

AGENDA

Meeting: Strategic Planning Committee

Place: [Access the online meeting here](#)

Date: Wednesday 16 September 2020

Time: 10.30 am

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

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

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Membership:

Cllr Fleur de Rhé-Philippe MBE (Chairman)
Cllr Christopher Newbury (Vice-Chairman)
Cllr Andrew Bryant
Cllr Ernie Clark
Cllr Andrew Davis
Cllr Stewart Dobson

Cllr Sarah Gibson
Cllr Ross Henning
Cllr Carole King
Cllr Tony Trotman
Cllr Fred Westmoreland

Substitutes:

Cllr Ian Blair-Pilling
Cllr Clare Cape
Cllr Christopher Devine
Cllr David Halik
Cllr Russell Hawker
Cllr Ruth Hopkinson

Cllr Chris Hurst
Cllr Nick Murry
Cllr Stewart Palmen
Cllr James Sheppard
Cllr Stuart Wheeler
Cllr Graham Wright

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AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (Pages 5 - 10)

To approve and sign as a correct record the minutes of the meeting held on 26 August 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 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.](#)

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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 11 September 2020.

Statements should:

State whom the statement is from (including if representing another person or organisation);

state points clearly; and,

Be readable aloud in approximately 3 minutes.

Up to three speakers for and against are permitted for each application.

Questions

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 9 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 11 September 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; they will be taken as read at the meeting.

6 **15/12351/OUT: Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire, SN15 3LR (Pages 11 - 148)**

Outline Permission for up to 650 Dwellings, including 5ha Employment Generating Space and a 2 Form Entry Primary School. Up to 10ha New Public Open Space Including Country Park, Landscaping, Stormwater & Foul Drainage Works, Substation and Associated Infrastructure Works. Access Using Parsonage Way - Over New Railway Bridge, Darcy Close and from Cocklebury Lane (for Pedestrian/Emergency Works).

7 **Urgent Items**

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

Part II

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

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 26 AUGUST 2020 AT ONLINE MEETING.

Present:

Cllr Fleur de Rhé-Philippe MBE (Chairman), Cllr Christopher Newbury (Vice-Chairman), Cllr Andrew Bryant, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Stewart Dobson, Cllr Sarah Gibson, Cllr Ross Henning, Cllr Carole King, Cllr Tony Trotman and Cllr Fred Westmoreland

Also Present:

Cllr Brian Dalton

29 **Apologies**

There were no apologies for the meeting.

30 **Minutes of the Previous Meeting**

The minutes of the last meeting were presented for consideration and it was;

Resolved:

To approve and sign as a correct record the minutes of the previous meeting on 27 May 2020.

31 **Declarations of Interest**

There were no declarations of interest.

32 **Chairman's Announcements**

The Chair announced that if the Committee took a short break at any point, the broadcast would continue with a holding slide.

Therefore, she requested that Members and Officers did not engage in discussion during that break and that they muted their microphones.

33 **Public Participation**

The Chairman detailed the procedure for the meeting and the procedures for public participation which were set out at item 5 of the agenda.

Public Participation

Ian Jewson (Agent) provided a statement in support of the application.

Lee Burman, Development Management Team Leader presented a report which recommended that permission be granted subject to the conditions set out in the original report to Committee and completion of a S106 Planning Obligation which had subsequently been agreed in draft form. With the dual recommendation that if the applicant failed to complete the planning obligation in the draft form as now agreed and within 3 months of the resolution, or an extended timeframe to be agreed with the Committee Chair and Vice chair if necessary, that the application be refused. (This was updated in agenda supplement 2 from the original officer recommendation to refuse the application.)

The proposal was for works to the existing road network to provide a new road link connecting B4069 Langley Road and Parsonage Way, including the provision of a footway/cycleway and new landscaping. Construction of new double roundabout junction on Langley Road and single roundabout on Parsonage Way. Stopping up of existing section of Parsonage Way.

The scheme sought to reorder the existing road layout in the locality and make use of the previously permitted and constructed internal haul road at the Wavin site as part of the local public road network. Two new road junctions at the western and eastern ends of the haul road/existing Parsonage Way were required to facilitate this, as were some minor improvements to the haul road as constructed. This would allow the existing Parsonage Way to be stopped up and its use changed to outdoor storage thereby creating a single, undivided site for Wavin facilitating improved site management and operation.

At the meeting of the Strategic Planning Committee on 15 August 2018 the committee resolved to approve this application subject to the signing of a Section 106 agreement, or to refuse the application in the event that the agreement was not completed, this was in accordance with the officer recommendation. The committee report and minutes from that meeting were contained in the agenda pack.

Several disputes had arisen since the resolution on 15 August 2018 and material considerations had arisen which meant that the wording to the refusal reason previously reported and agreed needed to be updated.

However, since publication of the agenda report talks with the applicant and their representatives had continued and the matters of dispute had been satisfactorily resolved. Therefore, the officer had changed the recommendation from refusal (as detailed in the agenda) to granting permission with conditions and completion of the S106 planning obligation based on the wording now agreed between the parties (as detailed in agenda supplement 2).

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

In response to public statements the officer stated that the Council had clarified that the agreement did not seek to override any disputed land interests and that it was purely about physical delivery of the scheme. A position had been reached where both parties were satisfied.

The Chairman then proposed a motion that the officer's recommendation to grant permission subject to conditions and completion of the s106 planning obligation as detailed in agenda supplement 2 be adopted. This was seconded by Cllr Newbury.

A debate followed where comments included that the work of applicants, agents, solicitors and officers was acknowledged. Some members were pleased that a solution had been found resulting in the amended officer recommendation to grant permission.

At the conclusion of the debate each Member was asked in turn to confirm that they had been able to hear and where possible see all relevant materials and to indicate their vote.

When each Member had voted, the Democratic Services Officer announced the decision as follows:

Resolved:

To delegate authority to the Head of Development Management to grant permission subject to conditions listed in the original report to Committee dated 15/08/2018; and the completion within three months of the date of the Committee resolution of the s106 agreement / planning obligation to secure Highways provisions as agreed and engrossed as a final document as at 25/08/2020. To delegate authority to the Head of Development Management in consultation with the Chair and Deputy Chair of the Committee to agree an extended timeframe to secure signing and completion of the agreement if that proves necessary due to land interests, COVID 19 or other factors beyond the control of the Council and applicant.

In the event that the applicant fails to enter into the agreement as engrossed within this timeframe, or an extended timeframe if agreed as necessary in consultation with the Chair and Deputy Chair of the Committee, refuse permission for the following reason:-

The proposed development without the required planning obligation fails to deliver the necessary highways works and enhancements required to secure a safe and appropriate development and the specific requirement of the Council's Strategic Planning Committee resolution not to prejudice delivery of the permitted Rawlings Green Rail bridge and thereby conflicts with Wiltshire Core Strategy (Jan 2015) CP3 CP34(ix) CP57 (ix) CP60 CP61

CP62; Chippenham Sites Allocation Plan (May 2017) CH2; and paragraphs 11 and 108 (b) 109 110 of the National Planning Policy Framework (July 2019) .

35 **Salisbury Central Area Framework**

The Committee received a presentation from David Milton, Major Projects and Spatial Planning Manager on the Salisbury Central Area Framework.

The Central Area Framework (CAF) was initially in response to the Novichok incident in Salisbury in 2018. The report would update the committee on the outcome of the recovery process and subsequent consultations which helped to shape the CAF. The CAF was designed to be more rigorous, realistic and pragmatic than previous Salisbury visions and based on more credible economic testing of scenarios.

Covid had accelerated trends that the CAF had identified, for example the shift to online shopping, therefore the need to improve the offer of town centres was clear, to make a visit to the town centre a unique visitor experience. Key themes were identified as:

- Creating people friendly streets
- Improving open space and the environment
- Creating vibrancy
- Bringing out the qualities
- Identifying character areas and their roles in the city

Two stages of very robust public consultation had been undertaken in 2019 and 2020 as detailed in the report. A future highstreets bid was in to revamp the station approach. Match funding had been obtained from the LEP. Many costed strategies were in place and were ready to roll out when funding could be identified and obtained. The document had been produced in accordance with Wiltshire Council land use planning protocols. It was hoped the committee would endorse the document.

In response to councillors technical questions it was stated that it was a fairly common practise for Wiltshire Council to produce such master plans and recommend that they are endorsed and taken account of as a material consideration when considering planning applications, for example the document produced regarding housing for Army rebasing and the plan for the central Maltings. It was hoped that elements could be added to any new local plan so that there would be more weight behind the plans and policies. Regarding the lower public support for centralising car parking and increasing park and ride it was felt this was often due to residents using the car parks overnight, so rigorous consultation would be needed and alternatives provided.

No members of the public had registered to speak.

Cllr Brian Dalton, representative of Salisbury Harnham was given the opportunity to speak, stating that this had been consulted on at Salisbury Area

Board on several occasions. Cllr Dalton wished to advise the committee regarding the people friendly streets scheme that was soon to be introduced in Salisbury. The scheme had been amended by Wiltshire Council as a result of public feedback. Cllr Dalton was concerned regarding the timing of this as schools would be going back, major roadworks were to be completed on the A338 and the new scheme implemented. He felt that public opinion on this project was split.

In response the officer stated that the scheme soon to be implemented in Salisbury was completely separate to the CAF. That was in response to government funding provided to respond to the Covid crisis.

The Chair then proposed a motion that the Salisbury Central Area Framework, as presented, and subject to any other minor alterations required to improve its clarity, was:

- Recognised as an evidence-based document to inform the Local Plan Review, emerging Salisbury Neighbourhood Plan and future planning guidance; and
- Endorsed as a material consideration in the making of planning decisions.

This was seconded by Cllr Newbury.

A debate followed where comments included that there were real worries regarding the effects of reducing car usage in city centres as the old and vulnerable needed their cars. Others felt that this was a strategic document and design guide, the details would occur in individual applications that came to committee and could be debated at the point, but the CAF in general was worth endorsing. Some felt that town centres were changing and had to adapt. The committee commended officers on the hard work taken to produce the documents for the CAF.

At the conclusion of debate each Member was asked in turn to confirm that they had been able to hear and where possible see all relevant materials and to indicate their vote.

When each Member had voted, the Democratic Services Officer announced the decision as follows:

Resolved:

That the Salisbury Central Area Framework, as attached at Appendix A, and subject to any other minor alterations required to improve its clarity, was:

- **Recognised as an evidence-based document to inform the Local Plan Review, emerging Salisbury Neighbourhood Plan and future planning guidance; and**
- **Endorsed as a material consideration in the making of planning decisions.**

36 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.00 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail tara.shannon@wiltshire.gov.uk

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

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	16 September 2020
Application Number	15/12351/OUT
Site Address	Land at Rawlings Farm, Cocklebury Lane, Chippenham Wiltshire, SN15 3LR
Proposal	Outline Permission for up to 650 Dwellings, Including 5ha Employment Generating Space and a 2 Form Entry Primary School. Up to 10ha New Public Open Space Including Country Park, Landscaping, Stormwater & Foul Drainage Works, Substation and Associated Infrastructure Works. Access Using Parsonage Way - Over New Railway Bridge, Darcy Close and from Cocklebury Lane (for Pedestrian/Emergency Works).
Applicant	KBC Developments LLP
Town/Parish Council	Chippenham Town Council/Langley Burrell Parish Council
Division	Chippenham Monkton/Kington
Grid Ref	393297 173929
Type of application	Outline
Case Officer	Lee Burman

Reason for the application being considered by Committee

The application was called in for committee determination in the event of approval by both relevant ward members Cllr Greenman and Cllr Murry.

The application has been previously reported to Strategic Planning Committee on 14/09/2016 with a resolution agreed at that meeting to grant consent subject to signing of a Section 106 agreement/completion of a planning obligation. The scheme proposals have been significantly and substantively revised since that resolution and there have also been multiple changes in material circumstances of significance to determination. These have led to additional comments from interested parties. A further report to the Committee is therefore considered necessary to update the position and resolution.

1. Purpose of Report

To consider the issues raised as set out in the report including compliance with the development plan, and the landscape and visual impact of development, in the context of all material considerations and to recommend that permission be granted subject to conditions and the completion of a S106 agreement/planning obligation to deliver the necessary mitigation required to make the development acceptable within 6 months of the date of the resolution; or to refuse permission for the reason set out below in the event that the applicant declines to enter the agreement or it becomes clear that they have no intention of so doing.

2. Report Summary

Langley Burrell Parish Council objects to the scheme proposals.

Chippenham Town Council raises no objection but identifies multiple concerns for which it seeks resolution prior to consent being issued.

Bremhill Parish Council (multiple submissions) but raises concerns as to development plan policy compliance and objects to the transport route proposals.

Kington Langley raises no objection but identifies requirements to support the development.

51 representations received in respect of the revised scheme proposals and further information submissions objecting and/or raising concerns. This however includes multiple representations submitted from the same persons.

1 representation of support.

Key Issues raised by the application:

- Principle of Development / Development Plan Compliance
- Landscape and Visual Impact
- Highways Impact
- Ecological Impact
- Heritage Asset Impact
- Drainage Impact
- Impact on Residential Amenities
- Air and Noise Pollution
- Planning Obligation/S106 Contributions

3. Site Description

The development site is located on approximately 47ha of mixed farmland between the Great Western railway line and the River Avon to the north east of Chippenham. The eastern boundary of the site is defined by the former Calne - Chippenham railway line and is presently a Sustrans Cycle route set into a cutting. More apparent as a boundary to the western side of the site is the Monkton Park housing estate which sits adjacent to the cycle path. The eastern boundary is a mature hedgerow that runs roughly north-south close to an existing cattle bridge over the railway line. A High Tension (132KV) power line crosses the site towards the western side while a smaller branch of 32KV overhead lines provides power to an adjacent communications mast.

The site is largely square in shape. The only two means of access that presently exist are at Cocklebury Lane (with a narrow Victorian bridge over the railway) and a narrow footbridge at Eastern Avenue. The site generally slopes towards the River Avon but also falls away in the north western edge, towards Chippenham Town Centre. A distinctive valley exists towards the centre-west of the site, which is made more attractive by several mature trees including oaks. Part of the site is within the floodplain. A brick and concrete World War II (WWII) pillbox is located close to the river within the flood plain. Aside from the access boundaries, the remaining boundaries are easily defined and identified both from a map and on-the-ground. Rawlings Farmhouse and structures within its curtilage are included in the application site. An existing dwelling (Rawlings Farm Cottage) is enclosed by the site but does not fall with the application site.

4. Relevant Planning History

15/11886/FUL Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green – Approved but has now lapsed.

18/02037/FUL Construction of Bridge Over the Great Western Railway and Accommodation Works, Including Temporary Haul Road from Upper Peckingell Farm; Construction Compound; Bridge Beam Storage Compound; Cocklebury Link Road (Phase 1), and Associated Drainage Arrangements; Highway and Associated Landscaping – Approved and permission extant.

5. The Proposal

The application description of development is set out above. The application is in outline with all matters reserved except for access. The rail bridge access to the west leading to and from Parsonage Way is also the subject of a separate consent of full planning permission. The development is Environmental Impact Assessment qualifying development and is supported by the submission of an Environmental Statement (ES), which has been updated in respect of the revised scheme proposals and is the subject of Further Information submissions in respect of Landscape and Visual Impact (LVIA).

The proposed development is a major mixed use of residential, employment, retail and care home, with supporting ancillary development including a primary school, early years learning/nursery, country park and other open spaces, landscaping and infrastructure. In effect the proposal is an urban extension to the east of Chippenham. The proposals seek to deliver the development that is the subject of a strategic allocation within the Council's development plan (policy CH2 Chippenham Sites Allocation Plan).

The scheme proposals have been the subject of significant alteration during the life of the application. In particular the residential element of the scheme has been revised to reduce the number of dwellings proposed (now for up to 650 as opposed to up to 700). The red line boundary of the site has also been the subject of alteration with a significant area of land now excluded from that originally proposed.

6. Planning Policy

Wiltshire Core Strategy (Jan 2015) (WCS)

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 3- Infrastructure Requirements

Core Policy 10- Spatial Strategy: Chippenham Community Area

Core Policy 34- Additional Employment Land

Core Policy 43- Providing Affordable Homes

Core Policy 51- Landscape

Core Policy 43- Providing affordable homes

Core Policy 45- Meeting Wiltshire's housing needs

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 60- Sustainable Transport

Core Policy 61- Transport and Development

Core Policy 62- Development impacts on the transport network

Core Policy 63- Transport Strategies

Core Policy 64- Demand Management
Core Policy 67- Flood Risk
Appendix D
Appendix E
Appendix G

Saved Policies of the North Wiltshire Local Plan:
NE14- Trees and the control of New Development
NE18- Noise and Pollution
H4- Residential development in the open countryside
CF2- Leisure facilities and open space
CF3- Provisions of open space

Chippenham Sites Allocation Plan (May 2017) (CSAP)

CH2- Rawlings Green
CH3- Chippenham Riverside Country Parks

Langley Burrell Neighbourhood Plan (Oct 2017) (LBNP)

Parish Build Policy 1 (PB1) Development proposals at the urban fringe
Landscape Policy 1 (LP1) Protecting the rural landscape
Heritage Policy 1 (HP1) Preservation of heritage assets and their settings
Heritage Policy 2 (HP2) Maud's Heath Causeway
Heritage Policy 4 (HP4) Preservation of the heritage setting of hamlets and isolated listed buildings
Natural Environment Policy 1 (NE1) Encouraging nature conservation benefits
Natural Environment Policy 2 (NE2) Promoting the countryside amenity and the rural footpath network
Economy and Infrastructure Policy 2 (E12) Renewable energy developments

Bremhill Neighbourhood Plan (February 2018) – Site lies outside but adjacent the plan area

National Planning Policy Framework (July 2019) (NPPF/The Framework)

Paras 2, 7, 8, 10, 11, 12, 38, 47, 54, 56, 72, 74, 76, 80, 91, 92, 94, 96, 98, 108, 109, 110, 111, 112, 117, 118, 122, 127, 154, 162, 163, 165, 170, 175, 178, 181, 183, 189, 190, 192, 193, 194, 196, 197.

