the new housing development taking place on the opposite side of the public highway. This takes the form of a simple priority junction access with a ghost island for right turning into the site which would 'dovetail' the right turn lane for the residential development opposite. A separate, dedicated pedestrian footway is to be provided alongside the vehicular, together with a separate pedestrian only access at the sites North East corner.

It should be noted that the support of the Town Council are in part predicated on a left turn only arrangement (ie. no right turn) being implemented when egressing from the application site. The proposed development does not deliver that arrangement.

Turning to internal arrangements, the accompanying swept path analysis submitted by the applicant shows that the site can accommodate the movements of a larger vehicle (the diagnostic mobile vehicle, for instance) and that turning into and out of the site can be achieved. The internal layout has been amended to accommodate a turning head and bus stop/field access road – it is claimed so as to remove the need for agricultural vehicles to wait within the initial section of the access road and potentially cause a blocking issue at the access.

Although initially thought to be acceptable, in giving further consideration to the access design, the Council's Highway Engineer is now of the opinion that it would cause conflicting and unsafe vehicle movements with that associated with the new residential development and does not currently demonstrate adequate forward visibility. They recommend that planning permission should not be granted for the access as currently designed. The applicant and the Council as the Highway Authority are in negotiations to arrive at a suitable re-design of the access. However, those negotiations are unlikely to be concluded prior to the now scheduled meeting of the Northern Area Planning Committee and definitely not before the preparation of the agenda papers.

It should also be noted that the applicant will be separately required to enter into a S278 agreement (under the Highways Act) in order to provide any offsite highway works and the provision of the new accesses for vehicles and pedestrians.

### *Highway capacity*

A Transport Statement has been submitted in support of the application in accordance with the thresholds highlighted in Wiltshire Councils Transport Assessment Guidance. This discusses the operational hours for the proposal, the proposed uses within the site, the vehicle parking provision, vehicular and pedestrian/cycle accesses, the accessibility and the anticipated traffic generation. It is noted that this takes into account the alterations to the public highway in terms of speed and alignment relating to the residential development being undertaken on the opposite side of the A3102. Whilst the Council's Highway Engineer notes that the potential to reduce the speed limit on this section of Silver Street (to extend the 30mph further south), such a change cannot be delivered through the grant of planning permission, it being a matter controlled by separate legislation.

As referenced above, a new priority junction access is proposed to be provided on the A3102 with a ghost island for right turning into the site which would 'dovetail' the right turn lane for the residential development opposite. A Technical Note has been submitted in relation to this, with particular reference to traffic generation, existing traffic on the A3102, the permitted residential development to the south and the proposed junction capacity. In their initial commentary on the application, the Council's Highway Engineer expressed particular concern with the right turn storage capacity and this was then tested by the applicant using the PICADY Junction assessment tool. This assessment shows that the observed traffic flows, growthed to opening year using TEMPro, plus the committed development flows and additional flows from the proposal would operate within capacity with no queuing experienced during the peak network hours. The operational reserve capacity of the proposed junction has been tested for the years of 2021 and 2025 and it can be seen that there would be no concerns with capacity or delay on any approach with RFC's shown to be well below the threshold of 0.8.

A Travel Plan has been submitted with the Transport assessment and is detailed at Appendix B. This would be applicable to staff and aimed at reducing the trips to/from the workplace and is intended to reduce traffic on the highway network and would (as far as it is able, since the site is still less sustainable located than one located in the town centre), address the requirements of the Sustainability Statement as part of the Climate Emergency & Climate and Environmental Pledge made by the Calne Town Council. It is relevant and reasonable to make use of a planning condition so as to ensure the implementation of the Travel Plan.

### *Conclusion on highway issues*

It is understandable that some local residents remain concerned about the additional traffic that would be associated with the medical centre being constructed on this currently greenfield site. In many ways, the initial comments of the Council's Highway Engineer echoed those concerns – particularly in respect of the site's locational characteristics. In response to those concerns, however, the applicant

has carried out additional assessments and made changes to the layout of the site (including the provision of a bus stop and separate pedestrian access) and the Council's Highway Engineer has signalled their broad satisfaction with the principle of development in this location.

Whilst the principle of this type and quantum of development in this location appears to be acceptable to them, there remains an outright objection to the design of the vehicular access when assessed against adopted local plan policy. The applicant and the Council as the Highway Authority are in negotiations to arrive at a suitable re-design of the access but those negotiations are unlikely to be concluded prior to the now scheduled meeting of the Northern Area Planning Committee and definitely not before the preparation of the agenda papers.

However, since there is no suggestion that a suitable access design cannot be arrived at and agreed with the applicant, it is considered possible to continue to recommend that planning permission be granted, subject to a suitable access scheme first being agreed, the negotiation of which being delegated to Council officers.

#### 9.6 Design, layout and impact on landscape

The proposed medical centre building is located centrally within the site, pavilion style, with a hinterland of parking hardsurfacing (an upper and lower level linked by a ramp, due to topography of the land) of tarmac with areas of paving slabs immediately outside the building. The building itself is of a mixed storey and a half element (ie. accommodation in the roof space) linked by flat roof structures to a taller two storey element, with a height of a little over 7.0m to eaves and some 11.0m to ridge at its tallest points. Materials are to be a mix of Cotswold stone, buff brick, render and timber cladding and grey roof tiles (with the addition of two PV panels on the South facing roof to the storey and half element). The proposed drainage arrangements are considered uncontentious, due to the site not being at risk of flooding and the ability to connect to mains (for surface water, via an attenuation storage tank under the car park).

Layout and design is considered to be typical of a modern community facility and, notwithstanding the relationship with the grade II\* Vern Leaze considered elsewhere in this report, to that extent is not considered to overtly conflict with the prevailing appearance of the adjoining development at Fynamore gardens or the new development being built on the opposite side of Silver Street (known as Stokes Croft). New grassed areas and ornamental trees are to be planted so as to soften the internal appearance of the site.

Of concern is the seemingly excessively sized turning area and "gate for agricultural access" to the land beyond the site - its size appearing to be much greater than would be required to provide a turning space for the bus, its dimensions perhaps being associated much more with the desire to retain a readily useable means of accessing the land previously being promoted for residential development. Whatever the reason and the refusal of the applicant to reduce its size, the effect of such a large expanse of hardstanding does have the effect of needlessly increasing built form and consequent impact upon what is currently a greenfield land in the open countryside. Its connected effect upon the historic setting of Vern Leaze is considered elsewhere in this report.

The boundaries to the site are defined by mature planting – particularly the frontage to Silver Street, being primarily a mix of Oak and Sycamore, but also some Pine, Ash and Lime. Three Oaks are also positioned along the boundary to No. 1 Fynamore Gardens and a series of Poplars to the South West, and outside of, the application site. Whilst the majority of the existing trees are unaffected by the proposals (for instance, the hardsurfacing of the car park stops well short of the canopy spread and details of protection during the construction phase have been provide up front), the insertion of the vehicular access to Silver Street (as currently configured) does result in the removal of some 3 mature Oaks of reasonable quality. The insertion of the separate pedestrian access takes advantage of an existing gap between mature trees, only necessitating the removal of smaller self-seeded trees. Such a loss is unfortunate, but it is acknowledged that it comes as a result of the need to create a safe

access that links with that of the existing access to the new housing development on the opposite side of Silver Street. Indeed, development on the site is always likely to require the removal of some trees to create such an access and to that extent, the proposal is as good as it could ever be. Of course, in negotiating the acceptability of revised access arrangements, the effect upon the frontage trees will need to be considered.

The switch from greenfield, undeveloped land to intensively developed and hard surfaced will be undeniable dramatic and the character and appearance of the site (as experienced from public vantage points – there being no rights of way to the North or West of the site) would very much mirror the projection of the urban form of Calne town into the open countryside which has happened on the opposite side of Silver Street. The retention of the trees fronting Silver Street is unlikely to fully mitigate that shift in character, particularly in light of the new access, but it will at least prevent an overt presentation of parked cars and built form to the street.