7. Consultations

The application has been the subject of three formal periods of consultation in accordance with the Environmental Impact Regulations 2017. The summary below sets out the final position of consultees following the outcome of all three consultation periods. It is a summary and does not purport to set out in detail all comments made. Key matters raised and how that has affected evolution of the scheme proposals, mitigation measures including use of conditions and planning obligation and determination of the application, including recommendation, is addressed in the body of the report under issue specific headings.

Wiltshire Council Spatial Planning Team – No objections, the proposals do not conflict with the development plan.

Wiltshire Council Landscape Officer – No objection subject to conditions

Wiltshire Council Trees Officer – No objection subject to conditions

Wiltshire Council Conservation Officer – Any harm identified is less than substantial and bearing in mind the balance to be applied as per Para 196 of the NPPF the scheme could be found acceptable if sufficient public benefits are secured to offset the degree of harm caused.

Wiltshire Council Highways – No objections subject to conditions and planning obligation to address financial contributions toward public transport, cycling and pedestrian enhancements, traffic regulation orders and the reservation of land for possible future highways links.

Wiltshire Council Public Protection – No objections subject to conditions and section 106 agreement to address air quality contribution requirements

Wiltshire Council Ecology – No objections subject to conditions

Wiltshire Council Archaeology – No objections subject to conditions

Wiltshire Council Urban Design – No objections

Wiltshire Council Affordable Housing Team – No objections subject to S106 agreement – 40% policy compliant contribution

Wiltshire Council Education- No objections subject to section 106 agreement to secure 2 ha of land for a primary school and early years learning facility and financial contributions in respect of both. Secondary School requirements to be addressed through CIL.

Wiltshire Council Waste & Recycling Team – No objections subject to section 106 agreement to secure financial contributions for waste collection facilities.

Wiltshire Police – No objections but recommends detailed design incorporate gated access to any alleyways and at plot entrance, parking closely associated with the home it serves if not in-curtilage and rear courtyard parking to be restricted to flats.

Wiltshire Council Rights of Way Team – No objection but requirement for separate formal submissions to divert PROW identified as necessary.

Public Art Officer – Seeks financial contributions to arts provision as part of the development.

Network Rail - No objections in principle but identifies requirement to consider asset protection measures both during development and operational phases; and to liaise with the asset protection team of network rail in those respects prior to development.

Officer comment – this can be addressed by use of Informative.

Wessex Water – No objections subject to condition. No further comment to add to previous comments. Submissions reflect discussions between WW and the applicant.

Sport England – No objection but recommends CIL monies be used for sports provision with reference to Sport England strategies.

Historic England – No objection, considers that the latest revised landscaping proposals address previously identified concerns with respect to Kilvert's Parsonage and surrounding countryside setting. Defers to Council's Conservation Officers in respect of impacts of development on Rawlings Farmhouse.

Environment Agency – No objections subject to conditions and Informatives

Natural England – No objections

Highways England – No objections

Langley Burrell Parish Council (Multiple Submissions) - Strong Objection as key concerns raised previously have not been addressed. In particular: -

- CSAP provisions not met especially re: Country Park and Landscape Buffers
- Neighbourhood Plan policy provisions not addressed or met in particular PB1, LB1 & HP4 with development harming the rural character and setting of the village and heritage assets
- Lack of clarity as to the amended red line boundary and exclusion of important areas of land identified for country park and landscape buffer uses in the CSAP.

Chippenham Town Council – no formal objection in principle but raises concerns: -

- The LVIA is inadequate and does not fully represent the impact of the built form proposed
- Note that the Council's Strategic Planning Committee has previously resolved to grant consent and that the site is allocated in the CSAP.
- Concerns remain as to impact on ecology, flood risk, air pollution and traffic congestion
- Country park and landscaping proposals welcomed but should be conditioned for delivery as proposed adjacent the River corridor
- Recreation space proposals welcomed but future management queried
- Most concern centres on traffic congestion on Station Hill and the junction with New Road. Timing of implementation of the rail bridge is critical to minimise impacts, and this should be subject of condition. The congestion on Station Hill is however not satisfactorily addressed and further proposals to improve this part of the network required. Unclear how congestion in general will be minimised without the wider road network enhancements coming forward.
- Robust construction traffic management plan required by condition
- Concern over any reduction in affordable housing provision below 40% requirement.
- Disappointment as to reduction in Employment land proposals.

Bremhill Parish Council – Objection to the transport route plans and alternative transport solution should be sought. Particular reference to the extension of roads serving the development over the River Avon which will then traverse the floodplain in Bremhill north of the North Wiltshire Rivers Cycle Route was made. Bremhill Parish NP is a made plan and the recommendations of the examining inspector should be taken into account in development proposals affecting Bremhill. The new transport route as indicated would be contrary to BNP policy 3 and would detrimentally affect the natural environment and result in the coalescence of Chippenham and Tytherton Lucas. An alternative route and river crossing outside of the indicated location and area, with a crossing close to Black Dog Bridge, is proposed.

Kington Langley Parish Council – Comments that the additional traffic generated and its impact on the B4069 would be a hazard.

8. Publicity

As set out above the application has been the subject of 3 periods of formal consultation. The first period of consultation related to a significantly different scheme which was subject to reporting to a previous meeting of the Strategic Planning Committee. As such it is not considered appropriate or necessary to reiterate those representations in this report. The previous report to Committee plus supplemental report are attached at Appendix A with the minutes of the meeting attached at Appendix B for ease of reference and in order that the previous summary of representations can be reviewed. A number of the objections received in respect of the revised scheme proposals reference and restate previously submitted objections and wish them to be carried forward. The following is therefore a summary of representations received since the revised scheme proposals were submitted in 2018 and the two formal periods of consultation undertaken in that regard. Again, this is a summary and does not purport to be a detailed recitation of all comments made.

- Proposals do not confirm with the requirements of relevant DPDs and in particular the allocation in the CSAP.
- The application site area has been amended to exclude land along the northern boundary that was specifically required by the CSAP examining inspector to provide for the Country Park and act as a landscape buffer between the development/expansion of Chippenham and settlements to the north and east of Chippenham. This is contrary to the policies and objectives of the LBNP as well as the CSAP.
- The scheme revisions / additions stemming from the further LVIA submissions are minimal and do not address policy requirements or mitigate the impact of development on the open character of the locality, the visual amenity, character and appearance of which will be harmed.
- Proposals are in conflict with the CSAP Examining Inspector's report and recommendations.
- Huge volumes of documentation submitted over an extended period – difficult to assess and identify exactly what is presently proposed. Clear, concise summary document required.
- Council consultation and information publication, including consultation responses, unclear and unhelpful. Restricts meaningful public engagement.
- Proposals do not meet development plan requirements in a range of respects not just in terms of country park provision and landscape and visual impact requirements i.e. affordable housing provisions.
- Proposals must be determined in accordance with the development plan unless material considerations indicate otherwise, including made neighbourhood plans – the LBNP.
- Amendments to the CSAP were recommended by the examining inspector in order for it to be found sound, the proposals as now submitted do not accord with the Inspector's recommendations or the CSAP provisions, particular reference is made to landscape and visual impact of development, areas of sensitivity to such impacts and necessary mitigation measures (county park and landscape buffers).
- The development plan is not out of date and there are no material considerations that justify a departure from the development plan.
- The only way to achieve a buffer between development at Chippenham and villages to the north is through the Examining Inspector's recommendation that the country park include elements to the northern site boundary to act as a physical buffer
- Consultation responses from key consultees have not been addressed, in particular Landscape and Spatial Planning Team Officers.
- The application has not been advertised as a departure from the development plan as required under relevant regulations.
- Loss of character of Chippenham by such large-scale development more suitable to an urban conurbation.

- Inadequate services and facilities to support the proposed scale of development, including loss of existing countryside which is used as a recreational resource by existing residents.
- Ecological assessments do not fully recognise and assess the impact of development on the species present on site – great crested newts, otters, kingfishers and herons in particular.
- Station Hill/Monkton Park area cannot accommodate the additional traffic, the first 200 dwellings cannot be accommodated solely by access from D'Arcy Close/Cocklebury Road/Station Hill. Simiallry the construction traffic cannot be accommodated on this route alone.
- The site has archaeological interest and is subject to drainage constraints/flooding risk.
- Development will constrain scope for future expansion of railway services.
- Traffic generation will result in harm to cyclists, pedestrian, dog walkers and horse riders.
- Traffic generation will result in a highways hazard and safety issues and air and noise pollution, particularly in Monkton Park.
- The development will result in offsite flooding.
- Does not make provision for high quality employment land and development. Retail facilities should not be considered as providing employment to meet identified plan requirements.
- The development proposed is out of scale with the town and is not required.
- No guarantee that the complete 650 dwellings will be erected after the first 200 or that the railway bridge will be provided as this may be prevented by land ownership dispute.
- Loss of grade 1 and 2 agricultural land.
- Harm to the setting of designated heritage assets not outweighed by public benefits contrary to the guidance of the NPPF.
- Loss of trees, hedgerows and footpaths.
- Harm to the river corridor environment – Rivers Avon and Marden including SSSIs.
- The rail bridge and haul road subject of a separate application upon which this application is dependent results in harm to heritage assets, landscape character and appearance of the locality residential amenity, highways safety, trees and hedgerows and ecology and is in conflict with the development plan.
- There should be no new buildings within the country park area and to the east of the 50m contour.
- The proposals will result in harm to residential amenities of existing properties within the site.
- Proposals affect land subject to contamination, which will increase risk of pollution.
- This is the wrong location for development in Chippenham.
- Inadequate employment in Chippenham to accommodate this residential/population growth.

CPRE - Object and their detailed reasons for so doing reflect the objector representations as summarised above but also considers that the inadequate provision in relation to the country park proposals are intended to facilitate reduced management requirements upon the developer and are related to HIF funding bid and longer term road link aspirations of the Council, which are yet to be the subject of any consultation and examination testing.

Langley Burrell Residents Association – Objects for the same reasons as summarised above in relation to the Country Park and lack of a buffer on the northern site boundary between new housing prosed and villages to the north.

Tytherton Lucas Residents Association – Objects for many of the same reasons as summarised above

9. Planning Considerations

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); the Chippenham Sites Allocation Plan (May 2017); and the Langley Burrell Neighbourhood Plan (Oct 2017).

Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The application scheme proposals have been screened as EIA development and are supported and informed by an ES which has been updated to address the revised scheme proposals. Further information has been sought and provided in respect of Landscape & Visual Impact matters.

9.1 Principle of Development / Development Plan Compliance

The site is allocated for the development proposed within an adopted development plan document – CSAP. The application is made in outline with all matters except access reserved for future determination and proposes development of up to 650 dwellings as a maximum. Sufficient information is submitted with the application and in support of and informing the revised proposals now before the Council to demonstrate that the site is capable of accommodating the development proposed. Detailed site-specific considerations are considered further below under issue specific headings. The application with the previously proposed form and scale of development has been the subject of a report to the Council's Strategic Planning Committee (plus supplemental report) as is set out at Appendix A with minutes of the meeting and resolution at appendix B. The Cttee resolved to grant consent subject to completion of a planning obligation/S106 agreement and this is a material consideration of some weight. On this basis it is considered that the principle of development in this location is established.

As is summarised above many of those persons and organisations submitting representations on the revised scheme proposals consider that the proposals conflict with the development plan and some indeed consider them to be a departure from the plan. Furthermore, that there are no material planning considerations that would indicate that a decision otherwise than in accord with plan is appropriate and necessary. Particular reference in this respect is made to the country park requirements as set out in the plan and the proposals as now tabled but other conflict aspects are also raised.

The full planning balance exercise of weighing the benefits of development against any identified harms, including any conflict with the plan, is set out in the conclusion below. As part of that balancing exercise it is necessary to consider the plan as a whole and how the proposals comply or conflict with the plan. It is established through case law that development plans will incorporate aims objectives and policies that to some degree pull in different directions. In this context it can be the case that a development proposal will not be considered to fully meet all provisions of a plan in full as to do so is not possible. It is then

necessary to weigh compliance with other elements against any potential conflicts and determine if on balance the development is supported under the plan's provisions to a greater extent than any apparent conflict. Any potential conflict in such cases is not considered to render a proposal a complete departure from the plan as this would be the case with a great many development proposals should such an approach or conclusion be taken to arise. In this respect it is fundamental to note that the site is the subject of an allocation for the development proposed. As noted already this planning balance exercise is undertaken in full below whilst site specific matters are considered under separate headings below.

However, the particular matter of objection relating to the form and extent of the country park proposals and their compliance or conflict with the development plan can be addressed here. Similarly, the related issue raised as to the amended red line boundary excluding land to the north of the site. In this respect policies CH2 and CH3 of the CSAP are of direct relevance as is the LBNP. CH2 and CH3 CSAP requires that a country park of approximately 10 ha along the northern and eastern boundaries of the site be provided and ensuring no built development other than that linked to the country park within that area be a part of the proposals. Furthermore that there be no development east of the 50 m contour line. The policy provision refers to inset plan fig 5.2 which shows an indicative area for the country park and this includes the land area now excluded from the red line boundary of the site under the revised proposals.

The LBNP also includes various aims, objectives and policies, including PB1 and LB1, that seek to ensure that the land in question i.e. the fields at the northern boundary of the Rawlings Green site including those now excluded from the red line application site boundary are retained as open land free of development in order to maintain separation between Chippenham and Langley Burrell Village and related hamlets; and the pastoral and countryside setting of the locality and settlements in the Parish.

The concept framework masterplan and related documents including the LVIA supplemental further information submissions do not propose a country park layout that is the same as that shown-on Fig 5.2 and in this context could be said to not fully accord with the provisions of the policy. The plan does however show an area of 10 ha for provision of a country park along the eastern boundary of the site up to and along a part of the northern boundary. The applicant has stated that they have excluded the areas of land to the north west of the site on this basis i.e. that 10ha of land is now shown as proposed for country park provision as part of the development. The proposals in excluding the land to the north west from the site ensure that no development is proposed in this location or would be permitted by consenting the application proposals. No built development is shown east of the 50m contour line. Policy CH2 Fig 5.2 makes clear that the layout therein is indicative. The concept illustrative framework plan submitted with the scheme proposals accurately shows 10 ha of land for a country park and this is along the eastern boundary and part of the northern boundary. Other areas of land on the northern boundary are excluded from the proposals and not subject of any built development and so are retained as open land providing the landscape buffer between the development proposed and the village and hamlets to the north and east. In this context it is considered that the policy aims and objectives of the development plan are to a large degree met albeit not in full in terms of the method envisaged.

It is therefore necessary to assess and identify what if any material considerations may indicate that a grant of permission otherwise than in full accord with the development plan is justified. Here it is important to note that the site is allocated for development. Delivery of the site is critical to meet the identified housing requirement set out in CP1, CP2 and CP10 of the WCS. The framework requires that LPAs be able to demonstrate a deliverable and available supply of land for housing and significantly boost the supply of land including buffers to provide some degree of flexibility. The CSAP CH2 policy allocation is fundamental

to meeting these policy requirements and imperatives, which must be given significant weight in any balancing exercise of harms versus benefits.

It has been established through a recent appeal at inquiry in respect of Purton Road applications (PINs and LPA refs APP/Y3940/W/18/3202551 & 17/08188/OUT apply) that the Council cannot currently demonstrate the requisite framework compliant supply of land for housing and so the tilted balance applies. In such a situation full weight cannot be given to the policies of the plan most relevant to determination of the application and the development plan is out of date under the provisions of the framework. Weight can still be attached to these policies, but that is a matter of judgement for the decision maker in each individual case. It is also material to note here that the LBNP is now more than 2 years old and as such the provisions of para 14 of the framework and the ministerial statement in respect of a 3-year housing land supply requirement where a made NP exists are not engaged and so the requirement remains at 5 yrs.

The Council's action plan for addressing this shortfall in the required supply of land for housing includes bringing forward strategic site allocations in the adopted plans such as CH2 CSAP Rawlings Green. Their lack of delivery to date is a major factor in the assessed shortfall in housing land supply in Wiltshire. The consequence of this shortfall is unallocated sites coming forward elsewhere in Wiltshire as unplanned development. This is a material consideration that must be weighed in the balance and this is set out below.

However, it is considered that the requirement to bring forward this site allocation to contribute toward meeting the Council's identified housing requirement established in CP1 CP2 CP10 and help to address the identified shortfall outweighs the limited harm identified as arising from the country park layout not extending fully along the northern site boundary. Further for the reasons set out above the country park not extending along the full length of the northern site boundary is not considered to be a fundamental departure from the plan. This is reflected in the consultation response of the Council's Spatial Planning Team and Landscape Officers who having considered and assessed the further information submissions conclude that the proposals do not conflict with the provisions of the development plan.

Similarly, it has also been subject of objection that the scheme proposals do not fully address requirements with respect to employment land provisions as part of a mixed-use development and as required under CH2 CSAP. In particular that some of the proposed land uses included in the Concept illustrative Masterplan are not principally employment uses. The revised submitted scheme includes approx. 3.5 hectares for B1 employment uses and a further 0.7 ha for employment and retailing uses which provide employment opportunities, whilst approximately 1ha is identified for a care home which will also provide employment opportunities.

Whilst not all of the proposed uses within these areas are exclusively B1/B2/B8 employment uses they do provide a range of employment opportunities that are a part of the UK's employment sector mix. Indeed in some aspects the employment opportunities are what is sought in terms of flexibility from various persons within the local population in order to provide for an appropriate work / life balance. However, it must be noted that policy CH2 CSAP makes it expressly clear that the 5-ha employment land requirement includes a range of employment generating types of land use and these are listed in brackets in the upper-case policy wording as - B1, B2, C2, D1 and D2 of the Use Classes Order. As such it is considered that the proposals accord with the development plan in this respect also.