With exception of the “agricultural access” and turning area, the design and layout of the proposal is unobjectionable in and of itself. Ultimately, however, new built form of any sort on this site will always result in an encroachment into the open countryside in visual terms, but it will be contextualised by the existence of the new development being undertaken on the opposite of the Silver Street. Such a context does not result in a complete amelioration of the impact, but, if the Northern Area Planning Committee concludes that this site is a good site for a new medical facility and notwithstanding residual concerns about the impact of the “agricultural access” and turning area, it is nonetheless considered enough to address the requirements of policy CP51 and CP57 to the Wiltshire Core Strategy, saved policy NE14 to the North Wiltshire Local Plan 2011 and policies BE1 and BE2 to the Calne Neighbourhood Plan.

#### 9.7 Impact on setting of Grade II\* Vern Leaze

Section 66 (2) of the Planning (Listed Building and Conservation Areas) Act 1990, requires the Council to have special regard to the desirability of preserving designated buildings, their settings and any features of special architectural or historic interest which they possess. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. The policy encourages a balanced approach with any potential harm caused by a development being assessed against the public benefits (including heritage benefits) which it would achieve. Paragraph 193 requires that “Great weight should be given to an asset's conservation and the more important the asset, the greater the weight”. The Government's Planning Practice Guidance which accompanies the NPPF provides advice on development within the setting of heritage assets. Further guidance is provided within the Historic England's Historic Environment Good Practice Advice in Planning Note 3: “The Setting of Heritage Assets” second edition published 2017.

At the local plan level, Core Policy 58 to the Wiltshire Core Strategy requires that designated and non-designated heritage assets and their settings will be conserved and where possible enhanced. Similarly Core Policy 57 requires a high standard of design in all new developments. The policy requires that new development should respond positively to existing patterns of development and building layouts and be sympathetic to and conserve historic buildings and landscapes. Policy BE2 to the Calne Neighbourhood Plan requires all new development to be designed to a high quality that reinforces local distinctiveness. It should be noted that policy BE4 to the Calne Neighbourhood Plan is not applicable since it explicitly refers to two specific Conservation Areas.

The application site forms part of the historic extent of a small country estate to the south-west of Calne alongside Silver Street, the A3102, Melksham to Devizes road. The early nineteenth century country house at its heart (originally called Highlands but known as Vern Leaze since the 1930s) is listed at grade II\*. On the roadside at the north east entrance a mid-nineteenth century estate lodge is within the curtilage of Vern Leaze and functionally related.



In their comprehensive commentary, the Council's Conservation Officer considers the significance of the listed building and its setting in relation to the application site. They note that the original main block of the house was built c.1813 (with later additions) as a small country mansion set in limited grounds. It was designed to be an out of town country residence of some status for a wealthy and important local businessman, William Wayte. It was one of a number of large houses built outside the main town during the nineteenth century, standing as evidence of the affluence of its wealthiest inhabitants and a conscious expression of their status. The grounds were extended to create a small landscaped 'parkland' with the additions of agricultural land following inclosures in 1818 and 1821. They go on to confirm that the character of the parkland remains legible today and much of the planting, including sheltering tree belts to the South-West and South-East remain. Historic landscaping to the north of the house was supplemented with further mixed woodland planting during the 1960s to provide screening to the newly constructed pumping station from the main house but some of the original planting remains discernible.

Clearly, therefore, the Council's Conservation Officer takes the view that the application site was historically and continues to be, contextual to the setting of Vern Leaze as a heritage asset. Comments from Historic England (Vern Leaze being grade II\*, and therefore within the purview of Historic England to also make comment). In the context of a grade II\* listed building, and in respect of the special regard required by Section 66 of the Act to be given to the desirability of preserving the setting of listed buildings and the great weight ascribed to the conservation of designated assets by paragraph 193 of the NPPF (and "the more important the asset, the greater the weight should be") and the status of the assets involved, it is clear that the level of scrutiny that should be given to proposals for the site should be high.

In support of the application, a Historic Environment Desk Based Assessment has been submitted. That assessment concludes be "no impact" on the significance of the Grade II\* listed Vern Leaze as a result of the development taking place and that, inter alia, the setting of the asset has already been adversely impacted by the new housing development on the opposite side of Silver Street, thereby rendering the impact of further development inconsequential.

Such conclusions reached by the applicant are, however, considered by the Council's Conservation Officer to be without merit and to fundamentally misunderstand the historical context of, and between Vern Leaze and the application site as well as the requirements of policy and guidance. Indeed, within their comments, the Council Conservation Officer provides a detailed critique of the submission and the shortcomings of the information and conclusions reached by the applicant:

- The conclusions of the applicant appear based almost exclusively on views and visual considerations with little acknowledgement of the other issues which contribute to the "historic relationships between places" identified by the PPG. Such an approach is at odds with the need to understand the concept of setting. The PPG defines setting as "the surroundings in which an asset is experienced" and notes that "All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not." The PPG also acknowledges that the extent and importance of setting is often expressed by reference to visual considerations but advises that, although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. It is also noted that "When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change." Historic England guidance on 'setting' makes it clear that it does not rely exclusively on visual issues. It notes that the setting of a historic park or garden may include "land beyond its boundary which adds to its significance, but which need not be visible from the site". This might include "land which is not part of the site [the current development site is clearly now in separate ownership] but which is adjacent and associated with it because it makes an important contribution to the historic character of the site in some other way than by being visible from it". The Conservation Officer is of the very firm view that the submitted Heritage Statement fails to make the holistic assessment of heritage impact that is required by the NPPF.
- In response to the initial comments of the Conservation Officer, the applicant refuted the conclusions reached and supplied information relating to the representations made at the time of the application site's promotion for housing development within the Neighbourhood Plan. It did not alter the Conservation Officers conclusions.
- The submission regards the significance of the heritage asset to only be attributed to a single designed view from the principal garden front of the house outwards to the North-West. No consideration is given to the changes in visual permeability that seasonal variation might bring – with winter allowing the site to be more visible – and there is no evidence that the applicant has gained access to the Vern Leaze property so as to assess actual impact. There is no consideration of how the estate may have been used historically, as an integral part of the property for both leisure and practical purposes – it is not only specific designed views which are important but the general experience from within and around the estate, from the outside looking inwards, and from the inside looking out. Whilst there may be no public access to this land, guidance prepared by Historic England makes it clear that the "contribution of setting to significance does not depend on public rights or ability to access it". The report fails to demonstrate any real understanding of the significance of the wider parkland as the designed setting of the house within which it is experienced and as part of an historic entity. Instead, it seeks to downplay its significance by making a rather artificial connection to the development being carried out on the opposite side of Silver Street.
- The Grade II\* listed house and associated structures in fact have high significance in terms of their architectural and historic interest as a good example of a small country house of the period and, contrary to that asserted in the applicant's submission, are intrinsically related to the clearly legible and surviving historic estate. That includes the ornamental grounds, walled garden, lodge but also the wider parkland on its North, West and South sides (which includes

the application site for the medical centre) all of which comprise the setting within which they are experienced. The continuing ability to appreciate the whole of the extent of the former park as an open landscape adds considerably to the significance of the whole, the combined value of all the elements being greater than any alone. Historic England's "Setting" guidance advises that settings "which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance". Another important element of the setting of the house and estate is the estate's intentional and clear separation from the main town to the North-East, which is maintained by the remaining open grazing land to the rear of Fynamore Gardens, including the current site.

- Whilst the setting of the house has indeed been recently adversely impacted by the encroachment of the new housing development taking place on the opposite side of Silver Street, rather than rendering the impact of further development inconsequential, as suggested in the submission, it surely renders the remaining area of the former parkland of greater rather than lesser value in providing a meaningful setting.
- The proposed development within the historic parkland will remove the intentional separation between the Vern Leaze estate and Calne and remove the ability to appreciate the historic extent of the parkland. It will be visible within views around the parkland and from the approach to the house and around the lodge (with likely greater permeability during winter months). In considering the impact on the setting of heritage assets the PPG advises that LPAs should also take into account the impact of cumulative change. In combination with the modern development currently under construction to the east, the proposed development would add to the gradual erosion and urbanisation of the wider rural setting of the estate and reduce separation from the town.
- The Council's Conservation Officer entirely disagrees with the conclusions reached by the applicant's submission (ie. that there would be "no impact" on the significance of the Grade II\* listed Vern Leaze as a result of the development) since such a conclusion clearly demonstrates a lack of understanding of setting issues and underestimates both the status of the assets and the importance of their historical relationship with the surrounding parkland.
- With respect to the visual appearance and layout of the proposed development itself, the Conservation Officer notes that the building would be substantial in scale and surrounded by car parking with very little mitigation in the way of landscaping. Although clad in natural stone, the scale and proportions of the building are at odds with historic construction.
- The proposed access, turning area, agricultural access and 'diagnostics bay' (and consequent loss of hedging) are all positioned closest to Vern Leaze and would be an obtrusive feature within this otherwise rural landscape. Such features will increase noise, lighting and movement in precisely the worse location.

Clearly, in considering the submission and the inadequacy of the assessment carried out by the applicant, the Council's Conservation Officer is firmly of the view that the proposals would reduce the ability to appreciate and understand the historic extent of the Vern Leaze estate and the setting of this high-status country house grouping, the setting of which can be discerned to this day. Indeed, the Conservation Officer concludes their comment by confirming that harm is indeed caused to the setting of Vern Leaze and that it should be considered be of 'less than substantial harm' (using the NPPF terminology – use of the term 'substantial harm' being reserved for outright demolition) within the middle ranges of that category. Further, they view the proposals as being at odds not only with Section 66 of the Act and the NPPF but also with CP57 and 58 of the Core Strategy which require historic landscapes to be respected and heritage assets conserved.

Since the bald conclusions of the submission (that "no harm" whatsoever is caused) seem unlikely, given the history of the land and relationship to Vern Leaze, the conclusions of the Council's

Conservation Officer and Historic England appear solid and should provide basis for a judgement on the acceptability of the proposal. In this regard, paragraph 196 of the NPPF requires that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”. In this particular case, the public benefits associated with an enhanced medical facility for the town of Calne are pronounced and clearly understandable. Whilst there is no reason to suggest that the existing Patford House surgery would close if planning permission for this development were to be refused, neither is there any reason to doubt that the new medical centre development would not be a substantial improvement in accommodation, service delivery and, by extension, the health care offer to the town of Calne. Such public benefits must be considered to be substantial and are considered to carry significant weight in favour of the grant of planning permission.

Whilst it is unfortunate the proposed access, turning area, curiously large “agricultural access” (as well as the consequent loss of trees) are all positioned so close to Vern Leaze itself, there are nonetheless reasonable justifications for such a position to be regarded as optimal (ie. at a point furthest from the Silver Street/Fynamore Gardens junction and directly opposite the access to the new housing development). Indeed, as with the rather modern architectural idiom chosen for the main building itself, whether the access is in the position proposed or at the opposite end of the site, ‘less than substantial’ harm to the setting of Verne Leaze is still likely to occur in the moderate range. To this extent, the design and layout of the development could not be substantively improved upon so as to reduce that harm.

Ultimately, whilst the proposed development will cause less than substantial harm to the significance of Vern Leaze, the public benefits associated with the development taking place are considered to outweigh that harm. As a result, the proposals are considered to meet with the requirements of relevant legislation as well the policies set out in section 16 to the NPPF. The proposal will not comply with the requirements of policy CP58 to the Wiltshire Core Strategy (since it would not conserve or enhance the historic environment), but in this instance the material considerations and compliance with the NPPF outlined above outweigh that conflict.

### 9.8 Impact on neighbour amenity

The application site is immediately adjoining and topographically elevated above the rear gardens of existing residential development at Fynamore Gardens, especially No.1. Whilst also in close proximity to other properties at Vern Leaze (particularly the lodge) and new dwellinghouses being built on the opposite side of Silver Street, those properties are positioned close to the highway frontage and therefore already experience noise and disturbance from passing traffic, activity and street lighting, and the creation of a medical centre complex will not result in such a significant change in their living conditions. Perhaps understandably, several concerns have been expressed by those residents in respect of loss of privacy, noise, light and other disturbances from the activities that would be expected at new development.

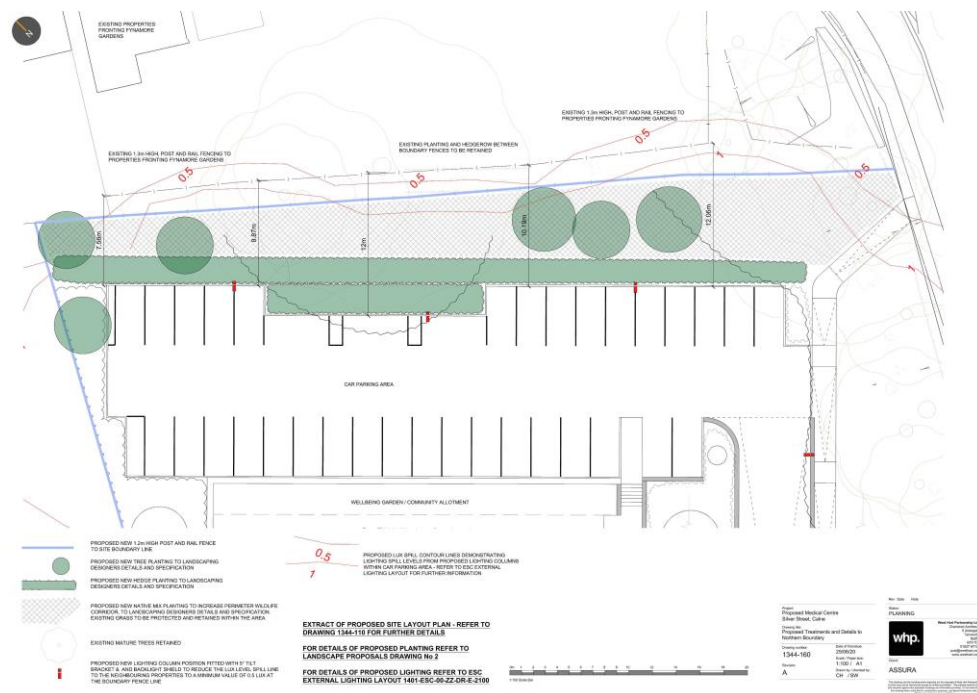
Submitted plans and cross-sections suggest that the proposed medical building will be, at its closest, approximately 46m to the back edge of No.1 Fynamore Gardens, some 50m to No.3 and greater distances thereafter. Clearly, however, the edge of the lower level of the car park will be much closer, at some 7m from the common boundary with the rear gardens. Extracts from the submission below, demonstrating the relationship of the site with the properties at Fynamore Gardens:



**Proposed Site Section B-B with distances to neighbouring properties**

1:500@A1





Notwithstanding the existence of first floor windows in the facing elevation, the distance between the medical building and residential properties at Fynamore Gardens is considered to be sufficient to mitigate against unacceptable overlooking or loss of privacy. However, whilst the intervening land between the edge of the car park and the boundary to the gardens to Fynamore Gardens is to be

landscaped (retention of existing trees, new planting/hedgerow and grass being laid), it is axiomatic that the proposals will result in an abrupt change to the appearance and intensity of noise and activity on the land in relation to the nearest properties – in particular, the movements of cars and people through out the year, including the Winter period when vehicle headlights will be used every day from mid-afternoon until close of business (it remaining curious that only a post and rail fencing being proposed rather than a solid structure so as to stop potential disturbance from headlights).