9.2 Landscape and Visual Impact

It is important to note that the scheme proposals are submitted in outline with all matters reserved except access. Specifically, the scale and form of the development proposals will be the subject of reserved matters approval.

Similarly, it is also important to note that the scheme proposals as now submitted have been the subject of a full EIA including LVIA, the latter of which has been updated and revisited to fully address issues raised during consultation on the revised scheme submissions and to reflect changes in circumstances with the LBNP having been made. The additional submissions including additional structural planting proposals in key locations including along the high point within the site which forms a ridge through the norther sector of the site in broadly east west direction. The aim being here to minimise the visual impact of the core development area and 2.5 – 3 storeys (up to 14m) buildings proposed in that location in key views from the north and north east that are the subject of identified sensitivity and relevant policies including PB1 LB1 of the LBNP, but also the design objectives and principles of CH2 of the CSAP. In the latter respect it is important to note that the proposals exclude built development from the country park area and east of the 50m contour line as required.

It is also important to note that this is an allocated site for the development proposed. As such it has been accepted that development will take place in this location. That development will result in irrevocable change to the locality as the site is currently predominantly undeveloped open agricultural land. It is not possible to render such development invisible from all viewpoints and some level of impact is therefore inevitable and accepted by the allocation of the site. The key issues are therefore whether the current proposals sufficiently mitigate this level of impact to accord with the aims, objectives and policies of the development plan including using conditions and if necessary planning obligations.

It is recognised that many representations and indeed some consultees maintain objections and concerns in this respect, considering the development to result in harm. However, the majority of consultees including the Council's Landscape Officers, Spatial Planning Officers, Urban Design Officers, Trees officers, Environment Agency and Natural England do not raise objections and do consider the proposals to be development plan compliant subject to use of conditions, based on the assessment work undertaken and the design parameters established in submitted documentation, including the D&AS statement, ES and Concept Illustrative masterplan. In this context the Council Landscape officers recommend the use of condition to require submission and approval of an Urban Design and Framework Plan. This condition and the related requirements would sit alongside the reserved matters conditions and requirements plus other landscape and tree related conditions. This approach has been adopted at appeal on other major sites/development, including Ridgeway Farm, Purton Road, by Planning Inspectors and the Secretary of State. It is considered to provide sufficiently robust methodology for ensuring that development proposals come forward in accord with the design principles and parameters established at the outline application phase in accord with development plan policy requirements. Use of this condition is recommended in the list of conditions below (numbered 5).

It is also noted that objections are raised with respect to provision for a bridge over the River Avon and the future impacts of development on the character, appearance visual amenity of the area and coalescence of settlements. The current proposals do not include provision for a bridge over the River Avon and/or further highway and residential development to the east, south east and south of the application site. The proposals seek to ensure that the development proposed does not prejudice and prevent delivery of such a proposal should one come forward and that is all. It would be inappropriate and indefensible to determine the current scheme proposals based on possible future development proposals and their potential impacts.

On this basis it is considered that the development proposed can be accommodated on the site with suitable mitigation of visual and landscape impact through strategic and structural planting and landscaping, including country park provision, such that significant harm does not arise and development plan provisions are met. It is not considered that the development will result in harm to key viewpoints from the north, north east and east such that conflict with the provisions of the plan would arise and development ought to be refused on this basis. The reserved matters application approach, alongside discharge of conditions, in the context of the approved scheme of development being “up to” 650 dwellings allows enough flexibility and control to ensure that design aims and objectives, including landscape and visual impact protection and mitigation, can be successfully achieved and development integrated into the existing built form and the wider landscape and the separation of settlements is maintained with encroachment into the River Valley corridors avoided.

As such it is considered the proposals do not conflict with the relevant policies of the plan and provision of the framework such that consent ought to be reused on this basis.

9.3 Highways Impact

It is important to note that the impact of development of the scale proposed in highways terms and in particular within central areas of Chippenham, including Monkton Park and Station Hill, has been the subject of detailed consideration during the CSAP preparation and adoption process. Extensive modelling was undertaken to assess impacts and requirements and that was subject of examination and testing following objections at the public examination into the plan. It is not intended to revisit those matters at length as part of this application. The site has been allocated for development following assessment of this matter. The CH2 CSAP policy allocation includes a phasing requirement limiting development to no more than 200 dwellings until the Rail bridge has been provided and secures the alternate site access from Darcy Close / Cocklebury link road. This is a matter that can be controlled by condition and same is recommended below following advice received from the Council’s Highways Team.

It is also important to note that the ES submitted with the application and which informed the proposals incorporates a further full and comprehensive Transport Assessment with recommendations for impact mitigation. This submission has been considered and assessed by the Council’s Highways Team and a comprehensive set of conditions and S106 planning obligations recommended to secure the necessary mitigation measures and requirements arising from the development proposals. Attention is drawn to the conditions below which identify mitigation requirements in respect of enhancements to the local highway network within Chippenham, including to Station Hill and its junction with New Road.

The rail bridge is the subject of a separate full planning permission as referenced above and so does not require further detailed consideration and assessment here other than to note that the application proposals include provision for the rail bridge. The application proposals do also make provision for use of the existing Cocklebury Lane and bridge as it leads to the site, but this is restricted to emergency vehicle and pedestrian use given the limited scale and capacity of that existing facility.

Similarly, Highway officers recommended conditions relating to the future road network and parking requirement provisions within the site itself which will inform formulation of the reserved matters detailed proposals and the development that takes place.

On this basis it is not considered that the development raises concerns and objections on highways safety and hazard grounds with related development plan policy and national guidance conflict, such that consent ought to be refused on this basis. The impacts of

development are capable of mitigation and this is addressed through condition and planning obligation. The site is allocated for the development proposed and highways impacts have been assessed as part of that allocation process.

As above it is noted that a number of objections and representations received raise concern as to the impact of possible further highways development beyond the site in relation to the potential for a bridge over the River Avon and future eastern link road. As noted above that highway proposal – eastern link road including a bridge over the River Avon – is not a part of the current scheme proposals. The current scheme includes the rail bridge and Cocklebury link road to Darcy close and consent is sought for that access provision. The layout of the development proposed is submitted in outline and is therefore illustrative and intended to demonstrate that the site could accommodate the development proposed. It does not receive full consent at this stage and reserved matters details are required for submission and approval by condition. What is sought at this stage is provision to ensure that a future bridge over the River Avon and related link through the site, should proposals for an eastern link road come forward at a future date, is not frustrated and prevented by the development that is being approved in principle. Consent is not being sought for that river crossing or highways development beyond the site and so determination of this application on that basis, including potential conflict with the Bremhill Neighbourhood Plan in that respect, would not be sound.

9.4 Ecological Impact

The application, including the revised scheme proposals, has been the subject of full environmental impact assessment and is supported by a comprehensive Environmental Statement. This incorporated a full and comprehensive Ecological Assessment of the site based upon a desk study and a series of ecological investigations undertaken at the site, including a general habitat walkover, Badger survey, daytime bat inspection of trees and buildings, nocturnal bat activity survey, breeding bird survey, wintering bird survey, Hazel Dormouse survey, hedgerow survey, macro-invertebrate survey, Otter survey, reptile survey and Water Vole survey.

The ES identifies that: - *the site consists largely of improved or semi-improved grazing land, most used for cattle, but some for silage. There are two small blocks of broadleaved woodland alongside the railway line which forms the north-western boundary, a variety of native species hedgerows with trees separating the various fields, and a small watercourse, in addition, there is a complex of farm buildings (excluding the farmhouse), whilst the River Avon forms the south-eastern boundary.*

The results of the assessment are summarised in the ES as follows: -

The surveys revealed an occupied Badger sett in one of the woodlands, and a disused sett in the other. Badgers also foraged widely across the whole site and commuted into the open countryside beyond. No bats were found to be roosting on the site, and none of the trees or farm buildings were identified as bat roosts. However, the footpath which crosses the western corner of the site is used by commuting Soprano Pipistrelle Bats, these originating from the residential area to the south. These bats then fly northeast alongside the railway line, with some heading southeast towards the river, where they join Common Pipistrelles, Daubenton's Bats and Whiskered/Brandt's Bats foraging along the river corridor. Also noted were Brown Long-eared and Noctule Bats. No rare or notable breeding or wintering birds were observed, although a Barn Owl was roosting intermittently in the farm buildings. This is a Schedule 1 Species and specially protected. Also noted were four Species of High Conservation Concern (RSPB Red list); Skylark, Song Thrush (b), Starling and House Sparrow, and ten Species of Medium Conservation Concern (RSPB Amber list); Herring Gull, Lesser Black-backed Gull, Green Woodpecker, Swift, Grey Wagtail, Swallow (b),

Dunnock (b), Mistle Thrush (b), Whitethroat (b), and Bullfinch (b). Some of these were thought to be breeding (b) on the site.

A large population of Slow-worms was discovered along the railway line, with some animals venturing onto the north-western edge of the site. No reptiles were found away from the railway. There were no signs of the presence of Hazel Dormice along the hedgerows, with no evidence of Otters or Water Voles on the site. A variety of common butterflies, dragonflies and damselflies were noted, including Marbled White and Ringlet butterflies. Although no moth or beetle surveys were carried out, the fields were not thought to be suitable for notable communities of invertebrates, and such surveys were considered unnecessary. The hedgerows included several sections which were classed as 'Important' under the Hedgerow Regulations.

The ES identifies that: - Construction of the development will result in permanent and temporary disturbance to some of the site's flora and fauna, in particular the active Badger sett which will be lost when the new bridge over the railway is constructed. The position of the bridge will also impact on reptiles, whilst the removal of some hedgerows will cause the loss of bird nesting sites and may affect bat commuting and foraging routes around the site. The operation of the development will result in an increase in vehicular traffic, pedestrians and domestic animals, all of which could lead to disturbance of some wildlife, including Badger, bird and reptiles. The lighting from streets and houses will also impact on bat activity, potentially causing a change in feeding patterns.

Mitigation measures are therefore proposed and these are summarised in the ES as follows:

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Mitigation measures in construction include the closure of the Badger sett under licence from Natural England, with the relocation of the animals to the disused sett in the adjacent woodland.

The latter will be protected to prevent future disturbance of the Badgers. The bridge construction zone and the north-western side of the site will be fenced off with an exclusion barrier, and all Slow-worms will be trapped and captured prior to the start of any ground clearance works. Construction activities will be restricted to daylight hours during the bat roosting season, whilst any hedge and tree removal will take place outside the bird breeding season. Care will be taken at all times during vegetation removal and topsoil stripping, with open excavations covered over at the end of the working day. Where possible features of wildlife interest will be retained and protected.

Mitigation measures in operation of the development include a lighting strategy that will be sympathetic to bats, the provision of bird and bat boxes around the site to offset the loss of bird nesting and potential future bat roosting sites, the creation of a riverside park with new tree, shrub and wildflower meadow planting, the provision of surface water attenuation ponds which will be planted with native species to attract invertebrates, amphibians, small mammals, bats and birds, and the establishment of green infrastructure to maintain and enhance connectivity for wildlife across the site.

On this basis the impacts of development are not considered significantly detrimental to identified ecological interests. The Council's Ecologist, Natural England and the Environment Agency have all reviewed the ES submissions in full and raise no objection to the development subject to conditions to secure the proposed mitigation measures identified. These conditions are proposed below. On this basis it is not considered that the proposals result in such harm to ecological interest that conflict with the relevant provisions of the development plan or the framework arise such that consent ought to be refused on this basis.

9.5 Heritage Asset Impact

Relevant statutory provisions, development plan policies and the guidance of the framework are summarised above. These and recent case law establish that great weight must be given to the preservation of designated heritage assets and any harm arising will require clear and convincing justification with the benefits of development clearly and demonstrably outweighing that harm.

It is necessary in this context to note several material considerations. Firstly, the application including revised scheme proposals has been the subject of comprehensive environmental impact assessment and is supported and informed by an Environmental Statement. That statement includes Heritage Impact Assessment and Archaeological Assessment. Further the application has been the subject of previous committee reporting and determination and the report and minutes in that respect are appended. The previous report and the submitted ES provided a comprehensive assessment of the heritage features of the site, their significance and value and the impact of development on the significance and value of those assets both designated and undesignated. Whilst the development proposals have been revised since the previous report and its assessment were prepared and considered, the design and development parameters as they relate to and impact upon designated and undesignated heritage assets are similar, especially in the context of an outline application. As such the previous report assessment remains valid.

It is important to note that the LBNP has been made since that assessment and reporting and the plan includes a specific policy HP1 aimed at protecting several identified designated heritage assets, including a number within and adjacent /near to the application site. Policy HP4 of the LBNP also seeks to preserve and protect the setting of settlements and isolated heritage assets in the plan area. The identified assets in these policies have been previously identified and assessed in the earlier report to Cttee and the submitted ES. Policies HP1 and HP4 reflect and accords with both CP57 and CP58 of the WCS as they relate to heritage assets and similarly the provisions of the framework. Consequently, it is not considered that policies HP1 and HP4 result in a differing assessment now or indeed altered conclusions.

The Council's Senior Conservation Officer has reviewed the revised scheme proposals and submitted Heritage Impact Assessment whilst the Council's Archaeologist and Historic England have also reviewed and considered submissions. Broadly similar conclusions have been reached with none identifying fundamental objections subject to use of conditions, which are proposed below.

The previous report to committee identified less than substantial harm to designated heritage assets at the site, the harm is considered to be to the upper range of the scale of harm. In particular, although not exclusively, the setting to various designated heritage assets is irrevocably changed by large scale development proposals with open pastoral/agricultural land related to those assets built upon. As a consequence, conflict with the relevant policies of the plan including WCS CP57 & CP58 plus LBNP HP1 HP4 is identified. CP58 includes no balancing exercise provisions of harm versus benefits and so if harm is identified it results in direct policy and plan conflict arising from the development proposed and allocated elsewhere in the plan. As set out above such plan conflict is not necessarily fatal to determination nor results in a full departure from the plan. It is necessary to consider what if any material considerations would support a decision otherwise than in accord with CP57, CP58 WCS and HP1 & HP4 LBNP. In this respect we again have the incidence of different provisions of the plan pulling in different directions. There is conflict CP57 CP58 and HP1 HP4 but the plan at CSAP CH2 allocates this land for development including identifying areas that must be kept free of development within the site, which has the consequence of

directing built form of significant scale to be situated in close proximity to designated heritage assets e.g. Rawlings Farm. Similarly, the proposals will impact on archaeological interests.

Furthermore, the development will result in a significant range of public benefits of substantial scale. These include the boost to the supply of land for housing, affordable housing provision, contributing to addressing the current shortfall in housing in Wiltshire and minimising unplanned development, employment opportunities, Country park provision and related recreational benefits; elderly persons care and the economic benefits arising from construction, alongside new homes bonus and additional spending in the locality from the additional population.

The full planning balance exercise is carried out in the conclusion below and this refers to and includes the separate balancing exercise required in respect of impact to heritage assets. It is considered that the public benefits of development do clearly and demonstrably outweigh the harm arising to heritage assets and as such the relevant provisions of the framework are addressed.

9.6 Drainage Impact

The application is supported and informed by an Environmental Impact Assessment and related Environmental Statement, including full Flood Risk Assessment (FRA). The submissions are based on Environment Agency mapping relevant at the point of preparation and submission, updates have been provided based on updated Environment Agency information in respect of flood plain limits and submissions are considered to be accurate and consistent with EA data.

The ES in respect of drainage, water quality and flood risk identifies that the effect of development during construction and operational phases was subject of FRA. The FRA concluded that the proposed development would be safe from flooding for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible reduces flood risk overall. The ES identifies that desk study and site walkover was undertaken to establish the existing drainage regime (groundwater and surface waters), flood risk conditions and the environmental quality of watercourses near the site. This identified site characteristics including that the River Avon's floodplain extends into the application site. No development is proposed in the floodplain and the Country park and open spaces and planting are proposed in this area. The River Marden forms a confluence with the River Avon at the midpoint of the application site's eastern boundary. There are a number of drainage ditches which flow east across the site and drain into the rivers. The ES states that the area of the site outside the floodplain is considered to be at low risk of flooding and no historic flood incidences have been recorded on the site. It goes on to say that with respect to groundwater the site is underlain by a minor aquifer and within the outer (sub surface) zone of a Groundwater Source Protection Zone and identifies that none of the on-site drainage or surface water features in the vicinity of the site are 'protected' sites.

The ES identifies the impacts of development as follows. In respect of construction, the development will result in on going disruption to the site's drainage regime affecting overland flow routes. Furthermore, a number of substances used in the construction process could affect local water quality. In respect of the operation, the development is assessed as resulting in the permanent change of the surface water drainage regime with a limited risk that the normal operation of the development could result in a local effect on water quality.

Mitigation measures to address the identified impacts at construction and operational phase are identified as follows: -

Mitigation measures in construction include compliance with safe working practices, pollution

prevention guidance and emergency planning and excluding works from the floodplain. These measures ensure disruption of the surface water drainage regime and risk of water pollution are kept to a minimum.

Mitigation measures in operation of the development include a surface water drainage system which contains detention basins, ponds and swales. These measures ensure the site will not flood and not cause flooding elsewhere up to the 1 in 100-year event, including an allowance for climate change. These features provide a degree of water quality treatment and increase the amount of wetland habitat within the development site.

The applicant has also confirmed in correspondence with the Council that the provisions of CH2 CSAP will be met in that the surface water drainage strategy will restrict run off to greenfield run off rates.

The Council's Drainage Engineers and the Environment Agency have reviewed and considered the submissions and neither raises objection on flood risk or water quality grounds subject to the use of conditions and Informatives. These are recommended below.

Similarly, Wessex Water has reviewed the submissions and confirmed no objection and no further comments to make in addition to those previously submitted in respect of earlier scheme proposals. Wessex Water identify that the current submissions including FRA and ES reflect their discussions with the applicant team to date. Previous comments submitted identified limited sewer and water supply capacity in the locality with consequent need for future upsizing dependent upon total development to take place east of Chippenham. In this context Wessex Water were cognisant of draft proposals informing the CSAP at the time and of planning application reference 15/12363/OUT, which remains live and undetermined at the time of writing. As such a condition for submission of foul drainage provisions is proposed.