The above described is a likely outcome from development taking place and must be considered to be an impact on living conditions compared to the existing situation. There are, however, considered to be a series of measures and planning conditions which could be imposed so as to mitigate those impacts to such an extent that the proposal would not fail the requirements of policy CP57 of the Wiltshire Core Strategy:

- The applicant has refused a reasonable request to specify intended opening hours of the new medical facility and associated pharmacy (indeed, the application form submitted oddly claiming that opening hours are “not relevant”). A cursory internet search does, however, reveal the existing Patford House surgery to have opening times of 08:30-18:00 Mon-Fri (closed at weekends) they cannot be automatically regarded as a yardstick for the new facility proposed (despite the submitted Transport Assessment presupposing that it would be). Whilst not a use that would present the most potential for noise and disturbance to surrounding residents, it does still exist, particularly after hours whereupon the car park may become a magnet for anti-social behaviour unconnected to the operators. For this reason and as a consequence of the applicants refusal to engage in respect of opening hours, it is considered relevant and reasonable to make use of a planning condition which compels the submission of an operational management plan, which shall include opening hours, method of securing the car park from access after hours and other measures to be taken to minimise anti-social behaviour on the site.
- The vehicular access, entrance to the building, bin storage, bus stop and diagnostics bay all being optimally positioned, being sufficient distance away from the common boundary with Fynemore Gardens and Vern Leaze Lodge.
- The retention of a landscaped boundary of reasonable depth (of between 7-12m) between the car park and common boundary with Fynemore Gardens – including the retention of existing trees and new planting/hedgerow.
- Whilst no precise details have been provided, a notation on the submitted plans suggest the installation of a “post and rail” type fence along the boundary with Fynemore Gardens. Such a notation implies an *open* type boundary treatment rather than the expected *closed* treatment (such a closed boarded fence or wall) which would perform better in mitigating noise, light and general disturbance to the adjoining neighbours. It is considered to be reasonable for a planning condition to be imposed that would require further details of a closed boundary treatment to be submitted and agreed prior to development taking place.
- Submitted plans do suggest the installation of external lighting to both the building and car park and confirms that light “spillage” will reduce to a very low level along the common boundary with the gardens to Fynemore Gardens. It is, however, considered to be reasonable for a planning condition to be imposed that will restrict all further lighting to be installed at the site without a further planning permission as well as the precise details of the lighting to be installed close to the boundary with Fynemore Gardens prior to development taking place. No external lighting is proposed at the Southern end of the site, close to Vern Leaze Lodge.
- Although not specified on the submitted plans, it is perhaps to be expected that fixed plant will be needed to support the activities at the site. It is anticipated that such plant would be

installed close to or on the building; certainly not close to surrounding residential properties. Nevertheless, it is considered relevant and reasonable to make use of a planning condition which compels the submission of the details and specification of any plant for agreement so as to ensure it is not of a nature that will unacceptable impact upon residential amenity, prior to it being installed.

Whilst it is undeniable that the outlook across the site from the properties at Fynamore Gardens will alter substantially, a change in outlook across the site is merely that and does not automatically result in new development being unacceptable when assessed against planning policy. In this particular instance, and subject to the imposition of appropriate worded planning conditions in respect of boundary treatment and external lighting, the development is configured in such a way so as to avoid causing unacceptable impacts upon the amenity and living conditions of adjoining neighbours. For this reason, the proposal is considered to comply with the provisions of policy CP57 of the Wiltshire Core Strategy.

### Ecology

The application site is not located in an area designated as being of particular ecological value. However, the land is undeveloped and surrounded by hedgerows and, therefore, may be a habitat for protected species. For this reason, a habitat survey was undertaken by the applicant so as to support the development proposals.

Following initial concerns being raised by the Council's Ecologist in respect of the survey coverage and effect of external lighting, an update of the ecological assessment (Ecological Report, prepared by Environmental Gain Ltd, 19<sup>th</sup> August 2020) was submitted. That assessment broadly concludes:

- Habitat - The proposal would result in the loss of approximately 275m<sup>2</sup> of broadleaved woodland for the new road access, and 0.5ha of species-poor grassland.
- Badgers - There are no signs of badgers within the site. The field is suitable foraging habitat and the boundary provides a route along which badgers could move through the landscape.
- Bats - There is a lesser horseshoe roost in the nearby Vern Leaze house and known roosts in buildings within the residential area to the North and East of the proposed development. None of the trees that will be removed have any features suitable for roosting bats.
- Birds - There were no signs of nests, but it is likely that at least a small number of birds build nests within the trees and scrub.
- Dormice - There are no records of dormice in the data search. The scrub and trees are suitable habitat for dormice albeit they are relatively small. This area is moderately well connected to hedges and copses in the surrounding landscape, but there are no large stands of woodland nearby.
- Great crested newts - There are no records of great crested newts on or near the site (within 500m). The open field is of little value amphibians as it is without sheltering places. The adjacent boundaries are better habitat and have areas where amphibians could forage or shelter.
- Reptiles - The open field is of little value to reptiles as it is open without any sheltering places. The adjacent boundaries are better habitat and have areas where reptiles could forage or shelter.

- Otters and water voles - There are records of both species within the data search, however there is no suitable habitat on or adjacent to the site.

The assessment goes on to set out a series of measures to be put in place as a part of development which is intended to avoid and mitigate ecological impacts:

- Two reptile hibernacula (refuge) created in retained vegetation on the edge of the site – to be constructed in accordance with the guidance in the herpetofauna workers manual.
- Built-in bird boxes including three sparrow terraces to be integrated into the fabric of the new building.
- Built-in bat boxes (in the form of three bat tubes) integrated into the fabric of the new building.
- Six bird boxes installed on retained trees adjacent to Silver Street.
- Six bat boxes will be installed on retained trees in the retained vegetation adjacent to Silver Street.
- Grassland along the Eastern and Southern boundaries to be seeded and managed to create a species-rich sward.
- New hedges will be planted along the boundary with Fynamore gardens.
- Formal shrub planting will include species suitable for foraging birds and invertebrates.
- The suggestion of a Construction Environmental Management Plan (CEMP) (secured by planning condition) so as to minimise impacts during the construction phase.
- The preparation of an Ecological Management Plan (EMP) (secured by planning condition) so as to secure the future of the ecological mitigation measures.

The submitted assessment ends with the assertion that the proposed development will result in a net increase in the amount of hedgerow habitat, nesting and roosting habitat for birds and bats, and in the amount of species-rich grassland (thereby referencing the requirements of the NPPF). In their final comments, the Council's Ecologist has signalled their agreement with the assertions and conclusions reached. They do, however, confirm the need for several planning conditions to be imposed in relation to mitigation measures, the CEMP and CMP.

There is no evidence in existence which should result in a different conclusion being reached than that of the submitted ecological assessment and objective comments from the Council's Ecologist. For this reason, and subject to the imposition of planning conditions, the proposal is considered to comply with the requirements of policy CP50 of the WCS, policy NE3 to the Calne Neighbourhood Plan and section 15 to the NPPF.

### Archaeology

In their comments on the application, the Council's Archaeologist confirm that they regard the application site as being in an area of archaeological potential (a factor also identified within the submitted Historic Environment Desk-Based Assessment, prepared by Cotswold Archaeology) due to significant finds on the land being built out on the opposite side of Silver Street. The Council's Archaeologist goes on to suggest that a *desk-based* assessment on its own does not provide enough information to assess the impact of the proposed development on any buried archaeological remains that are likely to be within the site -noting that there has been no previous archaeological investigation on this particular site.

In response, the applicant has carried out a geophysical survey (ie. a magnetic survey to detect any anomalies or disturbances in the ground which may indicate the presence of archaeological remains). This survey found that:

*"...detected two buried services and a potential former field boundary, which appears to correspond with available Tithe maps. The survey has also highlighted several undetermined anomalies near the services and modern field edges. The characteristics of these anomalies*

*are not suggestive of any specific archaeological or non-archaeological features, which has resulted in an 'Undetermined' classification. It is possible these anomalies may represent modern disturbances or the dumping of material, but ascribing a relative date or origin for these anomalies is not possible from the geophysical results. Generally, modern interference was limited to magnetic disturbance from adjacent fences at the field edges."*

The results of the survey do identify some disturbances in the ground where elements of the new development would take place. For this reason, the Council's Archaeologist continues to recommend that planning permission should not be granted until trial trenching is undertaken and the results presented, and consideration is given to the acceptability of building on the site or the need for planning conditions (ie. the inference being that if significant archaeological remains were to be found on the site after the grant of planning permission which renders the development unacceptable, that permission could not be revoked).

However, perhaps understandably, the applicant does not wish to carry out that trial trenching prior to the determination of the application and invite the Council to take a risk-based approach and to make use of planning conditions. In this particular instance, whilst significant found have been found nearby, there are no known remains on the site itself and it is not designated as such. Of course, the applicants own geophysical survey suggests that several anomalies were discerned and there remains a chance they could significant, but the use of an appropriately worded planning condition could still compel detailed investigation (via trenching) and ultimately result in alterations being made to the layout of the development so as to avoid or mitigate harm.

Clearly, there remains a risk that the site could contain significant archaeological remains, subject to the imposition of planning conditions, it is considered that the grant of planning permission prior to the carrying out of trial trenching and subsequent analysis would comply with the requirements of policy CP58 to the Wiltshire Core Strategy and section 16 to the NPPF.

## **10. Conclusion**

Whilst the site for the proposed medical centre is located on the edge of Calne Town outside of the settlement boundary, being located adjacent to other existing and new residential development, it is not considered to be isolated, which is a significant material consideration weighing in favour of the proposal. Further, and subject to the imposition of conditions compelling the delivery of a sufficient car parking spaces bus stop, cycle, powered two-wheeler parking facilities, the proposal is considered to be sustainable development and comply with relevant elements of policies CP2, CP8, CP57, CP60 and CP61 to the Wiltshire Core Strategy as well as policy GA1 and GA2 to the Calne Community Neighbourhood Plan.

The design and layout of the site and built form, as well as the choice of external facing materials, is acceptable in and of itself, and, with the exception of the unnecessarily sized "agricultural access" and turning area, is considered to be optimal so as to minimise impacts upon existing trees and the amenities of neighbouring residential properties. The outlook of those nearest residential properties will undoubtedly change as a result development taking place, but, and subject to the imposition of particularly worded planning conditions, the proposal is not considered to result in unacceptable impacts upon their living conditions through loss of privacy, overshadowing, vibration and pollution. In these respects, the proposal is considered to comply with the requirements of policies CP51 and CP57 of the Wiltshire Core Strategy, saved policy NE14 to the North Wiltshire Local Plan 2011 and policies BE1 and BE2 to the Calne Community Neighbourhood Plan.

It is established that the proposed development will cause less than substantial harm to the significance of Vern Leaze within the middle part of the range. However, the public benefits associated with the creation of a new, enhanced medical facility for the town are demonstrable and are considered to outweigh the harm identified. As a result, the proposals are considered to meet with the requirements of relevant legislation as well the policies set out in section 16 to the NPPF.

Whilst the proposal will not comply with the particular requirements of policy CP58 to the Wiltshire Core Strategy, in this instance the material considerations and compliance with the NPPF outweigh that conflict.

There remains a risk that the site could contain significant archaeological remains, and it is considered that planning conditions should be imposed so as to compel the carrying out of trial trenching and subsequent analysis in order to comply with the requirements of policy CP58 to the Wiltshire Core Strategy and section 16 to the NPPF. Equally, subject to the conclusions and recommendation contained within the ecological assessment being implemented, the proposal would also comply with the requirements of policy CP50 to the Wiltshire Core Strategy and policy NE3 to the Calne Community Neighbourhood Plan and the NPPF.

The Council's Highway Engineer retains objections to the detailed design of the vehicle access, considering it to cause conflicting and unsafe vehicle movements and does not currently demonstrate adequate forward visibility. For this reason alone, the development as currently proposed is considered to be unacceptable when assessed against the relevant elements of policies CP57, CP60 and CP61 to the Wiltshire Core Strategy as well as policy GA2 to the Calne Community Neighbourhood Plan. However, since there is no suggestion that a suitable access design cannot be arrived at and agreed with the applicant, it is considered possible to continue to recommend that planning permission be granted, subject to a suitable access scheme (which not only delivers a safe access, but also does not cause unacceptable impacts upon the frontage trees, ecology, the setting of Verne Leaze, landscape and amenities of existing residents) first being agreed, the negotiation of which being delegated to Council officers.

**RECOMMENDATION: That the Northern Area Planning Committee:**

- **Delegate to Council Officers the negotiation of a suitable design of means of vehicular access to the development from Silver Street, and**
- **In the event that a suitable design of means of vehicular access from Silver Street cannot be agreed then planning permission be REFUSED on those relevant grounds, or**
- **In the event that a suitable design of means of vehicular access from Silver Street can be agreed, then planning permission be GRANTED subject to the following conditions (plus any others necessary pursuant to the agreement of that new design of means of vehicular access):**
  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.

Hours of opening and security

2. Prior to the first use of the development hereby granted planning permission, an Operational Management Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Such a plan shall include the specification of opening hours, the means to restrict access to the car park and site when the medical centre is not open or in use and any other measures to be taken so as to minimise the potential for anti-social behaviour outside of those specified opening hours. At all times thereafter, the operation of the development shall be carried in complete accordance with the details so agreed.

REASON: In the absence of information contained within the application, so as to ensure the operation of the medical centre and condition of the site outside opening times is such that it minimises unacceptable impacts upon the amenities of surrounding residents, including the potential for anti-social behaviour.

#### Materials and landscaping

3. The development shall be constructed using the external facing materials specified on drawing number 1344-310 rev.C (proposed elevations) and drawing number 1344-110 rev.X (proposed site layout).

REASON: For the avoidance of doubt and to ensure that built form takes makes use of an appropriate external finish.

4. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the protection of all retained trees shown on the plans prepared by Martin F. Holland – Landscape Design Consultant (drawing 1 of 3, 2A of 3, 3 of 3, as amended by drawing no.4 which shows the installation of the pedestrian link). Such tree protection shall remain in place until the completion of the construction phase.

REASON: So as to ensure the retention of existing trees on the site in the interests of visual amenity.

5. Unless separately agreed as part of discharging other conditions imposed on this planning permission, the development shall be carried out in accordance with the detailed soft landscaping proposals set out on drawing title “Landscaping Proposals” (drawing 2A of 3), prepared by Martin F Holland, Landscape Design Consultant. All planting shall be carried out in the first planting and seeding season following 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.

#### Highways, accessibility and parking

6. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces (including car, motorcycle and cycle spaces) have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7. No part of the development shall be first brought into use, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

8. Prior to the first use of the medical centre hereby granted planning permission, full and complete details of parking and storage for bicycles and Powered Two-Wheeler transport shall have been submitted to and agreed in writing by the Local Planning Authority. Such parking and storage shall be provided and made available for use in accordance with the approved details prior to the first use of the medical centre and remain available for that use at all times thereafter.

REASON: So as to ensure the development provides for appropriate and, where appropriate, secure parking and storage of bicycles and powered two wheelers, thereby providing a realistic choice of sustainable means of transport, in accordance with the Wiltshire Local Transport Plan 2011-2026 Cycling and Powered Two-Wheeler Strategies.

9. The access to the South Western portion of the site shown on the submitted plans as leading to fields behind the medical centre shall be used for agricultural purposes only and for no other purpose.

REASON: For the avoidance of doubt and so as to limit the harm to the Grade II\* Listed Verne Leaze property and its historic setting.