It is also material to note that the earlier scheme proposals envisaged a large scale of development and this was reported to Cttee resulting in a positive resolution subject to signing of a section 106 planning obligation. It is similarly material to note that the site is the subject of an allocation for development in the development plan and that plan was the subject of a Sustainability Appraisal and Strategic Flood Risk Assessment.

On this basis it is not considered that the development proposed will result in increased on site or off-site flood risk, harm to water quality or inadequate foul drainage and water supply provision with related conflict with the relevant policies of the plan and provisions of the framework such that consent ought to be refused on this basis.

9.7 Impact on Residential Amenities

The development site includes a limited number of existing residential properties and lies adjacent to existing residential areas through which traffic generated by the development during construction and operation/use will travel. The proposed development is substantial in scale and will irrevocably change the character and appearance of the locality in views from residential properties in and adjacent the site and from users of rights of way and local road network and rail lines. As a consequence, the development has the potential to result in harm to existing residential amenity in a range of respects including overbearing impact/loss of outlook, loss of privacy and overlooking, disturbance through noise and vehicular movement and air pollution, loss of daylighting and overshadowing.

It is however essential to note that the application is made in outline at this stage with all matters except access reserved. Also, that the site is the subject of a plan allocation and

development of a larger scale on a broadly similar layout has been previously considered by Cttee and found to be acceptable.

The impacts of proposed access and traffic generation are assessed above in terms of impact to the highway network and are considered capable of mitigation including limiting the scale of development until the rail bridge is completed and operational; along with other highway network enhancements, including travel plan and public transport, pedestrian and cycle provision. It is considered that these mitigation measures including use of condition and planning obligations also secure enough provisions to mitigate the impact of development with respect to existing residential amenity also.

Furthermore, it is considered that the submitted details including concept masterplan framework, parameters plan, and design and access statement provide sufficient information alongside the Environmental Statement to ensure that the development proposed can be acceptably accommodated on site without substantial harm to existing residential amenity such that consent ought to be refused on that basis subject to use of conditions. The reserved matters application determination process will also allow sufficient scope for the full consideration and assessment of such matters. Subject to proposals according with defined design parameters as part of this application it is considered that sufficient protection of existing residential amenities can be secured such that conflict with the relevant provisions of the plan and the framework would not arise.

9.8 Air and Noise Pollution

As set out previously in various respects it is important to note that the application is made in outline, with all matters except access reserved; that the site is the subject of an allocation in the development plan for the development proposed; that proposals for a larger scale of development at the same site have previously been reported to Cttee and are the subject of a resolution to grant consent subject to signing of a Section 106 planning obligation; that the rail bridge benefits from a separate full planning permission; and that the application proposals are supported and informed by an Environmental Impact Assessment and related Environmental Statement which assesses impacts to air quality and noise and vibration arising from the development proposed and has done so in accordance with relevant British standards.

With respect to noise and vibration during construction the ES identifies that the revised scheme proposals will not have significant impacts to existing receptors in and adjacent the site including residential properties given their proximity to existing noise sources, subject to mitigation through the submission approval and implementation of a construction environmental management plan. With respect to the operational phase of development the situation is similar in that the position is not significantly altered by the revised scheme proposals given the existing noise sources in the locality and subject to mitigation measures such as appropriate glazing and ventilation specifications for dwellings and units adjacent road / rail network appropriate noise levels can be achieved.

With respect to air quality the ES identifies that consideration has been given to construction dust/fine particles impacts during construction and the increase in vehicle movements and traffic emissions including oxides of nitrogen during future occupation. The ES assessed existing conditions as good being well below air quality objectives set for protection of human health. During construction phase construction activities including use of the southern access road were identified as of medium risk of causing annoyance and health risks at existing and future sensitive receptors such as residential properties. Mitigation measures have been proposed that are recommended to be incorporated in a Dust Management Plan with construction traffic avoiding use of the southern access road. These matters can be controlled by condition.

With respect to air quality the ES states that a numerical dispersion model was used to predict the impact of additional traffic associated with the development on local air quality. The assessment represented worst-case conditions with respect to the assumptions adopted (e.g. traffic flows, vehicle emissions and background pollutant concentrations). At two receptor locations on Darcy Close, the impact was assessed as 'slight adverse', for the remaining receptors the impact was assessed as negligible. No mitigation measures were considered necessary to minimise impacts associated with the development traffic.

The application proposals and supporting submission have been reviewed and considered by the Council's Public Protection Officers and Environment Agency. No objections are raised subject to the use of conditions and planning obligations in respect of air quality. The conditions are recommended below.

On this basis it is not considered that the revised scheme proposals result in harm to air quality, human health and residential amenity such that conflict with the relevant policies of the plan and provisions of the framework arise and development ought to be refused on this basis.

9.9 Planning Obligation/S106 Contributions

As set out in the summary of consultation responses and the main body of the report a range of consultees has identified the need for S106 Planning Obligations. The identified requirements are based upon and stem from both development plan policy requirements and as a consequence of the development proposed and material site circumstances. As such the identified requirements are considered to be necessary and compliant with CiL regulations.

The application proposals as revised were subject of a viability appraisal process. Following confirmation that identified Secondary School requirements would be met via CiL contributions it has been confirmed that all other identified service infrastructure requirements, including a 40% policy compliant affordable housing contribution, can be met and the applicant has confirmed agreement to identified heads of terms in these respects. The applicant has confirmed agreement to triggers for payment of identified financial contributions. As such work is underway and progressing on the drafting of the S106 agreement/planning obligation.

The identified requirements can be summarised as follows:

40% Affordable Housing – 60% Affordable Rent 40% Shared Ownership
2Ha of land for a Primary School and Early Years Learning
£3,035,285 (index linked) Primary School Places provision
£1,314,150 (Index linked) Early Years Learning Places provision
£59,150 Waste and Recycling Facility provision
£20,000 pedestrian / Cycleway Improvements
£372,456 Public Transport Provision
Traffic Regulation Orders – Sums to be agreed with Council
£3,692 Air Quality Monitoring Project provision
Open Spaces play Areas (4250m² & 3840m² respectively) and Country Park (10ha)
provision and maintenance and management provisions including SuDs
Retention of land for future potential access requirements and submission and approval of
details

Triggers are tied to housing delivery phases and have been discussed with relevant service area lead officers and the applicant and are agreed.

10. Conclusion and the Planning Balance

The application site is allocated for the development proposed within an adopted development plan document – the CSAP under policy CH2. The development proposals as described, assessed and shown on indicative layout plans to a large degree meet the identified policy requirements and prescriptions of the allocation and related policy CH3 and other policies of the development plan.

The application is made in outline with all matters reserved except access and development proposed as “up to 650” dwellings. Reserved matters application(s) will allow matters of detail in the context of site-specific impacts such as visual amenity; character and appearance; the locality and landscape; heritage assets; residential amenities etc to be assessed and addressed in detail at a later date. The application proposals as revised have however been the subject of EIA and are supported by a robust and comprehensive environmental statement alongside further information submissions. The submissions have been the subject of full consultation, review and assessment by consultees and the public. Statutory Consultees (excluding local organisations such as parish/town councils) and expert officers from the relevant service areas within the Council (Highways, Ecology, Landscape, Public Protection, Education, Spatial Planning etc) raise no objections subject to the use of conditions and planning obligations. It is considered that the impacts of development can be satisfactorily and appropriately mitigated in this way and that the development proposed can be accommodated on the allocated site.

To this extent it is considered that the proposals are acceptable in principle and are broadly in accord with the development plan and the policies most relevant for the determination of the application. There are however matters where the proposals do not fully accord with the provisions of the plan, including in respect of the layout of the country park and impact to designated heritage assets.

With respect to the Country park the proposed layout does not extend the full length of the northern boundary of the site as is indicated as appropriate in figure 5 of the CSAP supporting policies CH2 and CH3 of that plan. The country park as proposed does however provide for the 10-ha site area as required by the policy. It does extend the full length of the eastern site boundary adjacent the River Avon/Marden corridor and ensures development east of the 50m contour line does not occur. It extends over a part of the northern boundary of the site. The remaining area referenced in figure 5 on the northern boundary but not included in the proposed Country Park area as proposed is now excluded from the application site boundary and is not the subject of any development proposals. It therefore remains as open land and provides the landscape buffer function that was one of the key objectives of the country park designation and the policy objectives of the CSAP and LBNP. In this context the requirements of the plan are largely considered to be addressed albeit by partially different means than envisaged. There are also relevant material considerations that would indicate that a decision to approve despite this conflict would be appropriate and these are set out further below, but in summary it is the current shortage in housing land supply in Wiltshire, partially resulting from the failure to deliver the Rawlings Green development as allocated to date.

Harm is identified with respect to heritage assets including archaeological interest, and in particular but not exclusively the setting of Rawlings Farm. This harm is in the parlance of the framework less than substantial but is at the upper end of the scale in this respect. As such there is conflict with the provisions of the development plan including CP57 CP58 WCS and HP1 & HP4 of the LBNP. It is therefore necessary to assess what if any material considerations would support a decision otherwise than in accord with the development plan. As is established in case law the framework is a material consideration of substantial weight

and its provisions are capable of being one such material consideration that would justify a decision otherwise than in accord with a development plan. Para 196 of the framework requires LPAs to balance harms to heritage assets, where the harm is less than substantial, against any public benefits of development. The benefits of development must clearly and demonstrably outweigh any harms and the harms identified must be given substantial weight in the balance. In this instance the public benefits are substantial and are considered to outweigh the harm identified. These include the boost to the supply of land for housing. This boost to supply is of significance in the balance given that the Council cannot currently demonstrate a framework compliant supply of land for housing as is required. The proposal also provides a plan compliant level of affordable housing to meet local needs. Land is provided for employment and elderly persons care. There will also be a boost to economic activity in the locality from construction and the expenditure of the additional population. There will be extensive open space provision for the community. Finally, there will also be benefits arising from new homes bonus, council tax and CIL receipts. It is also considered that given the site circumstances and the identified plan requirements the development proposed cannot be undertaken in a different manner than is indicated on the Concept illustrative masterplan and parameters plan that would result in less harm than identified but still achieve the same level of benefits whilst meeting other identified policy requirements e.g. country park provision and excluding development east of the 50m contour. On this basis it is considered that a decision otherwise than in full accord with the plan is appropriate.

It is also important to note at this point that case law has established that development plans will include policies and provisions that pull in different directions. This is considered to be the case with respect to the identified housing requirement and allocation at Rawlings Farm and the requirements in respect of landscape and heritage asset protection and preservation. The scale and location of development envisaged will result in some harm arising but the identified need for development and the allocation of this land support the development taking place and identify that harm is assessed to be not so significant as to outweigh the benefits of development. Taken as a whole it is not considered that the conflict with the provisions of the plan are such that development ought to be refused, the development proposed accords with many of the plan's provisions, especially the allocation of the site and the identified housing land requirements. In this context it is also material to note that the development proposal in this location has been the subject of public examination and testing through the plan preparation process and so to a certain extent these tensions have been considered already and the development found to be appropriate despite some harms arising. It meets a range of aims, objectives and policies of the plan and on balance is therefore in accord with the plan.

Additionally, it is also important to bear in mind at this juncture that the Council cannot currently identify a framework compliant supply of land for housing. The tilted balance set out in para 11 of the framework is engaged and the plan is not considered to be fully up to date. Case law confirms that significant weight can still be afforded to the relevant provisions of the plan and that is a matter of judgement for the decision maker. Part of the reason why the Council cannot currently identify the required housing land supply is the failure to deliver several strategic site allocations, which includes Rawlings Green at Chippenham. The consequence of this is that unplanned development is coming forward throughout Wiltshire. The Council has an action plan in place for addressing the shortfall and that includes delivery of the strategic allocated sites that have so far failed to come forward. In short to determine current applications relating to these sites at the earliest opportunity. This is a further material consideration of significant weight in the planning balance indicating that a decision otherwise than in full accord with all the provisions of the development plan is appropriate.

In this context it is therefore considered appropriate to set out what are considered to be the benefits and harms arising from the development proposed.

With respect to harms these are: -

- Less than substantial harm to heritage assets
- Failure to provide a country park across the full extent of the northern site boundary
- Some harm to the character, appearance and visual amenity of the locality through urbanisation
- Related conflicts with the relevant policies of the development plan
- Related conflicts with the provisions of the framework and statute

The harms in respect of conflict with the plan and to heritage assets must be given substantial weight, other matters are considered to be attract moderate weight.

The benefits of development are considered to be as follows:-

- The boost to the supply of land for housing
- Addressing the shortfall in the supply of land for housing and reducing the potential for unplanned development
- Provision of affordable housing
- Provision of employment opportunities
- Boost to the local economy through construction and additional expenditure by the new population
- Country Park and Open Space provision
- New homes bonus
- Council tax receipts

The delivery of housing development to meet housing needs including through implementation of the allocations of the development plan; contributing to addressing the identified shortfall in housing; reducing the potential for planned development; and affordable housing provision can all be given substantial weight in the balance. Other matters can be given moderate weight.

Additionally, some of the harm identified is capable of mitigation to a large degree by use of condition and planning obligations as recommended below and by consultees. Taken together the benefits identified are considered to clearly and demonstrably outweigh the harms.

On this basis it is considered that in accordance with the provisions of paras 11 and 12 of the framework permission should be granted and is so recommended.

RECOMMENDATION

Defer and Delegate to the Head of Development Management to grant outline planning permission subject to the conditions listed below and the prior completion of a section 106 agreement within six months of the date of the Committee resolution; or in the event that the applicant declines to enter the agreement and/or it becomes clear that they will not do so then to refuse permission for the following reason:

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management; Highways; Education and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 11, 12 & 54 of the National Planning Policy Framework July 2019.

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

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

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

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

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

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

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

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

Reports
Revised Design and Access Statement

Drawings
24248-9600 Rev K
Land use and access parameters plan
24248-9612 Rev K
Building heights parameter plan
24248-9614 Rev F
Green infrastructure parameter plan
24248-9629 Rev G
Concept plan amendment
K125/02 Rev C
Preliminary surface water drainage strategy plan

All received August 2020

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

5. No residential, employment, retail, care home or educational development shall take place until an urban design and framework plan for the development of the site has been submitted to and approved in writing by the local planning authority. The plan shall be

substantially in accordance with Illustrative Masterplan C11112.09.SK803 Rev P and shall be submitted to the local planning authority no later than the first submission for approval of any of the reserved matters and shall include:

- the arrangement of street blocks;
- the overall level and location of car parking at the site;
- surfacing materials of the spine roads;
- the density and mix of dwellings;
- the general location of affordable housing;
- building heights and massing;
- Frontages of plots along the Spine Road (as shown on dwg nos WSP0268/LE/05 revision B and WSP0268/LE/06 Revision B)

The plan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2017, Ref: K125, dated 12.12.17) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000-year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

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

REASON: In the interest of the visual amenity, character and appearance of the area, residential amenity, achieving high quality and in the interest of proper planning.

6. No development shall commence until a phasing plan for the delivery of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the phasing plan an updated phasing plan is approved as part of a subsequent Reserved Matters application(s) pursuant to conditions 2 and 3.

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

7. Prior to the commencement of a phase or sub phase of the development, a scheme of hard and soft landscaping for that phase (as shown on the illustrative masterplan required in connection with condition 3 above) and including Tree Protection Plan; Arboricultural Impact Assessment; Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) Indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours of buildings and land;
- (e) means of enclosure;
- (f) car park, layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artifacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, governing equipment (gas, electricity and other services), pipelines etc indicating lines, manholes, supports etc);
- (k) bin storage and recycling facilities, where relevant;

- (l) retained historic landscape features and proposed restoration, where relevant.

The development shall be carried out in accordance with the details approved unless otherwise agreed in writing by the local planning authority.

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

8. Prior to the commencement of development of a Phase or Sub Phase a detailed landscape plan shall be submitted to and approved in writing by the local planning authority. All soft landscaping comprised in the approved plan and details of landscaping shall be carried out in accordance with timescales agreed by the local planning authority; 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 from planting, 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 within a phase or sub-phase shall also be carried out in accordance with the approved details 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.

9. No development shall commence on a phase or sub phase within the site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses within that phase or sub phase has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses within that phase or sub phase of the site and any adjoining sites which Council records or existing uses of which indicate a potential for contamination, for at least the last 100 years and a description of the current condition with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the phase or sub phase within the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed phase or sub phase of development within the site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance pertinent at the time from these organisations and representing industry standard best practice; and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of that phase or sub phase of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local

Planning Authority that the works have been completed in accordance with the agreed remediation strategy. In the event of unexpected contamination being identified, all development on that phase or sub phase of the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out.

Construction shall not recommence on that phase or sub phase until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

11. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays except for the period of British summer time between April and October 2021 when no construction or demolition work shall take place outside the hours of 07.30 to 21.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of Residential Amenity

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

It shall include details of the following:

- i. The movement of construction vehicles including details as to routeing and signing arrangements for lorries delivering to the site during the identified phases of the development, details of wheel cleaning facilities for lorries leaving the site, details of parking and manoeuvring space within the site for lorries and construction workers vehicles, measures to prevent site construction traffic parking on nearby residential streets, the sheeting of laden lorries leaving the site, dust suppression measures throughout the build period. A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge;
- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Pile driving (If it is to be within 200m of residential properties)

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

REASON: In the interest of Residential Amenity

13. No external lighting shall be installed on a phase or sub phase of the site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted in respect of that phase or sub phase to and approved in

writing by the Local Planning Authority. The lighting scheme shall be so designed as to overcome glare, sky glow, spillage and intrusion. The scheme should aim to achieve Environmental Zone E2 as specified in the guidance issued by the Institution of Lighting Engineers. This will include a lux plot, demonstrating that lux levels of 0.5 or less can be achieved at the edges of all ecologically sensitive features within the site and immediately adjacent.