10. Unless an alternative timescale is agreed beforehand, prior to the first use of the medical centre hereby granted planning permission, the bus stop shall be laid out, any associated shelter and signage installed and shall be made available for use at all times thereafter.

REASON: In view of the location of the site on the edge of Calne town, so as to ensure the site remains accessible by a range of means of transport, not just the private car.

11. Prior to the first use of the medical centre hereby granted planning permission, the pedestrian link to Silver Street from the North-East corner of the application site shall be provided and made available for use thereafter.

REASON: In view of the location of the site on the edge of Calne town, so as to ensure the site remains optimally accessible by pedestrians.

12. The use and operation of the new medical centre shall be carried out in complete accordance with the Travel Plan (prepared by Entran Environmental & Transportation, dated Jan 2020 and embedded as appendix B to the submitted Transport Statement). The programmed monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development which is situated in an edge of town location.



### External lighting, boundary treatments and residential amenity

13. Other than that explicitly shown on drawing number 141-ESC-00-ZZ-DR-E-2100 rev.P (External Lighting Layout), no external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

14. Prior to the first use of the medical centre building or its car park, and notwithstanding the general arrangement shown on drawing number 1344-160 rev.A (Proposed Boundary Treatments and Details to Northern Boundary), full and complete details of the treatment to the Northern boundary to the site shall have been submitted to and agreed in writing by the Local Planning Authority. In particular, those details shall include the provision of a wall or close boarded fence of a suitable type so as to mitigate noise and disturbance from activities in the car park to the nearest neighbours and full and complete details of the external lighting to be installed along the North-Eastern extremity of the car park. The boundary treatment and external lighting shall be installed in accordance with the details so agreed prior to the first use of the medical centre and shall remain in that condition thereafter.

REASON: In light of incomplete submitted details of boundary treatments and external lighting, so as to ensure the amenities and living conditions to residents whose properties front Fynemore Gardens are protected against unacceptable impacts from the development, and in particular, activity expected within the car park.

15. No fixed plant shall be installed at the site or on the building until full and complete details of the plant (including position, the specification, noise characteristics and attenuation measures) has been submitted to and agreed in writing by the Local Planning Authority. The fixed plant shall be installed in accordance with the approved details and be subsequently maintained in that condition thereafter.

REASON: So as to ensure any ventilation, extraction, air conditioning equipment or any other form of fixed plant is sited and designed so as to minimise impacts upon the living conditions of surrounding residents.

### Drainage

16. The development shall be carried out using the surface and foul water disposal strategy set out within the submitted "Flood Risk Assessment & Drainage Strategy" (prepared by Matthew Keen and dated 14/01/20; reference 18-7502-FRA).

REASON: The arrangements for the disposal of surface water from the development is required to be agreed with the Local Planning Authority before development commences in order that it is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

## Ecology

17. The development hereby permitted shall be carried out in accordance with the conclusions and recommendations contained within the Ecological Report, dated 19<sup>th</sup> September 2020 (prepared by Environmental Gain Ltd, reference: eg17780.002). The detailed mitigation measures set out in paragraph 6.25 to that report shall have been submitted to and agreed in writing by the Local Planning Authority prior to construction to slab level and development shall be carried out in accordance with the details subsequently agreed.

REASON: So as to ensure the development will result in a net increase in habitats for protected species so as to meet the requirements of adopted national and local planning policy.

18. Prior to the commencement of development, and in accordance with the recommendations contained within the Ecological Report dated 19<sup>th</sup> September 2020 (prepared by Environmental Gain Ltd, reference: eg17780.0024), a Construction Environmental Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority. Such a plan shall set out all measures to be undertaken so as to protect natural habitats from impacts during the construction phase of development. The construction of the development shall be carried out in complete accordance with the details so agreed.

REASON: So as to ensure the construction phase of development will be undertaken in such a manner so as to minimise impacts upon the natural habitats identified on the site.

19. Prior to the first occupation of the development hereby granted planning permission, an Ecological Management Plan of the habitat areas identified within the submitted Ecological Report dated 19<sup>th</sup> September 2020 (prepared by Environmental Gain Ltd, reference: eg17780.0024), shall have been submitted to and approved in writing by the Local Planning Authority. Such a plan shall set out a regime to be put in place so as to secure the in the long-term management of the ecological mitigation measures identified and the site as a habitat for protected species. The management of the site thereafter shall be carried out in accordance with the details so agreed.

REASON: So as to ensure that, in the long term, the identified ecological impacts from the development are successfully mitigated and that the development will continue to result in a net increase in habitats for protected species so as to meet the requirements of adopted national and local planning policy.

## Archaeology

20. No development shall commence within the application site until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
  - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

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

### Construction phase

21. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - h) measures for the protection of the natural environment and existing trees on the site;
  - i) hours of construction, including deliveries;

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

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

### Approved plans

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

1344_010_C	Site Location Plan
1344_020_A	Block Plan_Existing
1344_110_X	Site Layout Plan_Proposed
1344_160_A	BoundaryTreatments_Proposed_Northern Boundary
1344_205_B	Layout Plans_Proposed
1344_210_C	Roof Layout Plan_Proposed
1344_310_D	Elevations_Proposed
1401_ESC_00_ZZ_DR_E_2100_P2	External Lighting Layout_Proposed
1344_130_B	Site Layout Plan_Proposed_inc Sections/Dimensions
Design and Access Statement Planning Statement	West Hart Partnership Rocke Associates
Transport Statement1 Transport Technical Note 1 Heritage Assessment Ecological Assessment Ecological Appraisal Update (June 2020) Arboricultural Assessment2 Additional Arboricultural Assessment_New Path Link Flood Risk Assessment / Drainage Strategy	Entran Entran Cotswold Archaeology Engain Engain M F Holland M F Holland Complete Design Partnership

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

**INFORMATIVES:**

- The proposal includes alteration to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that S278 Agreement will be required in order to provide the access proposals.
- 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.
- This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.
- 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.
- Tree roots are normally located in the first 600mm of soil. Roots that are exposed should be immediately wrapped or covered to prevent desiccation and to protect them from rapid temperature changes. Any wrapping should be removed prior to backfilling, which should take place as soon as possible. Roots smaller than 25mm diameter can "agricultural access" and to be pruned back making a clean cut with a sharp tool. Roots occurring in clumps or over 25mm should be severed only following consultation with a qualified arboriculturist, as such roots might be essential to the tree's health and stability. Prior to backfilling retained roots should be surrounded with topsoil or uncompacted sharp sand (builders sand should not be used because of its high salt content, which is toxic to tree roots).
- The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability

Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website:  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

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## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	07/10/2020
<b>Application Number</b>	19/06559/OUT
<b>Site Address</b>	Golden Lands 11 Beversbrook Lane Calne SN11 9EX
<b>Proposal</b>	Outline application for the layout and redevelopment of residential site including the demolition of existing structures and erection of up to 3no. dwellings including means of access, with all other matters reserved
<b>Applicant</b>	Mr P Godwin
<b>Town/Parish Council</b>	CALNE
<b>Electoral Division</b>	Cllr Tom Rounds
<b>Grid Ref</b>	399566 172178
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Victoria Davis

### Reason for the application being considered by Committee

Cllr Tom Round has requested the proposal be put before committee to examine; scale of development, relationship to adjoining properties, design and environmental/highway impact.

#### 1. Purpose of Report

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

#### 2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development
- Impact on highway safety

Calne Town Council raised objection to the proposed development. 20 letters of objection including 2 signed by the residents of Beversbrook Lane.

### **3. Site Description**

The application site is a roughly rectangular portion of land of approximately 0.15 ha. in extent, on which there is an existing bungalow and a detached open fronted storage and stable building. The site is within the settlement framework of Calne. It is not within a conservation area or any other landscape designation and is not in close proximity to any listed buildings. The existing vehicular access to the site is via the privately owned Beversbrook Lane, directly off Lickhill Road which is a public highway.

### **4. The Proposal**

Outline permission is sought to establish the principle of replacing an existing bungalow at Golden Lands, 11 Beversbrook Lane, Calne with up to three dwellings. Detailed matters relating to appearance, landscaping, layout and scale are all 'reserved' with the only matter for detailed consideration at this time relating to the means of access to the site. Approval is being sought for Beversbrook Lane off Lickhill Road to be used as the access to the development.

### **5. Local Planning Policy**

#### Wiltshire Core Strategy 2015 (WCS)

Core Policy 1 Settlement Strategy  
Core Policy 2 Delivery Strategy  
Core Policy 8 Calne Community Area  
Core Policy 57 Ensuring High Quality Design and Place Shaping  
Core Policy 60 Sustainable Transport  
Core Policy 61 Transport and Development  
Core Policy 64 Demand Management

#### Calne Neighbourhood Plan 2016-2026

Policy BE1 Integration and Landscaping  
Policy BE2 Design Principles for Local Distinctiveness  
Policy BE3 Parking Provision  
Policy H4 Settlement Boundaries and Housing Sites  
Policy GA2 Highways Impact

#### Wiltshire Local Transport Plan (3) Car Parking Strategy

### **6. National Planning Policy**

#### National Planning Policy Framework 2019 (NPPF)

Section 5 Delivering a sufficient supply of homes  
Section 9 Promoting sustainable transport  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places

### **7. Summary of consultation responses**

Calne Town Council: No Objection to initial consultation. Objection to second and third consultation based on revised location plan and ownership certificate.

*Members did not support the application and were of the opinion that it contravenes Core Policy 57 vii and xi. Concerns were expressed about density and access.*

Highway Officer: No objection to the proposals in principle as long as the parking, access and turning can be provided in accordance with Wiltshire Council Standards and Manual for Streets Guidance. Full comments are available online. Main points summarised below -

- Beversbrook Lane is a private residential road accessed via a junction with Lickhill Road, an unclassified section of public highway subject to a speed limit of 20mph.
- The new access has been indicated with a swept path analysis providing a refuse vehicle with turning, which would be advantageous – presently it is understood that the refuse vehicle would be required to reverse into Beversbrook Lane in order to provide servicing.
- Applicant should contact Waste Management Services in order to discuss servicing arrangements further.
- The swept path shown does appear to overrun the verge/garden areas which would be a private maintenance issue.
- The proposals include a provision for 6 vehicle parking spaces for an ‘unknown’ number of bedrooms, Wiltshire Council have minimum standards for parking provision in residential development.
- Garages will only count as part of the allocated parking provision where they meet the minimum size requirement of 6m x 3m (internal dimensions).
- Additional comments regarding accident data confirms record of a single accident in this location which is not considered to represent a highway safety issue.

Drainage Officer: Holding Objection, Full comments are available online. Main points summarised below -

- Application states foul disposal unknown. This is demolition of existing property which should already be served.
- Prior to development information should be sought to how existing property is drained and how new ones will work. There are sewers available and applicant will need to consult with Wessex Water.
- Application states soakaways. Applicant needs to show how surface water will be dealt with as site is in high groundwater area.

Waste: No objection.

- It is confirmed that the refuse collection vehicles currently travel part way along Beversbrook lane to collect from the properties without a turning facility.
- A 12 tonne lorry services general waste and garden waste and a 15 tonne lorry services blue lidded bin/black box.
- No concerns in relation to serving additional properties in the same manner.

## 8. Publicity

The application was advertised by site notice and neighbour letter. After an initial review of the proposal it was identified that the incorrect ownership certificate had been signed and that the red line location plan did not include Beversbrook Lane as access to the site. Certificate B of the application form and a revised red line location plan was later submitted and the relevant notices issued. A second round of consultation was carried out. During this consultation, it was identified that not all landowners were included and that the owner of an area of land at the entrance to Beversbrook Lane was unknown. Subsequently, ownership Certificate C was submitted to state that the relevant notice had been served to the known landowners and that an advertisement was placed in the local newspaper. Certificate C is used in cases where all reasonable steps have been taken to find out the names and addresses of the other landowners but where the applicant has been unable to identify them. A third round of consultation was carried out.

20 responses were received from 12 local residents including 2 letters signed by the occupants of 1, 3, 5, 7, 9 Beversbrook Lane. The concerns are summarised below -

- Single track lane is inadequate for access and increase in vehicle movements – there are no passing places or lighting
- Council should adopt Beversbrook Lane
- There is a risk to pedestrian safety along the lane
- Surface is not formalised
- Grass verges, drainage ditches and pipes may be damaged
- Possible disturbance during construction period, noise, traffic, dust.
- Parking and access for construction vehicles
- All landowners not notified of application
- Loss of privacy, overshadowing, overbearing development affecting properties on Beversbrook Lane and Stickleback Road – specifically 9 Beversbrook Lane and 56, 60 & 62 Stickleback Road
- House values may be affected
- Turning area is of no benefit to existing residents
- Potential hazardous materials in barn to be demolished
- Loss of trees, impact to habitat/biodiversity
- Houses proposed does not meet local need
- Layout and density is overdevelopment
- Works and ongoing maintenance of Willow Tree close to 62 Stickleback Road
- Foul drainage system is inadequate

- 44 homes requirement identified within WCS for Calne has been surpassed
- Calne Neighbourhood plan references Core Policies 1 and 2 relating to housing growth (over and above that allowed by the Core Strategy) outside the defined limits of development not being supported.
- Policy H5 of the Calne Community Neighbourhood plan states applications with direct highway access only will be considered. We do not believe Beversbrook Lane being privately owned should be considered as having direct highway access.
- Calne Community Neighbourhood plan Policy H3 states bungalows and properties for elderly will be strongly supported. This application clearly shows the intention to demolish a bungalow and replace with dwellings not suited to the elderly.
- Revised site outline directly crosses the boundary outlines within land registry documents for houses 1, 3, 5, 7 and 9.
- Local infrastructure, (schools, surgeries, dentists) are not adequate to serve the development.

## **9. Planning Considerations**

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

### Principle of Development

The site is located within the framework boundary for Calne which is defined within the settlement strategy (Core Policy 1) as a Market Town.

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.

In accordance with Core Policy 1 and the Calne Community Area. Spatial Strategy (Core Policy 8), residential development in this location is acceptable in principle, provided it meets the requirements of other policies within the Wiltshire Core Strategy. Policy H4 of the Calne Neighbourhood Plan is supportive in principle of small windfall housing proposals providing they accord with CP 1 & 2 of the WCS and subject to site specific and locational considerations.

Core Policies 60 and 61 require new development to be located at accessible locations and be designed to reduce the need to travel particularly by private car. These policies should be read in parallel with Core Policies 1 and 2 which seek to promote new development at the most sustainable locations. The application site is located within the settlement of Calne and is considered to be in a sustainable location.

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support development. The proposed development would likely represent chargeable development under the Community Infrastructure Levy Regulations

2010 (as amended) and Wiltshire Council's CIL Charging Schedule. Whilst a separate Community Infrastructure Levy Liability Notice would be issued by Council, an informative in this regard should be included in any approval notice.

#### Quantum of development

A number of neighbour letters raise concern that the proposed dwellings would lead to a loss of privacy, overbearing development and overshadowing that would affect properties on Beversbrook Lane as well as those to the north and east on Stickleback Road. These are understandable concerns, however, it is crucial to note that the site layout plan is indicative and has been submitted for illustrative purposes only. Matters relating site layout, massing, scale, design and landscaping, as well as technical considerations relating to ecology and drainage, are to be determined at the reserved matters stage. Given the proximity of surrounding properties it is evident that very careful consideration will need to be given to the dwelling positions, their scale, massing and the window placement at reserved matters stage to ensure that the amenity impacts of any proposed development are acceptable. The illustrative layout is considered to demonstrate that there is sufficient space within the plot to accommodate up-to 3 dwellings. Although the density and pattern of development is not characteristic of the spacious plots along Beversbrook Lane, it does reflect the pattern and density within the modern development immediately to the north and east of the site. Accordingly, it is not considered that the creation of three appropriately scaled dwellings would be overdevelopment of this site that would cause harm to the existing character of the area generally. The issue of property values has been mentioned in neighbour comments - this is not a material consideration.