REASON: In the interests of Residential Amenity and the visual amenity of the locality

14. Prior to the commencement of building works above ground of part of the development requiring mechanical ventilation and extraction plant, full details of any internal and external plant equipment and trunking, including building services plant, ventilation and filtration equipment and commercial kitchen exhaust ducting / ventilation, shall be submitted to and approved in writing by the Local Planning Authority. All flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturer's instructions.

REASON: In the interest of Residential Amenity

15. Prior to commencement of construction of any building to be used for commercial purposes an assessment of the acoustic impact arising from the operation of all internally and externally located plant shall be undertaken in accordance with BS 4142: 2014 in respect of such phase or sub phase of the site. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed plant shall be less than background. The scheme shall be submitted to and approved in writing by the Local Planning Authority. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: In the interest of Residential Amenity

16. Prior to the commencement of a phase or sub phase of development a scheme of noise and vibration attenuation from noise generating sources including the Great Western Rail line and commercial buildings with mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable room standard as detailed in BS8233:2014 with no relaxation for exceptional circumstances unless agreed in writing with the Local Planning Authority and must include details of post construction validation. The approved noise and vibration attenuation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

REASON: In the interest of Residential Amenity

17. Prior to the commencement of a phase or sub phase of development a scheme of measures to ensure noise levels in all amenity spaces do not exceed 55dB LAEQ(16 hour) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

REASON: In the interest of Residential Amenity

18. The development hereby permitted shall be for up to a maximum of 650 C3 dwellings.

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

19. No development shall commence on a phase or sub phase of the site until a scheme for the discharge of surface water from that phase or sub phase (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and new FRA using EA model information current at the time of scheme submission with buildings and attenuation located in FZ1 areas and away from surface water flood risk areas for the 1 in 30 and 100 events plus climate change, has been submitted to and approved in writing by the Local Planning Authority.

The development of a phase or sub phase shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme for that phase or sub phase.

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

20. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

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

22. Prior to the start of construction of a phase or sub phase of development at the site an Ecological Construction Method Statement will be submitted to and approved in writing by the Local Planning Authority. This must take account of all elements of the works and provide precautionary practices to ensure that wildlife individuals and populations are appropriately protected throughout the construction process.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

23. Prior to the start of construction an Ecological Mitigation and Enhancement Strategy will be submitted to and approved in writing by the Local Planning Authority. This will give details of specific mitigation provision within the site as well as areas to be enhanced for the benefit of biodiversity. Such areas should be enhanced with particular reference to the Wiltshire Biodiversity Action Plan and state the benefit for named habitats and species listed therein.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

24. Prior to the start of construction a Landscape and Ecological Management Plan will be submitted, showing how Landscape and Ecological features will be integrated for joint benefit of human and wildlife communities. It must state responsibilities for management and contain a mechanism of monitoring and review.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

26. No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of: -

- (a) a junction improvement at Station Hill and New Road in accordance with WSP drawing no 5609/SK/006/B,
- (b) a new road link into the site through an alteration and extension of Darcy Close in accordance with WSP drawing no 5609/SK/006/B, and including a junction alteration on Cocklebury Road in accordance with WSP drawing no 5609/SK/005/A,
- (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site,
- (d) the completion of an internal distributor road with the identification of a potential route for its future expansion via a river bridge, and
- (e) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes.

For the avoidance of doubt, the phasing plan shall include provision for: -

(a) the second road connection serving the site to be completed, linking Parsonage Way to Cocklebury Road (the Cocklebury Link), and its availability for public use prior to the occupation of more than 200 dwellings on the site, and

(b) no more than 200 dwellings being served solely from Parsonage Way before the North Chippenham distributor road (connecting B4069 and A350) has been opened for use by public traffic or before a set of comprehensive transport improvement measures of equivalent benefit, and to be agreed by the local planning authority, is in place .
Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

28. No development shall commence on a phase or sub phase of the site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width, with appropriate widening at bends. Phases of the development shall not be first brought into use or occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and to allow for adequate width for large goods vehicles and buses.

29. No development on a phase or sub phase of the site shall commence on site until a scheme of safe pedestrian and cycle routes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter. Prior to the commencement of any individual phase of the development, details of cycle parking facilities, in accordance with Wiltshire Council's cycle parking standards, shall be submitted to and approved by the local planning authority, and the approved facilities

shall be provided in accordance with the approved development prior to the occupation of the building(s) to which they relate.

REASON: In order to encourage sustainable travel to and from the site and in pursuit of sustainable transport objectives.

32. prior to the occupation of development on a phase or sub phase of site Travel Plans for the various land uses (residential, employment and education) permitted within the phase or sub phase shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation, establishment of mode share targets and monitoring, and shall be implemented in accordance with the approved details. The results of the implementation and monitoring and review of targets 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.

33. With the exception of a haul route to enable bridge construction, and onsite earthworks, no construction traffic for infrastructure on the site shall take access to the site other than by way of the completed and operational railway bridge, unless alternative arrangements for access to the first phase of the development can be achieved by way of a completed and operational link to Darcy Close.

REASON: To minimise the potential for construction traffic using other, inappropriate, routes to access the site.

34. No development on a phase or sub phase of the site shall take place until a scheme for the provision and management of a 10-metre-wide buffer zone alongside watercourse channels located within that phase or sub phase shall be submitted to and agreed in writing by the local planning authority. Thereafter the development of that phase or sub phase shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The submitted scheme shall include:

1. plans to show the extent and layout of the buffer zone
2. details of any proposed planting scheme (for example, native species)
3. details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
4. details of any proposed footpaths, fencing, lighting etc.

REASON: To prevent any deterioration of the river environment, and if possible to enable enhancement, under the Water Framework Directive 2000, and the National Planning Policy Framework (NPPF), paragraph 109 and paragraph 118.

35. No development of a phase or sub phase of the site shall take place until a scheme for enhancements to routes providing recreation channel linkages between the site and adjoining locations is submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate what safeguards will be put in place to ensure that no long-term deterioration in the ecology of the channel will occur as a result of the recreational enhancements. The scheme shall be fully implemented as approved.

REASON: To deliver recreation benefits for the users of the development site, whilst protecting the water environment from damage.

36. No development of a phase or sub phase of the site shall commence until a scheme for water efficiency appropriate to the land use/development involved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

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

37. No development shall commence within the area indicated in the approved archaeological mitigation strategy and approved heritage addendum until the measures identified in that strategy have been completed in full and approved by the Local Planning Authority Those measures to include: -

- full excavation of the Roman farmstead and two areas of strip, map and record excavation.

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

38. No development shall commence within the area indicated in the approved archaeological mitigation strategy until the measures identified in the approved heritage addendum for the protection of the World War Two Pillbox present on the eastern part of the site near to the River Avon have been completed in full and approved by the Council's Archaeologist. Those measures to include: -

- submission and approval of a management plan for the long-term management of the Pillbox.

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

Informatives:

- Any works to or within 8m of a main river will require a separate application to and approval from the EA – obtaining of this separate approval may require alteration and resubmission of planning application
- Any proposed discharge to a main river will require a separate application to and approval from the LLFA – obtaining of this separate approval may require alteration and resubmission of planning application
- Any proposed work to or within 8m or discharge to an ordinary water course will require a separate application to and approval from the LLFA – obtaining of this separate approval may require alteration and resubmission of planning application
- Where there is a need for capacity improvements to public sewerage systems to serve the site (or phase) the applicant will need to allow sufficient time within his development programme to allow the sewerage undertaker to appraise, design, fund and construct the capacity improvements before the development or phase is occupied to ensure no increase in flood risk from the sewer system

INFORMATIVE: There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

INFORMATIVE: Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is

required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the River Avon, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

INFORMATIVE: There are ordinary watercourses within or in close proximity to the site. If it is intended to obstruct the flow in the watercourse (permanently or temporarily, including culverting) prior Land Drainage Consent from Wiltshire Council (as the Lead Local Flood Authority) will be required. Please contact the Drainage Team to discuss their requirements: <http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

INFORMATIVE: Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

INFORMATIVE: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 105 litres per person per day.

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- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
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INFORMATIVE: The applicant's attention is brought to the consultation response of Network rail dated 16.04.2018 and the requirements in respect of Asset Management. These

requirements will be taken into account in the determination of reserved matters applications at this site. It is recommended that they inform proposals in this regard.

INFORMATIVE: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

INFORMATIVE: 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.

INFORMATIVE: 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: The applicant should note that the costs of carrying out a programme of building recording and/or watching brief and/or archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

INFORMATIVE: 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: Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer on [INSERT]

INFORMATIVE: This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

INFORMATIVE: 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: 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

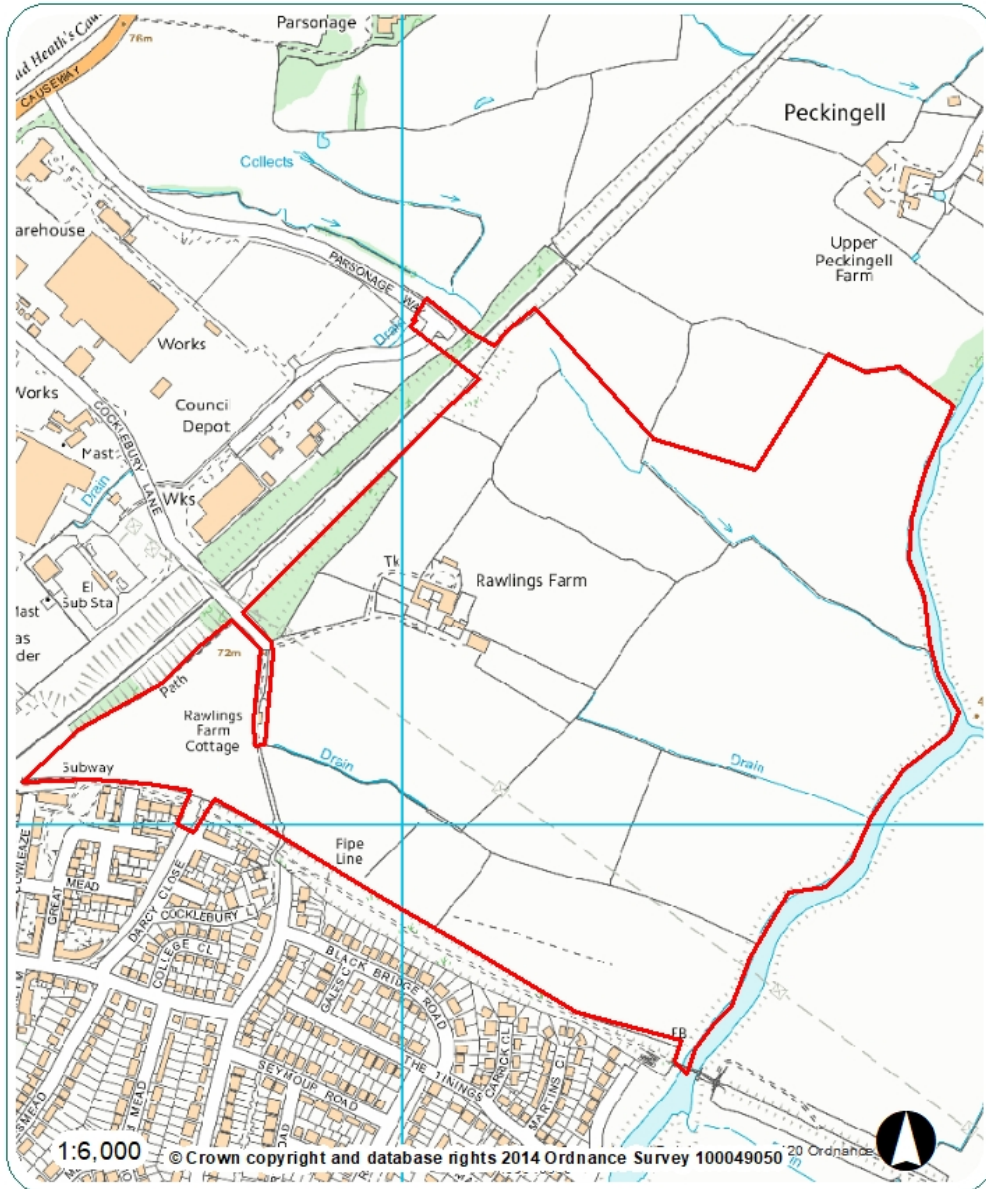
exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice 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.

Appendices:

Background Documents Used in the Preparation of this Report:

Application documentation

Report to Committee, Supplemental report and Minutes 14.9.16



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REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 September 2016
Application Number	15/12351/OUT
Site Address	Land at Rawlings Farm, Cocklebury Lane, Chippenham, Wiltshire, SN15 3LR
Proposal	Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater/Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only).
Applicant	KBC Developments LLP
Town/Parish Council	CHIPPENHAM
Electoral Division	CHIPPENHAM MONKTON
Grid Ref	393297 173929
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

Under the Scheme of Delegation Specific to Planning, this application falls to be considered by the Strategic Planning Committee by reason of it being a large-scale major application which, by its nature would raise issues of more than local importance.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that authority is delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.

- Conformity to the local plan
- Impact on Conservation Area and setting of listed buildings
- Whether the development constitutes over development of the site.
- Impact on residential amenities of adjoining neighbours.
- Impact on character and appearance of the area
- Prematurity

Chippenham Town Council objected to the proposed development and 150 letters of objection and 1 letter of support have been received.

3. Site Description

The development site is located on approximately 51Ha of mixed farmland between the Great Western railway line and the River Avon to the north east of Chippenham. The eastern boundary of the site is defined by the former Calne - Chippenham railway line and is presently a Sustrans Cycle route set into a cutting. More apparent as a boundary to the western side of the site is the Monkton Park housing estate which sits adjacent to the cycle path. The eastern boundary is a mature hedgerow that runs roughly north-south close to an existing cattle bridge over the railway line. A High Tension (132KV) power line crosses the site towards the western side while a smaller branch of 32KV overhead lines provides power to an adjacent communications mast.

The site is largely square in shape. The only two means of access that presently exist are at Cocklebury Lane (with a narrow Victorian bridge over the railway) and a narrow footbridge at Eastern Avenue. The site generally slopes towards the River Avon but also falls away in the north western edge, towards Chippenham Town Centre. A distinctive valley exists towards the centre-west of the site, which is made more attractive by several mature trees including oaks. Roughly 20% of the site is within the floodplain. A brick and concrete World War II (WWII) pillbox is located close to the river within the flood plain, which will be unaffected by the proposals. Aside from the access boundaries, the remaining boundaries are easily defined and identified both from a map and on-the-ground. Rawlings Farmhouse and structures within its curtilage are included in the application site. An existing dwelling (Rawlings Farm Cottage) is enclosed by the site but does not fall with the application site.

4. Planning History

15/11886/FUL	Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green – under consideration
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5. The Proposal

Outline planning permission for up to 700 dwellings, including 4.5Ha mixed use employment space; a new primary school; new open space, landscaping, small local centre to accommodate up to 600m² of new retail space, care home for the elderly up 3000m², bridge access the railway from Parsonage Way, site access at Darcy Close and other associated works with all matters (except access) reserved.

6. Planning Policy

Wiltshire Core Strategy Jan 2015:

Core Policy 1-	Settlement Strategy
Core Policy 2-	Delivery Strategy
Core Policy 3-	Infrastructure Requirements
Core Policy 10-	Spatial Strategy: Chippenham Community Area
Core Policy 34-	Additional Employment Land
Core Policy 41-	Sustainable Construction and Low Carbon Construction
Core Policy 43-	Providing Affordable Homes

Core Policy 51-	Landscape
Core Policy 43-	Providing affordable homes
Core Policy 45-	Meeting Wiltshire's housing needs
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 64-	Demand Management
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

H4- Residential development in the open countryside

CF2- Leisure facilities and open space

CF3- Provisions of open space

The Draft Chippenham Site Allocations DPD

The emerging Langley Burrell Neighbourhood Plan

National Planning Policy Framework 2012:

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

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

Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 8- Promoting healthy communities (Paragraph 75)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

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

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

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

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

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

Highly unsatisfactory that in the proposals by the developers, the northernmost part of the site is now occupied by employment space and housing. The positioning of employment especially (but also the housing) flagrantly undermines the objectives of preserving the remote rural character and creating a soft rural/urban transition which respects the setting of the Peckingell listed building.

Wiltshire Council Landscape Officer- The amount of proposed residential development within the application exceeds the requirement identified or envisaged within the emerging Chippenham Site Allocations Development Plan Document (DPD) for 'Strategic area B'. While the retention and strengthening of the majority of existing hedgerows within the site is welcomed, the landscape strategy and development parameters fall short of the bold new landscape structure considered necessary to maintain a characteristic well wooded eastern settlement edge.

The land to the north of the disused railway/ cycle track sloping east towards the River Avon is visually exposed within the landscape. The well wooded embankment and cutting slopes of the disused railway and the woodland belt growing along the top of the active GWR railway line provide important landscape structure which helps to contain the urban influences of the existing town from extending across the River Avon Floodplain and outlying isolated rural settlements north and east.

Major urban development within this strategic area will breach this existing urban containment currently provided by this woodland for near and middle distance receptors, and adversely affect the character of the existing eastern settlement transition with countryside, hence the policy requirement (CH2) for a strong new landscape structure to mitigate this urban extension onto these exposed farmland slopes. Planned development in this strategic area must maintain and enhance the town's characteristic wooded transition to countryside along its eastern edge.

The current outline illustrative Masterplan along with its associated development parameters do not represent a sensitive solution for the introduction of a major new mixed use urban extension within Strategic Area B. The illustrative proposals and development parameters pay only minor reference and limited regard to the site specific sensitivities and main landscape and visual issues highlighted within the local landscape character assessments and the TEP Study.

The introduction of urban development encroaching into the River Avon's east facing valley side is likely to generate permanent adverse cumulative landscape and visual effects for numerous receptors. This has the potential to cumulatively undermine the existing wider panoramic wooded setting of this eastern side of the town. Existing levels of tranquillity will be disturbed and reduced and harmful urban influences will encroach into countryside, overlooking the wide flood plain of the River Avon, extending into the River Marden Valley and towards Tytherton Lucas Conservation Area, and Upper Peckingell Farm. The greatest landscape and visual effects will result from the introduction of the scale and form of urban development currently being promoted across the eastern slopes within the site without adequate landscape structure to contain and filter resulting effects.

Within the riverside park areas there is potential for a change of landscape character to result from the existing pastoral farmland character to something quite different, if or when the existing grazing /management regime of this floodplain land associated with Rawlings Farm ceases or changes. If the LPA is minded to grant outline planning consent for this development, until a Management Plan is submitted to the LPA for the proposed 'Riverside Park' land, the resulting landscape effects of taking this large area of land out of agricultural use remains uncertain. There is also a degree of uncertainty about the long-term economic viability of maintaining such a large area of open space in perpetuity.

This outline development proposal does not demonstrate that appropriate or sensitive urban development parameters, or mitigating landscape design measures could appropriately or successfully assimilate new development of this proposed nature into the receiving landscape without generating permanent harm to landscape character and visual amenity. Much of this harm could be better mitigated by the inclusion of an improved landscape framework and by reducing the height of proposed urban development parameters without subsequently increasing the scale of built massing throughout the site.

Wiltshire Council Air Quality- No objection subject to conditions and the payment of a financial contribution.

Wiltshire Council Waste & Recycling- The on-site infrastructure required by the proposal is the provision of waste and recycling containers for each residential unit. The estimated s106 contribution is required for the provision of this essential infrastructure to make the application acceptable. The requirement is subject to change dependent on the confirmed mix of flats and houses, in accordance with section 10 of the councils SPD.

Wiltshire Council Tree Officer- No objection subject to conditions

Wiltshire Council Ecology- Objection but planning permission can be granted subject to conditions.

Wiltshire Council Public Protection- No objection subject to conditions

Wiltshire Council Archaeology- No objection subject to conditions

Wiltshire Council Affordable Housing - There is demonstrable affordable housing need in the Chippenham Community Area and a 40% on-site affordable housing contribution at nil subsidy should, therefore, be sought from these proposals in line with policy approaches - with a tenure split of 60% affordable rented homes and 40% intermediate (shared ownership) housing in order to meet current demonstrable need.

Wiltshire Council Contaminated Land - No objection subject to conditions.

Wiltshire Council Drainage - No objection subject to conditions.

Wiltshire Council Highways - No objection subject to planning conditions and planning obligations.

Wiltshire Council Conservation - The proposed development will result in harm to the setting of the Listed Building known as Rawlings Farm House. This harm is less than substantial in terms of the NPPF.

Wiltshire Council Secondary Education- Secondary Summary – a financial contribution towards the expansion of Abbeyfield School by 135 places at £21,747 each = £2,935,845.

The Council intends to pursue the funding for this secondary infrastructure expansion via the CIL mechanism. Primary Education- A financial contribution of 175 places required at £16,979 each = £2,971,325 (to be index linked) along with a 2ha site for a new primary school. Site location and suitability to be approved by the Council. Early Years Education- A financial contribution of 648,432.00 is required.

Wiltshire Council Public Art- Public art should be incorporated within the application site.

Environment Agency- No objection subject to conditions.

Wessex Water- No objection subject to conditions.

Historic England - We would recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Crime Prevention Officer- No Comment

Highways England- No objection subject to the imposition of a planning condition

Sport England- It is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport.

Natural England - No objection

National Planning Casework Unit - No comments

Network Rail- No objection

Canal and River Trust - No comment

Wiltshire Fire and Rescue - No objection subject to a planning condition

8. Publicity

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

The application has generated over 150 letters of objection and 1 letter of support. A summary of the comments is set out below:

- Inadequate Access and Highway Infrastructure/ Congestion
- Vehicular Access at Darcy Close would create a rat run
- Highway Safety Issues
- No need for Eastern Link Road & Concern for delivery
- Against Eastern Link Road
- Parsonage Way Link Road necessary for any development to take place
- Concern over Construction Traffic Route and Darcy Close
- Loss of Parking on Darcy Close
- Noise Impact
- Air Quality/Pollution
- Ecological Impact
- Flood Risk

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

Objection letters and statements have also been received from Langley Burrell Residents Association, Tytherton Lucas Residents Association, Wavin & Campaign against Urban Sprawl in the East. Their concerns and objections are summarised above.

9. Planning Considerations

9.1 Principle of Development

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

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

Important material considerations in this case include the requirement in the National Planning Policy Framework (NPPF) to assess whether the Council has a five year housing supply for the north and west housing market area that includes Chippenham.

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

9.2 Chippenham Sites Allocation DPD

The Draft Chippenham Site Allocations Plan was submitted to the Secretary of State for independent examination in July 2015. Hearings into the soundness of this plan were suspended in November that year in order to allow the Council to undertake further work. As a result of this work a set of proposed modifications were consulted on in May-July. Hearings are programmed to resume on 27 September 2016. The current proposals in the emerging Chippenham Sites Allocation Plan (CSAP) include strategic allocations at South West Chippenham (CH1) and Rawlings Green (CH2).

The Chippenham Sites Allocation DPD remains an emerging Plan submitted to the secretary of state for examination. Weight can be afforded to this document in accordance with Annex 1 of the NPPF, which states that weight to be given is proportionate to the stage of preparation, the extent of unresolved objections and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework. Given that there are still objections to the plan, and the examination is due to reconvene shortly, little weight can be attached to it at this stage.

9.3 Wiltshire Core Strategy CP1, CP2 and CP10 and Saved Policy H4

CP1, CP2 and CP10 deal with the broad issues of settlement strategy and delivery. Other relevant policies of the Development Plan are otherwise discussed later in the Report under topic heads.

Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

Chippenham is identified within the WCS as one of the three Principal Settlements which act as a strategically important employment and service centres for a number of villages in the immediate area and beyond. Chippenham is to be a focus for development (Core Policy 1). The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.

Core Policy 2 sets out the delivery strategy for Wiltshire in the period 2006 - 2026. This is to be delivered in a sustainable pattern, in a way that prioritises the release of employment land and previously developed land. At least 42,000 homes are to be delivered in Wiltshire, with 24,740 of those distributed to the North and West Housing Market Area.

Core Policy CP2 states that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy. In this case, the site lies outside of the limits of development for Chippenham and while it is a draft allocation in the Sites Allocations Document only limited weight can attach to that. The proposal does not meet any of the exceptional circumstances identified in WCS paragraph 4.25 where development outside limits of development is acceptable. Similarly, as it lies beyond the limits of development, it does not comply with save policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect.

Core Policy 10 of the WCS identifies the level of housing growth appropriate for Chippenham. The housing requirement for the town is identified as at least 4510 homes supported by 26.5 ha of employment. CP10 also sets out the intention to prepare a Chippenham Site Allocations Development Plan Document (DPD), which seeks to identify land for employment and 'at least 2625 dwellings' (once existing completions and commitments have been taken into account). The DPD will also set out a range of facilities and infrastructure necessary to support growth.

Criteria are included in CP10 to guide development, in addition to the other provisions contained within the Core Strategy. The criteria are based on the key issues identified for Chippenham in paragraphs 5.46 – 5.48 of the WCS. They have been included to give direction to the preparation of the Chippenham Site Allocation DPD. However, the criteria could also provide a useful set of benchmarks against which planning applications may also be measured. The criteria relate to:

- Economic led growth
- Town centre resilience and accessibility
- Mixed use development and mix of housing
- Major infrastructure and traffic impact
- Environmental constraints

The context provided through the core strategy specifically for Chippenham is that the town should be a focus for growth which will be delivered through planned strategic allocations which deliver the requirements set out in Core Policy 10.”

9.4 Housing Land Supply

Housing land supply has to be regularly assessed. The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA, and the current calculation is that the Council has a 4.76 years supply. This figure does not include the proposed site allocations in the Chippenham Site Allocations DPD. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as set out at Paragraph 14 of the Framework is engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

It can be seen therefore that CP1, CP2, CP10 and Saved Policy H4 are all relevant for the supply of housing and are to be considered out-of-date. This does not mean, however, that these policies carry no weight or even only limited weight. It is clear Development Plan policy that Chippenham is to be a main focus for development and that this should carry significant weight. It is moreover clear that Chippenham is not performing in line with Development Plan expectations. Of the minimum level of 4,510 houses to be provided in Chippenham over the Plan period, 1,780 are still required as of April 2015.

In summary, it is concluded that while limited weight only can apply to the fact of breach of settlement boundaries given the shortfall in the housing land supply and the clear need to meet a significant amount of future housing and employment need beyond existing settlement boundaries, the fact that Chippenham is to be a focus for development should carry significant weight in the decision-making process.

9.5 Whether a Sustainable Location

The 50.75 hectare site, which comprises undeveloped agricultural land, Grade II Listed Farm House and associated farm buildings, lies on the eastern edge of Chippenham, approximately 2 kilometres from the town centre. The Council's strategy for housing and employment is to focus growth in the principal settlements of Chippenham, Trowbridge and Salisbury. As such, Chippenham is a location that is expected to accommodate new housing development.

Whilst the loss of countryside would cause some environmental harm, the Council is unable to meet the full housing requirement for Chippenham without development taking place on greenfield land.

In terms of accessibility, a Primary School will be located within the site and this will be secured by way of s106 agreement and will offer easy access by foot for the residents of the proposed development. Abbeyfield & Hardenhuish Secondary Schools are both within 3km walk of the site, though this is greater than maximum walking distances suggested in Institution of Highways & Transportation 'Guidelines for Providing Journeys on Foot' it is not so far away that the site would be deemed inherently unsustainable. Hardenhuish Secondary school is the closest secondary school to the site, however, the Council's projections suggest that this is full and demand generated by this development will be met by Abbeyfield.

The site incorporates a local centre and various convenience stores/small supermarkets are located within Chippenham Town centre which is less than 2km walk. The weekly shopping trip would be difficult on foot or cycle and would generally be undertaken by car in any event, often in conjunction with other activities. Employment opportunities in Chippenham include the employment generating uses on site, town centre employment and Langley Park Industrial Estate all of which are within walking distance. Other employment opportunities in Chippenham include Bumpers Farm & Methuen Park industrial estates.

The nearest bus stops are located in Monkton Park and Chippenham Train Station which are within 1 kilometre walk of the site. Further bus stops are located within Langley Burrell and at the entrance of Langley Park. Furthermore, the s106 agreement will see funding for bus routes to be diverted within the site thus improving connectivity with Chippenham. Whilst some of the existing transport public transport links are further than the 'acceptable' walking distance to a bus stop, majority of the frequent services depart from Chippenham Railway Station with the 55, 55A, 33, 35, 91, 92, 231, 635, X31 & X33 stopping here. These buses offer access to other settlements such as Royal Wootton Bassett, Calne and Devizes where facilities and employment opportunities are available.

Whilst the bus stops and train station are located further from parts of the site than is ideal, that is balanced, to some extent, by the good frequency of service, the nature of the destinations & the employment opportunities possibly established on site. All in all, given the accessibility of a number of services and facilities by foot /bicycle, combined with a good frequency of public transport service to nearby towns, albeit that from some locations within the site the nearest bus stops are just over a kilometre away, it is considered that future residents would have a realistic alternative to the private car to access services and facilities required on an everyday basis.

To conclude on this issue, the development would not prejudice the fulfilment of sustainable development objectives as set out in local and national planning policy. It is therefore considered to be a sustainable location for new housing development, as is recognised by

the Core Strategy and in particular policies CP1, CP2, CP10 & CP34. This matter weighs in favour of the proposal.

9.6 Employment Land

The application seeks to provide up to 4.5ha of land for employment generating uses. It is estimated that the overall development could accommodate premises for approximately 530 new jobs, excluding jobs in schools and shops serving the site. It is accepted that there is no truly meaningful difference between the level of job opportunities anticipated between the proposals of policy CH2 of the CSAP and this application.

The proposals fulfil the strategic role of providing land for economic growth, though possibly half a hectare less than specified in draft policy CH2 it does provide employment land in accordance with CP1, CP2 and CP34 *iv, v, vi, vii, viii & ix of the Core Strategy*.

As identified within the report there is some harm to the character and appearance of the area and this has, in part, been mitigated through the retention of important landscape features and additional structural landscaping. Any further refinement of the master plan to accommodate further employment is likely to reduce this landscaping buffer and 'Country Park' and is not encouraged.

The illustrative master plan shows two areas for employment uses. One area is located by the proposed road bridge and nearer to the A350. A second area is proposed alongside a local centre. This location seems well positioned for the railway station and town centre. A split into two areas uses the flexibility provided by draft policy CH2 and seems based on a reasonable rationale. The treatment of employment offers a choice to prospective business but to ensure the proposal does not provide duplication of planned investment at Chippenham Railway Station or conflict with the objective of enhancing the viability and vitality of the town centre appropriately worded planning conditions will be required. The provision of employment land to help fulfil the plans desire to allow self containment and reduce out commuting is a matter which weighs in favour of the proposal.

9.7 Affordable Housing

Core Policy 43 states the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments of 5 or more dwellings. The applicant has agreed to provide 40% onsite affordable housing with a 60% affordable rent and 40% shared ownership tenure split. The provision secured by the planning obligation accords with the policy and meets the relevant tests set out in the CIL regulations. The proposed development therefore accords with Core Policy 43 and this is a matter which weighs in favour of the proposal.

9.8 Highway Matters

This proposal provides for two of the crucial transport links required to support development to the north and east sides of Chippenham, namely the Cocklebury link Road and part of a possible 'Eastern Link Road' (ELR), including the essential new crossing of the GWR mainline.

The TA sets out a proposed access strategy for the site, which generally aligns with that envisaged in the transport modelling work undertaken by Atkins on behalf of the Council. The principal links to serve the site are therefore acceptable in principle. Planning obligations will be required to ensure appropriate triggers are applied to the delivery of the Cocklebury Link and the Parsonage Way railway bridge and to facilitate the provision of an ELR to the eastern-most part of the site to allow connection to this road if required at a later date.

Furthermore, access facilities for pedestrians and cyclists will be enhanced along Cocklebury Lane. Arrangements will be sought to deliver an alternative private access to

Rawlings Cottage, with a view to downgrading the status of the byway and the need to cross the railway bridge with vehicular traffic.

The general design principles for these two roads is set out in the D&A Statement at chapter 10. Both roads are proposed to have frontage development. It is proposed that the 'ELR' frontage property would be provided with rear parking facilities to minimise the prospect of reversing manoeuvres onto this road from private drives. The Cocklebury Link, however, is proposed to be provided with direct drives onto the road with no turning facilities, this is not an acceptable arrangement on this potentially busy route connecting Monkton Park with the wider highway network, but can be controlled at reserved matters stage and is not an insurmountable matter.

The travel planning proposals for the residential element of the site are acceptable in principle, but some further detail will be required, particularly in relation to the submission of monitoring reports and the use of personalised travel planning as an intervention tool. The targets away from single occupancy car travel are modest, as is the proposed increased use of buses, where little incentive is offered; such issues will be dealt with by way of a planning obligation. There will also be a requirement for a framework workplace and school travel plan.

The focus of pedestrian and cycle activity to the south of the site will involve existing routes such as the North Wilts River Route. Local improvements will be sought to upgrade surface finishes on the former railway route where it fronts the site, as well as the link west of the History Centre and Great Mead (CHIP12), which is not suitable for an area within a newly built environment. Routes within the site will be addressed through use of appropriate conditions.

Car and cycle parking provision within the site will be conditioned to accord with the adopted standards (Car Parking Strategy and Cycle Strategy) of the Council.

The assessment of local junctions has been based on 4 different development scenarios agreed with the Council. The analysis demonstrates that the Station Hill/New Road junction will be overloaded in all scenarios. The situation will improve when the CLR is delivered and available, and connected through to the A350. In the interim period it will be necessary to alter the arrangements at this junction, through the introduction of traffic signals control.

The analysis also identifies capacity issues at the Birch Grove junction, in the absence of the North Chippenham part of the ELR; a contingency arrangement will be required to improve this junction linked to provision of the NCC ELR. The proposal for modifying the Darcy Close/Cocklebury Road junction are accepted in principle, in order to acknowledge the changed local traffic priorities and to assure adequate capacities for all arms of the junction. Stage 1 RSA's should be submitted for all three junctions, as well as the link road along existing Darcy Close.

The delivery of transport infrastructure is addressed by way of identified thresholds of occupied dwellings on the site; however, in order to protect the town against potential default, it will be required to establish a time related trigger in relation to the provision of the GWR mainline crossing connecting with Parsonage Way.

The application's proposals include for a primary school. It will be necessary to ensure that adequate pedestrian/cycle routes are provided to the school at an appropriate time in the development; of particular concern is access from the west, where the available routes will be Parsonage Way and Cocklebury Lane. It is a normal requirement for an NMU audit to be submitted to demonstrate the effectiveness and adequacy of existing routes leading to and from the site, likely to be used by occupiers of the development; an NMU should be

prepared, with particular emphasis on routes to schools, and submitted prior to any final transport recommendation on the application.

Whilst the development proposal provides for a secondary access to the Monkton Park area, which is welcome, it will be necessary, for environmental and school safety reasons to preclude access to the route for lorry traffic. A planning obligation will be sought to preclude the through use of the route by heavy goods vehicles, potentially allowing access from the north and south only, and not permitting use on an 'except for loading' basis. There will also be a requirement for on-street parking orders, both within and beyond the site, to ensure that through traffic is not unduly inconvenienced, and that bus access is not obstructed.

The NPPF at Paragraph 32 states that Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The proposal would not result in a severe impact in these terms.