It is also raised that the type of dwellings proposed do not meet local needs. In this case, the site falls within the limits of development where there is no need to demonstrate, or provide for, a specific local need. The scale of development proposed (2 additional dwellings) does not generate an affordable housing requirement. Reference has been made to the WCS housing delivery target of 44 dwellings for Calne being exceeded as well as specific support for the provision of homes suitable for the elderly within the neighbourhood plan. The WCS and Calne Neighbourhood Plan do not seek to enforce limits on the number of dwellings created within the set limits of development, within which this site falls. The support within the Neighbourhood Plan for bungalows and homes suitable for elderly residents is noted, however, it cannot be the intention of the plan to exclude any other form of development entirely. As personal circumstances and land ownership changes it is likely that additional sites like this may come forward and it cannot be the intention of the neighbourhood plan to prevent proposals for such development being considered appropriately and on a case by case basis.

#### Highways safety & access

The other key consideration relates to the access to the site as the only matter up for detailed approval. This is also an area of concern amongst local residents, particularly those living on Beversbrook Lane.

A number of objection letters explain that Beversbrook Lane is a privately owned, single track lane which is inadequate for access and increase in vehicle movements. It is raised that the increased vehicle movements will lead to increased risk of accidents, particularly at

the junction with Lickhill Road. It is explained that the surface is not formalised, that the foundation is not suitable and that there are no passing places or lighting. There is also concern that the verges and drainage ditches close to the track may be damaged.

In their comments, the Highways Engineer notes that access to the site along Beversbrook Lane is an existing arrangement and raises no objections to its proposed use to serve two additional dwellings. The potential issue of visibility at the junction with Lickhill Road was raised with the Engineer, who remains satisfied that no unacceptable hazards arise. This lane is currently used as a means of vehicular and pedestrian access to a small number of dwellings and is not therefore heavily trafficked. Whilst the lane does not offer a formal footpath or space for pulling, the Engineer considers that the low levels of vehicular use, low vehicle speeds, and the reasonably clear line of sight along the lane reduces any scope for collisions and conflicts to occur.

Following a request for further information with regard to accident data at the junction of Beversbrook Lane and Lickhill Road, the Highways Engineer queried a period of 20 years and reported one slight accident in this location involving 2 vehicles on 11/12/2018 at 17:40. On investigating further into the accident it is reported that a vehicle exiting Beversbrook Lane in a forward gear was hit by a vehicle on Lickhill Road, the conditions were darkness and the contributory factors were failing to look properly and failing to judge other persons path or speed. The Engineer confirms that a single accident in this location does not represent a highway safety issue, and that the proposed development, resulting in an increase of two dwellings, is not considered to be a significant increase that would have a material impact on the existing highway network.

Whether or not, the applicant, developer or future occupants of the development have a right of access along Beversbrook Lane is a civil matter and not one that the LPA is able to conclude upon or resolve when determining this planning application. The developer or landowner will need to satisfy themselves whether they are able to rely on an existing right of access where future re-development of the site might lead to an intensification of the existing use which may be in excess of the rights which currently exist. This is not a material planning consideration and the planning system is unable to intervene on this matter. Ultimately, any planning permission would not override any private ownership rights. The issues relating to the financial responsibility for ongoing maintenance or damage to the road surface is also a private matter to be resolved between the applicant and the land owners.

A number of objections from neighbouring residents raised concerns relating to construction traffic, noise disturbance, dust management and possible damage to the track and verges. It would be appropriate in this case to impose a condition requiring a Construction Management Plan which would seek to control matters such as access for construction traffic, parking, deliveries, waste management, control of dust and hours of construction. As the lane is not a public right of way that would be maintainable at the public expense the LPA does not have the ability in law to insist that damage to the track is rectified at the developer's expense. As mentioned above, the applicant or developer's right of access and matters relating to maintenance and repair of the lane is a civil matter to be resolved between the relevant parties outside of the planning process.

The Highways Engineer has noted that the illustrative plan indicates two spaces per dwelling but adds that the number of bedrooms is unknown. Reference is also made to the Council

minimum parking standards for parking spaces and garages. It would be appropriate for exact parking allocation to be considered at the reserved matters stage where details relating to the design, site layout and scale are submitted.

Residents note that the turning space shown on the indicative site layout appeared to overrun on land outside of the applicant's control. The Council Waste Team initially requested vehicle tracking information to demonstrate a turning area which did not cut across the neighbour's land. However, it was later confirmed that refuse collection vehicles already travel along Beversbrook Lane to collect from the existing properties without a turning facility. The Waste Team have no concerns with two additional properties being served in the same manner. As the proposed new dwellings can be adequately serviced without a turning space for refuse vehicles, no further information was requested.

#### Other matters

Comments received explain that the current landscaping supports a wide variety of wildlife due to its open space, hedgerows and trees. CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. The application does not meet the local requirements for assessment by the Council Ecologist and the site is not known to feature areas of irreplaceable habitat, however, it is expected that a proposed landscaping scheme that forms part of a subsequent reserved matters application should make provision for suitable replacement habitat across the site.

The concerns raised by both neighbours and the Drainage Officer in relation to surface water and foul water drainage are noted, however, as these are not matters for detailed consideration, no further information is requested at this stage. In this case, as the application relates to a previously developed site within an urban area, there is no reason to doubt that adequate drainage arrangements can be secured as necessary

Comments received also raised that there may be hazardous materials within the barn building to be demolished. This is a valid concern and it is important that hazardous materials are handled safely. The planning process in this case will not control the management of demolition materials, however, an informative can be included to advise that the duty to manage hazardous materials appropriately is a legal requirement. The required Construction Management Plan should include basic waste management arrangements as well as measures for the control of dust during the demolition and construction period.

The case officer site visit was conducted on 18/07/2019. Further visits were made by the case officer on 21/01/2020 and 19/08/2020 to erect site notices at the entrance to the lane.

### **10. Conclusion (The Planning Balance)**

The proposal accords with the Development Plan and would deliver two additional dwellings within the established development limits of the designated Market Town of Calne. The proposal is therefore acceptable in principle. The only matter of detail submitted for approval at this outline stage relates to the vehicular means of access to the site which the Highways



Engineer deems to be acceptable. All other matters would be 'reserved' for subsequent consideration at the reserved matters stage. The development would comply with the Wiltshire Core Strategy 2015 policies; CP1, CP2, CP8, CP60 CP61 and CP64, the Calne Neighbourhood Plan Housing Policy H4 and the National Planning Policy Framework 2019. In the absence of any material considerations indicating otherwise, is acceptable in planning terms.

**RECOMMENDATION: That Planning Permission is GRANTED subject to the following 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 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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

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

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

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

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

Location Plan LDC2193 01 A (received 23 August 2019)

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

- 5 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) wheel washing facilities;
  - e) measures to control the emission of dust and dirt during construction;
  - f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - g) measures for the protection of the natural environment.
  - h) hours of construction, including deliveries;

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

#### 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.

In particular, it is understood that Beversbrook Lane, which provides access to the site, is privately owned. The applicant is requested to note that planning permission does not override any private ownership rights or alter any existing terms in relation to access rights.

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:

The applicant should note that the duty to manage hazardous demolition materials appropriately is a legal requirement - further information can be found at [www.hse.gov.uk](http://www.hse.gov.uk).

INFORMATIVE TO APPLICANT:

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

INFORMATIVE TO APPLICANT:

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

INFORMATIVE TO APPLICANT:

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

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