Having considered the submitted information and the updated statements including the NMU route audits and Bus strategy it is considered that, subject to s106 and conditions, the proposed development is in accordance with policies CP3, CP10, CP60, CP61, CP62, CP64 & CP66 of the Core Strategy and NPPF

9.9 Impact on Landscape

The site comprises approx. 50.75 hectares of sloping pastoral agricultural land (largely Grade 2 in the ALC) located between the active Great Western Railway and the River Avon. The site falls from the railway at approx 65m AOD in the west to the river Avon in the east at approx. 45m AOD and is largely contained within the current landholding associated with Rawlings Green Farm. The site comprises a number of small and medium sized fields enclosed by field hedgerows, with occasional hedgerow trees. In the northern part of the application site a distinctive dry valley is evident, which once contained a small tributary watercourse of the River Avon. This watercourse is believed to have been diverted during the construction of the Railway. A tall thinning hedgerow borders the northern boundary of the site, providing some filtering of the site from Peckingell, which includes grade II listed farm buildings.

The proposed site lies to the east of Parsonage Way Industrial Estate, separated by the busy Great Western Railway line which is located in deep cutting (soon to be electrified) along the sites western boundary. The historic urban core of Chippenham's town centre lies approx. 1.4km to the south of the site. To the immediate south of the site, Monkton Park housing estate occupies slightly lower land and is separated from the application site by the heavily wooded disused railway line which is now utilised as a cycleway linking Chippenham to Calne. The site is fairly isolated with the only vehicle access currently provided by Cocklebury Lane a narrow Byway (CHIP45) accessed from the north, off Maud Heath's Causeway (B4069). Access into the site is via a bridge crossing the railway.

The disused railway/cycleway is in deep cutting along most of its length with the exception of a short section constructed on steep embankment (approx. 10-15 metres above the river and floodplain) which elevates the route to cross the River Avon via a cycleway/footbridge (Black Bridge), which also incorporates a purpose built viewing platform for the public to enjoy the views of the River Avon corridor and associated floodplain areas. East of the river, the cycleway continues on embankment to New Leaze Farm access track where the embankment finally runs into adjoining ground levels level with adjoining agricultural land on both sides. Mature trees and woodland extend up these embankment and cutting slopes on both sides of the river on both north and south slopes, which channels views from the bridge and viewing platform along the river and adjacent sections of floodplain meadow. This woodland thins out at Eastern Avenue and Darcy Close at the south western corner of the application site.

The small rural outlying settlement of Tytherton Lucas and its associated Conservation Area is located approx. 800 metres (east) from the planning application site boundary at its closest point. Upper Peckingell Farm (Grade II listed) lies approximately 100m to the north of the site boundary, with Langley Burrell located on the western side of the railway approximately 600m north of the north west corner of the application site.

This is a settled farmed landscape with scattered farmsteads, listed buildings and small outlying historic villages with a strong use of natural stone contributing to the characteristic rural vernacular. The Rivers, tributary watercourses and associated riparian vegetation, valley slopes, floodplain meadows and the elevated limestone ridge all contribute to the value and quality of the local landscape. The overhead electricity transmission lines and their supporting pylons extend eastwards from Rawlings Farm, across the river towards New Leaze Farm and the cycleway. At New Leaze Farm they abruptly change direction to cross the cycleway in a south-east direction towards Stanley Lane. This urbanising infrastructure is visually prominent and detracts from the quality of the local area.

The existing vehicular access into the site is from Cocklebury Lane, a narrow single width road/track which passes through Parsonage Way Industrial Estate from the north west at Maud Heath's Causeway (B4069). This farm access road also doubles along much of its length as a Public Right of Way (Byway CHIP45 north of Rawlings Farm Cottage and footpath CHIP44 south of the cottage) providing a southern link to Eastern Avenue and an onward eastern connection onto National Cycleway Route 403/North Wiltshire Rivers Route which runs along the disused railway and provides an important link to the wider rural PRow network further east towards New Leaze Farm and Stanley. Public footpath CHIP12 provides a link from Cocklebury Road close to Chippenham Railway Station Car Park and runs along the edge of the railway to enter the application site at its south western corner before joining Cocklebury Lane (CHIP45) close to the railway bridge.

Footpath CHIP43 extends from the southern end of CHIP44 close to the bridge crossing the disused railway at the end of Eastern Avenue to join footpath LBUR1 and LBUR3 in a north east direction. These footpaths provide a route from the south west of the site to cross the sites east facing slopes towards Peckingell and Tytherton Lucas. Views from the upper parts of the sloping site offer elevated panoramic rural views eastwards across the expansive River Avon Valley and floodplain below, with the elevated limestone ridge forming the backdrop to the east. The River Marden Valley cuts through the limestone ridge, allowing a distant view towards the North Wessex Downs AONB scarp and the impressive Cherhill Monument, located south east of Calne. Bencroft Hill is a notable natural landform and feature viewed from these footpaths and Maud Heath's Monument at Wick Hill is a local landmark in this same rural view.

Footpath LBUR5 runs from Maud Heath's Causeway, south of Kilvert's Parsonage to enter the site via a farm accommodation bridge (Green Bridge) which crosses the active main line railway close to the northwest corner of the site. The route passes only for a few metres through the site before heading east to join LBUR3 which runs from Peckingell southwards into the site to join LBUR1. Views are elevated, rural and sometimes partially screened and filtered by hedgerows looking across the site at contour. The land form levels out north of Peckingell.

The site does not form part of any national landscape, heritage or open space designations but lies within Landscape Type; '12: *Open Clay Vale*' in Landscape Character Area '12B: *Avon Open Clay Vale*', within the 'Wiltshire County Landscape Character Assessment' (2005), and at the district level within Landscape Type; '11: *Lowland River Farmland*' in Landscape Character Area '11: *Avon Valley Lowland*', within the 'North Wiltshire Landscape Character Assessment' (2004).

A Landscape and Visual Impact Assessment (LVIA) has been prepared by 'Barton Willmore' (December 2015) ES, Volume II, Appendix 4.10. The predicted Landscape and Visual effects are included at ES, Volume I, Chapter 4 of the submitted Environmental Statement (ES). The LVIA considers and assesses the development proposals contained within the Illustrative Masterplan prepared by Barton Willmore (Dwg. No. 9405/Rev E & Appendix 1.6 of the ES). The ES makes clear at Section 1, Paragraph 1.1.6 that this Illustrative Masterplan incorporates the Parameter Plans, access plans, building heights plan and other master planning outputs and further clarifies that the 'Parameter Plan' (Volume II, Appendix 1.2 of the ES, Dwg. No. 9600/Rev G, now understood to be revised to Rev H) is the only layout which is considered to be binding on any subsequent 'Reserved Matters' applications.

An assessment of predicted landscape effects (Landscape Character & Landscape Features) and predicted visual effects (visual amenity) likely to result from implementing the development proposals are included within the ES Volume I, Section 4.4 (pages 78 – 86) and summarised within the 'Landscape Effects Table' (ES Volume II, Appendix 4.7) and within the 'Visual Effects Table', (ES Volume II, Appendix 4.8). Potential 'cumulative' landscape and visual effects are considered at Section 4.6 (pages 90-91).

Landscape Impacts - The LVIA includes assessment of predicted landscape effects 'During Construction (temporary)', 'At Completion year 1' and 'Residual at year 15' for landscape character and for landscape features as follows;

Landscape Character- For National Character Area (NCA) 117-Avon Vales, the report assesses low and very low adverse change effects which are likely to generate a Neutral Significant Effect during construction, at year 1, and at year 15. This is due to the small scale of the site area in context with the very large size of the national character area.

For the Wiltshire County Landscape Character Area 12b-Avon Open Clay Vale (1:50,000) the report assesses low and very low adverse change effects, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Neutral Significant Effect at year 1 and at year 15.

For the North Wiltshire Landscape Character Area 11-Avon Valley Lowland (1:25,000) the report assesses low and very low adverse change effects, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Neutral Significant Effect at year 1 and year 15.

For the Chippenham Landscape Setting Assessment - Strategic Area B (site and localised 1:10,000 context), the report assesses a medium adverse effect during construction, low beneficial effect at year 1 and a medium beneficial effect at year 15, which are considered likely to generate a Moderate Adverse Significant Effect during construction, changing to a Minor Beneficial Significant Effect at completion, and 15 yrs following completion.

The Council's landscape officer disagrees with the findings contained within the (LVIA) assessment relating to the predicted effects for Landscape Character at the County, District or Site levels. This is due to specific landscape issues highlighted within these published landscape character assessments and the identified sensitivities highlighted within the Chippenham Landscape Setting Assessment relating to the future urban expansion of Chippenham. These highlighted issues and sensitivities are not judged to have been fully considered within the assessment. They highlight the need to minimise any resulting adverse landscape and visual effects connected with the future urban expansion of Chippenham. The Character Assessments point to the need to avoid continued uncharacteristic modern urban expansion up exposed valley slopes and the need to repair

and improve existing harsh urban settlement edges and transport corridors with substantial new areas of planting.

Planned settlement expansion within this strategic area must deliver sympathetic transitions with adjoining countryside to the east and north to conserve the valued rural sense of place and tranquillity, connected with the expansive floodplain of the River Avon and River Marden, and protect the rural separation and tranquil isolated characteristic outlying hinterland village settlements located to the north and east of the site. The Mitigation/Notes within the Landscape Tables and text within the LVIA recognise the importance of providing mitigating strategic planting to filter and screen new development in order to sustain the town's characteristic wooded eastern settlement edge. However, the proposed form and amount of new structural planting, and the scale, density and height of new built development is highly unlikely to achieve the soft well vegetated urban edge with small groups or small clusters of rooflines which are often only glimpsed within woodland offering the limited public views considered to be characteristic and necessary to successfully integrate new urban development at this site. Extensive new landscape structure planting is identified to be necessary within Draft Policy CH2 in order to halt the identified further breakdown of transitions between town and countryside around Chippenham, resulting from the introduction of new urban development and transport corridors in exposed locations at the edge of the town. In this respect the proposed landscape structure planting included in the submitted Parameter Plans and Illustrative Masterplan is not considered to be robust or bold enough to successfully integrate this proposed new urban expansion on these exposed east facing pastoral farmland slopes. This, in combination with the current urban design parameters proposing 2.5 storey and 3 storey development on the upper and middle east facing slopes and the proposed breach of woodland (tree belt) along the top of the railway cutting to enable the rail bridge crossing into strategic area B from Parsonage Way, leads to the conclusion that the predicted 'Neutral' and 'Minor Beneficial' residual effects for local Landscape character will not be achieved. The currently proposed development will be at odds with local landscape character assessment guidelines, generating landscape harm, contrary to CP51 and Draft Policy CH2 requirements.

Landscape Features – The LVIA considers Tree Belts; Hedgerows and Hedgerow Trees; Agricultural fields; River Avon Slopes to be characteristic landscape features within the site. For 'Tree Belt' the report assesses low adverse change effects during construction, low beneficial effects at year 1 and medium beneficial effects at year 15, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to a Minor Beneficial Significant Effect at year 15. For a longer term residual neutral effect to result for this receptor, the new rail bridge requires some structural planting along the northern edge of the new access road as it turns into strategic area B to help visually close off the new axial view into Parsonage Way Industrial Estate created by the removal of trees to enable the new vehicular access into the site. Some additional structural tree belt planting is also required along the northern edge of the site to maintain and supplement the existing tall hedge / tree belt to better contain new development, maintain rural separation and settings to listed buildings at Peckingell.

Further structural tree planting is required along the mid slope contour of the site. However, it is accepted that some strategic gaps in structural planting would be beneficial to maintain some eastern views from elevated open spaces and existing public rights of way, towards the floodplain and limestone ridge over and through corresponding gaps in development to support positive place making objectives within new development. Some strong groups of new tree planting are also required along the lower eastern edge of development to help filter the urban edge from lower levels and from southern and northern approaches along the riverside and from within the new country park / Riverside park land.

For 'Hedgerow and Hedgerow/field trees' the report assesses medium adverse change effects during construction, low adverse effects at year 1 and low beneficial effects at year 15, which is considered likely to generate a Moderate Adverse Significant Effect during construction, reducing to a Minor Beneficial Significant Effect at year 15. This judgement is accepted with appropriate tree and hedgerow protection measures in place to safeguard these important landscape features and with appropriate supplementary hedgerow and hedgerow tree planting where opportunities exist.

For 'Agricultural fields' the report assesses medium adverse change effects during construction, low adverse effects at year 1 and year 15, which is considered likely to generate a Moderate Adverse Significant Effect during construction, reducing to a Minor Adverse Significant Effect at year 15. It is not unreasonable to consider the permanent loss of agricultural grade 2 land and the permanent cessation of associated farming uses to be replaced with urban development and associated supporting urban and suburban infrastructure to represent a Major or Moderate Adverse change effect. This is not an unexpected effect for this receptor following the permanent loss of farmland to new urban and recreational land uses, given the nature, permanence and prominence of these change effects.

For 'River Avon Slopes' the report assesses Low adverse change effects during construction reducing to Low beneficial effects at year 1 and year 15, which is considered likely to generate a Minor Adverse Significant Effect during construction, reducing to Minor Beneficial Significant Effect at year 1, and reducing to Moderate Beneficial Significant Effect at year 15. It is unclear if this assessed receptor could actually be described as 'River Avon Slopes' as the area identified as area B within 'Figure 12 : Site Landscape Features and Components' appears to include only the lower parts of the slopes with greater associations with floodplain and immediate river corridor rather than the defining River Avon Slopes. From reading the mitigation / notes within the Landscape Table, the commentary seems to largely relate to watercourses, marginal vegetation and river banks rather than the sloping valley side pasture etc.

The east facing river slopes, overlooking the wide expansive River Avon and River Marden floodplain are largely laid to pasture and are a prominent local feature of the landscape viewed from the floodplain and also from further distances at Wick Hill and Bencroft Hill to the east and edge of settlement at Tytherton Lucas. The introduction of urban development onto these exposed slopes has the potential to result in major or moderate adverse change effects for this receptor due to the magnitude of change and the visual prominence and sensitivity of the receptor identified in local landscape character assessments and the TEP study. The south west corner of the site slopes down from Cocklebury Lane towards the active railway line. The resulting urbanising change effects on these south-west facing slopes are considered to be less sensitive to change due to stronger existing urban influences between these slopes and the electricity substation, railway and town. The introduction of urban development onto these south west facing slopes are likely to generate less harmful change effects to landscape character, and easier to mitigate through new structure planting than the east facing slopes.

It can be reasonably expected that the introduction of new urban development at this prominent Greenfield location, up to 3 storeys in height, including some larger massing of employment buildings, will generate permanent Major or Moderate Adverse Significant Effects for local Landscape Character, and also for some landscape features within the site. It is based on the anticipated resulting magnitude of change effects which are likely to arise from the introduction of the proposed scale, form and height of new urban development proposed onto the sensitive visually exposed east facing pastoral slopes, overlooking the

wide expansive River Avon and River Marden Floodplain, opposite the elevated limestone ridge.

Visual Impacts- It is noted at Section '6 Visual Appraisal' of the Rawlings Green LVIA (appendix 4.10, Volume II of the ES), paragraph 6.3.8 *"The rail bridge is expected to be in place prior to construction of the proposed development and is therefore considered as part of the baseline conditions."* The separate planning application for the rail bridge (15/11886/FUL) is directly linked to this application. The only reason for constructing this new rail bridge is to provide access into Strategic Area B for the purpose of facilitating the mixed use development subject of this application (15/12351/OUT). The resulting landscape and visual effects predicted to arise from tree removals and the removal of existing earth bunds at the top of the railway cutting will remove established valued screening and open up a new viewing corridor into Parsonage Way Industrial Estate from countryside to the east. This effect should be acknowledged as a direct result of this development proposal, assessed within the scope of this LVIA and ES and specific mitigation measures need to be included or controlled by condition.

The visual appraisal establishes a 15km radius 'Predicted Zone of Theoretical Visibility' (Figure 13, ES Appendix 10.4) and assesses the anticipated visual change effects 'During Construction (temporary), at 'Completion Year 1 (with mitigation based on Parameter Plans)', and 'Residual Year 15' for a series of representative public viewpoints illustrated with 16 no. Representative Viewpoint Photographs, and a Viewpoint Location Plan (Figure 14), Section 6, ES Appendix 10.4). The viewpoints represent views experienced by various receptors (people) at varying distances from the site which help to illustrate the potential resulting visual effects for public visual amenity including;

- Cyclists and pedestrians using the North Wiltshire River Route and National Cycle Route 403;
- Users of PRow in the local and wider area;
- Users of Parsonage Way;
- Residents, pedestrians and road users at Chippenham's settlement edge immediately to the south of the site
- Residents, pedestrians and road users at areas of high ground east of the site including Bencroft Hill and Wick Hill.
- Visitors to places of interest such as the Church of St Nicholas, Maud Heath's Causeway and Monument, and Cherhill Monument.

A summary of the visual appraisal is provided at paragraph 6.4.1 (Volume II, ES Appendix 4.10) *"The visual appraisal has been undertaken through a combination of desk based study with the generation of a Zone of Theoretical Visibility (ZTV) and extensive field work. The ZTV and visual appraisal demonstrate that in relation to near and mid-distance receptors the Site is predominantly contained and enclosed due to a combination of : flat landform; surrounding housing, roads, railway line and associated mature vegetation; and hedgerow vegetation. In relation to long distance views, there are wide ranging panoramic views in which Chippenham and the Site sits below the skyline."*

And paragraph 6.4.2 *"The landscape surrounding the northeast edge of Chippenham, has a predominantly rural character with small, scattered settlements and individual dwellings. The landscape is gently undulating with vegetation preventing extensive views. Around Chippenham , the original settlement in the valley bottom has expanded up the valley sides exposing these areas within wider views. Receptors of these views are predominantly users of the extensive network of PRow which link Chippenham to the wider rural landscape and surrounding small settlements."*

The assessment of visual effects concludes that resulting effects on views are mainly adverse and not significant. The report does not assess any Major Adverse Significant Effects for any visual receptors.

However the report does assess that Moderate Adverse Significant Effects will arise during 'construction' (temporary effects) for visual receptors from;

- Viewpoint 01 - North Wiltshire Rivers Route/National Cycle Route 403 (near view, looking north).
- Viewpoint 2 – Darcy Close (near distance view, looking north east).
- Viewpoint 05 – Parsonage Way (near distance view, looking east).
- Viewpoint 06 – Footpath (LBUR3), Upper Peckingell (near distance view, looking south)
- Viewpoint 07 – Church of St. Nicholas, Tytherton Lucas (medium distance view, looking west)
- Viewpoint 08 – Footpath (BREM39), Tytherton Lucas (medium distance view, looking west)
- Viewpoint 12 – Stanley Lane, Bencroft Hill (long distance view, looking west)
- Viewpoint 14 – Wick Hill, Bremhill Wick (long distance view, looking west)

And also at 'Completion' Year 1 for visual receptors from;

- Viewpoint 01 - North Wiltshire Rivers Route/National Cycle Route 403 (near view, looking north).
- Viewpoint 05 – Parsonage Way (near view, looking east).
- Viewpoint 06 – Footpath LBUR3, Upper Peckingell (near view, looking south)
- Viewpoint 08 – Footpath (BREM39), Tytherton Lucas (medium view, looking west)
- Viewpoint 12 – Stanley Lane, Bencroft Hill (long distance view, looking west)
- Viewpoint 14 – Wick Hill, Bremhill Wick (long distance view, looking west)

The report predicts that all of these Moderate Adverse Significant Effects will reduce to Minor Adverse Significant Effects at year 15 except Viewpoint 07 which is predicted to reduce to a Neutral Significant Effect at year 15.

The most obvious and direct visual change effects will result for people using the existing rural footpath network passing through the site. Views from within the site from existing public footpaths looking east (No representative LVIA Viewpoints included within the report) that currently experience elevated long distance rural views across existing farmland and hedgerows, over the River Avon and Marden floodplain areas, and towards the wooded limestone ridge forming the eastern backdrop to views, will notice an obvious change to views experienced from within a new urban setting with views blocked, channelled and viewed over and between new urban development, similar to views currently experienced towards countryside at The Tynings, Monkton Park. These visual change effects are considered to be permanent and Major or Moderate Adverse would be difficult to mitigate.

Existing viewpoint 4, looking east towards the site from Parsonage Way (Viewpoint 4) is considered less sensitive to urban change given the industrial context these views are experienced from. However, for eastern receptors looking west towards Parsonage Way the removal of mature trees from the top of the railway cutting to facilitate the proposed new bridge across the railway will increase the visual exposure to this existing urban employment area. The resulting effects are considered adverse and should be mitigated. Mitigation should be provided through replacement structure planting along the northern edge of the new road entering the site to close this new visual break in vegetation over the longer term for eastern countryside receptors, this could be controlled by condition.

Visual receptors looking back at the site from longer distances from the elevated viewpoints along the limestone ridge, represented by Viewpoints 12, 13, 14 & 15 are likely to view the development proposal as a prominent new urban extension, with the highway lighting clearly evident alongside the proposed 2.5 and 3 storey urban built form including some large building massing in some of the more visually sensitive parts of the site from opposite eastern viewpoints. Increasing the structural planting along the sites mid slope contour is considered necessary to better integrate the proposed urban settlement extension over the longer term.

The amount of proposed residential development within the application exceeds the requirement identified or envisaged within the emerging Chippenham Site Allocations Development Plan Document (DPD) for 'Strategic area B'. While the retention and strengthening of the majority of existing hedgerows within the site is welcomed, the landscape strategy and development parameters fall short of the bold new landscape structure considered necessary to maintain a characteristic well wooded eastern settlement edge.

The land to the north of the disused railway/ cycle track sloping east towards the River Avon is visually exposed within the landscape. The well wooded embankment and cutting slopes of the disused railway and the woodland belt growing along the top of the active GWR railway line provide important landscape structure which helps to contain the urban influences of the existing town from extending across the River Avon Floodplain and outlying isolated rural settlements north and east.

Major urban development within this strategic area will breach this existing urban containment currently provided by this woodland for near and middle distance receptors, and adversely affect the character of the existing eastern settlement transition with countryside, hence the policy requirement (CH2) for a strong new landscape structure to mitigate this urban extension onto these exposed farmland slopes. Planned development in this strategic area must maintain and enhance the town's characteristic wooded transition to countryside along its eastern edge.

The introduction of urban development encroaching into the River Avon's east facing valley side, in combination with the potential mixed use urban development of Strategic Area C on the opposite side of the River Avon (In particular, New Leaze Farm land holding, north of the cycleway) is likely to generate permanent adverse cumulative landscape and visual effects for numerous receptors. This has the potential to cumulatively undermine the existing wider panoramic wooded setting of this eastern side of the town. Existing levels of tranquillity will be disturbed and reduced and harmful urban influences will encroach into countryside.

Within the riverside park areas there is potential for a change of landscape character to result from the existing pastoral farmland character to something quite different, if or when the existing grazing /management regime of this floodplain land associated with Rawlings Farm ceases or changes. Until a Management Plan is submitted to the Council for the proposed 'Riverside Park' land, the resulting landscape effects of taking this large area of land out of agricultural use remains uncertain.

Much of this harm could be better mitigated by the inclusion of an improved landscape framework and by reducing the height of proposed urban development parameters without subsequently increasing the scale of built massing throughout the site.

As outlined earlier in the report, the location of adjacent residential development, Wavin, Langley Park, electricity pylons and the railway line are set in the backdrop to this site as they form the built development limits of Chippenham. As a matter of fact the development

of the application site would extend the boundary of Chippenham beyond its existing built up limits and this will have impacts on the character and appearance of the area.

The information contained within the Environmental Statement and supporting documentation for the application identifies many mature trees, all of which will be retained. The retention of these trees within the site and public realm proposals would help lessen the impact of the development on the character and appearance of the area.

Whilst the two additional entry points to the site will see the removal of some trees, scrub and hedgerow and have an impact on the open nature of the countryside, this could be mitigated and would not be a significant longer term adverse affect. he development

The proposal would inevitably change the character of the site from open fields to one that is developed and some visual and landscape harm would result. Whilst retained trees and hedgerows will mitigate the visual impact of the development to some extent, it will not be until the proposed large swathes of landscaping to the East and North of the site has matured and become fully established that the development would be visually integrated with the town. However in the longer term, the effect of this would be less significant.

Policies 51 & 57 of the NWLP seek high quality design and the provision of landscaping respectively though the illustrative layout plan sets out indicative proposals for substantial planting and landscaping there are still concerns that with regards to landscape impact. Though there is the possibility to control this by way of condition and achieve an acceptable landscape impact there is uncertainty. It is concluded that the proposed development would conflict with Policies 51 & 57 of the NWLP or with the NPPF.

It is acknowledged that the loss of a greenfield site would result in some harm to the character and appearance of the area. There would be adverse visual effects, particularly for nearby residents and people using public footpaths. To this extent the proposed development would not accord with Core Policy 51 which seeks to protect and conserve landscape character. This weighs against the proposed development.

9.10 Education

The development will generate the need for 175 primary places. A financial contribution of 175 primary places is required at £16,979 each = £2,971,325 (to be index linked) along with a 2ha site for a new primary school. The site location and suitability will need to be approved by the Council as part of the reserved matters application.

The need a requirement for the primary school is acknowledged by the applicant and is consistent with the requirements of the DPD. Having considered the proposal and the justification for the school contributions the school and contribution is reasonable and necessary for the development to be acceptable in planning terms. The requirement does meet the tests as set out in the online PPG and paragraph 204 of the NPPF.

Secondary School education contributions will be collected through CIL. The development is therefore in accordance with Core Strategy Policy CP3.

9.11 Flood Risk & Drainage

Both the environment agency and Council's drainage team raise no objection to the proposed scheme, subjection to conditions. It is considered that the development is acceptable with regards to this matter. The development therefore accords with Core Strategy Policy CP67.

9.12 Loss of Agricultural Land

Local residents have raised concerns about the loss of Agricultural Land. Paragraph 112 of the NPPF refers to the best and most versatile agricultural land (BMV) and where significant development is necessary, poorer quality land should be used in preference of higher quality land. Annex 2 of the NPPF classifies best and most versatile agricultural land as being:

“Land in grades 1, 2 and 3a of the Agricultural Land Classification”

The applicant’s Agricultural Land Classification survey, submitted in support of the application, confirms that 84% of the land proposed for development would fall within the category of BMV as defined in the NPPF. The Council has sought to prioritise Brownfield sites for the delivery of housing within the County. This is reflected in CP9 at Chippenham which promotes redevelopment of land in a central area of opportunity and in the proposed modifications to the CSAP which have recognised a relatively recent brownfield opportunity at South West Chippenham. However, such opportunities are limited.

With the large number houses and employment generating uses required in Chippenham during the current plan period it is unfortunate but inevitable that a significant amount of greenfield land will be required to provide for the housing levels required at this principal settlement. Although the proposal is not in accordance with paragraph 112 of the NPPF, the NPPF states that “local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”, there is therefore flexibility in paragraph 112 and the fact that a large proportion of the site is BMV is not fatal to the application, rather it should be a consideration in the planning balance.

In conclusion, the proposed development is in conflict with paragraph 112 of the NPPF as the development would lead to the loss of the BMV land and this matter weighs against the application when considered in the planning balance.

9.13 Ecology

Several features of nature conservation value of relevance to CP50 of the Wiltshire Core Strategy would be impacted by the proposals including, mature and veteran trees, the dismantled railway line, Western woodland and watercourses.

The ES has failed to identify or protect a large number of trees with high bat roosting potential, and a degree of doubt remains about the potential presence of a maternity roost in Rawlings Green Cottage, which would become isolated by urban development. The activity surveys did not include static detectors or a sufficient degree of survey effort to confidently identify commuting routes and foraging areas which are likely to be lost as a result of the development.

Invertebrates – The diversity of habitats present are likely to support a good assemblage of invertebrates, particularly associated with wetland habitats and mature trees, and despite the ES acknowledging this potential value, no surveys were carried out. This information would have helped to identify the more sensitive and valuable habitat features worthy of retention.

Concerns previously raised about birds, dormouse, badger, great crested newt, otter, reptiles and water vole are relatively low risk and / or and could arguably be dealt with at the reserved matters stage or via a condition, therefore no objection remains on these grounds.

The ES does not set out a clear strategy for how mitigation and compensation measures are to be implemented during the construction phase, incorporated into reserved matters such as layout and landscaping, or a commitment to manage features in the long term, as one would expect for an EIA development of this nature and scale.

While the Council may be able secure some of these measures by imposing a series of conditions on any permission granted, the ability to reduce the effects of the development will be limited by the parameters established through the outline permission. There is also a risk that the lack of a clear commitment and agreed mitigation framework could lead to disagreement and delays at the reserved matters stage and applications to discharge conditions.

9.14 Air Quality

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

The Council are principally concerned with how developers are going to contribute to the improvement of local air quality, hence the councils adopted core policy seeks positive contributions to the aims of the Air Quality Strategy in Wiltshire; positive contributions may take the form of sustainable travel alternatives and infrastructure, driver training, tree planting, contributing to local air quality action groups. The Council also seek a financial contribution towards Air Quality Action Planning projects. The applicant has agreed to the requested contribution and no objection to the scheme is therefore raised.

9.15 Listed Buildings and Conservation Area

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

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

Located within the application site is a Grade II listed farm house and various non designated heritage assets (World War II pillbox & former railway line). Beyond the site there are various listed buildings which are visible or partially visible from the application site including a grade II listed Bridge, II* listed house and II* listed church. Though the site is not within a conservation area it is in close proximity to three Conservation Areas (Tytherton Lucas, Langley Burrell & Chippenham), the closest being Chippenham.

The Council’s Conservation Officer and the applicant’s supporting documentation agree that the proposed development is harmful to the setting of the listed farmhouse (Rawlings Farm).

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

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

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

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

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

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

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

It is agreed that the principal adverse effects concerning the historic environment detailed within this application site concern the loss of the existing rural fields associated with the Rawlings Farm Complex and associated visual change that will ensue with the extension of Chippenham into the countryside.

The farm complex comprises the Grade II listed rubble stone farmhouse and a small cluster of buildings of varying ages to the rear. The outbuildings extend around the west and northwest sides of a rectangular yard and the remainder of the yard is enclosed by modern, monolithic agricultural buildings which obscure much of the listed building when viewed from various angles. Only the Farmhouse is listed in its own right and none of the other buildings are referred to in the statutory listing. That is not to say that they do not contribute to the setting of the listed building.

As a Farm Complex the existing fields that surround the listed farm are linked to the special interest of the building and its setting. It is considered that the large modern agricultural buildings have harmed the setting of the building and that the agricultural fields to the South East and North contribute most to its setting. That is not to say that the remaining fields do not contribute to the setting because they do. However, they are less important due to the lie of the land, existing setting and association not being readily apparent in views from the farm complex itself in these directions. However, views in and out of the site from public and private vantage points from the South East and North provide a greater appreciation of the building and farmstead.

The existing residential and commercial developments in Chippenham including the recent Wavin extension along with the large electricity pylons and mainline railway, including the electrification works which will soon be installed, impinge on this setting to some extent. Nonetheless, this is not sufficient to undermine the sense of rural openness that the undeveloped fields still provide.

The indicative layouts provided by the applicant indicate that the modern unsightly agricultural buildings will be removed and no division of the yard will take place, though the 'Cocklebury Link' road will be in close proximity to the side of the building and this will be a change in its character this change is not considered to cause substantial harm as there are large areas of open space to the North East and South of the farmstead.

The indicative layout submitted with the application scheme shows various areas of open space. This is an indicative plan and sets out how the quantum of development proposed could be delivered. Notwithstanding the point above the size of this open space is limited and would not recreate the existing setting. This, combined with the mass and height of the proposed dwellings to the East and South, does water down the connection between the Farmhouse and its rural setting, such an impact is inevitable when developing agricultural land surrounding a listed farm house. However, in NPPF terms, it is considered that the level of harm to the setting of the listed building at Rawlings Farm is less than substantial.

The Court of Appeal in *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137 ("Barnwell") makes clear that the duty imposed by s72 (1) meant that when deciding whether harm to a conservation areas/listed buildings was outweighed by the advantages of a proposed development the decision-maker should give particular weight to the desirability of avoiding such harm. There is a "strong presumption" against the grant of permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to maintaining the conservation area/listed building. For the reasons set out above the proposal is in conflict with both Core Policy 58 of the Core Strategy, it would also be in conflict with the NPPF unless the benefits of the scheme clearly outweigh the harm.

Significant weight must therefore be given to the harm in the planning balance and determining if planning permission should be granted.

It is also necessary to consider the impact on other designated and undesignated heritage assets within and adjacent to the application site. Firstly, the access from Darcey Close will cross the former Chippenham to Calne Railway Line which is considered to be a non-designated heritage asset. Whilst the former railway is no longer in its original use it retains firm evidence of its historic importance as part of transport links that served area in the 19th Century. The railway track has been removed but the stone bridges and railway cutting are retained intact in the vicinity of the application site.

The intervention detailed for the proposed access road would remove a section of the northern bank of the railway cutting and disrupt the former track bed to allow the new road to cross the former railway. These works result in less than substantial harm to the setting of the non designated heritage asset.

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

However, this new crossing will provide additional public vantage points for members for better appreciation of the heritage asset, the construction of the bridge therefore has a neutral impact on the setting of this heritage asset.

St Paul's spire, located within Chippenham and many kilometres from the site, is currently visible from the application site. These long distance views will be retained though they will be partially obscured in some locations within the application site. This was not a planned

view or vista but readily visible via the gap afforded by Cocklebury Lane Bridge. The development will have a neutral impact on the setting of this listed building.

Within Peckingell there is a cluster of Listed Buildings, these were originally conceived as detached buildings within a rural landscape, the development will therefore cause less than substantial harm to the setting of these buildings as the building will retain their rural setting to the East.

There has been local concern raised in relation to Rawlings Farm Cottage and its setting and a suggestion that it is a heritage asset. There would be an impact on its setting but the building would not meet the requirement identified in the NPPF in order to be considered a non-designated heritage asset.

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

Less than substantial harm to the setting of listed buildings has been identified, the proposal is therefore in conflict with both Core Policy 58 of the Core Strategy and the NPPF unless the benefits of the scheme clearly outweigh the harm. Significant weight must therefore be given to the harm in the planning balance and determining if planning permission should be granted.

9.16 Prematurity

PPG advice on the issue of prematurity is as follows:

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

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.” (PPG 21b/14)

Given that the emerging Site Allocations DPD makes two strategic allocations of which the application site is one, ie CH2, and further given the fact of objection to CH2, then it is clear that granting consent on the application may pre-empt the Site Allocations Inspector’s consideration of the merits of the site. It “may pre-empt” because even if Members resolved to approve the application, it is not certain that the necessary legal agreements would be signed to enable a permission to issue in advance of receipt of the EiP Inspector’s Report.

There is, however, no rule of law that a development control decision cannot pre-empt a decision by an Inspector charged with a Local Plan examination. The application is not in conflict with the Site Allocations DPD but rather it is consistent with it. Moreover, as is made clear in the “Planning Balance” section below, the proposals bring forward a series of planning benefits which make the proposal acceptable in its own terms and justify approval of this application now.

9.17 Other Matters

Third parties have raised other matters and these are addressed in turn below:

Crime impacts - The police crime prevention officer was consulted and did not wish to comment on the application. Any reserved matters application would have to consider crime prevention and would look to adopt and implement 'secure by design principles'. This is a matter that would be addressed at reserved matters stage.

Light Pollution- Detailed matters such as lighting, layout and light pollution will be determined at reserved matters stage. Though there will inevitably be some form of light pollution the council is satisfied that an acceptable scheme with appropriate supporting statements can be provided at reserved matters stage.

M4 Junction 17 - Capacity of this motorway junction has been raised by local residents. This issue was raised by Highways England and they have concluded that subject to an appropriately worded condition there is no objection to the proposed development.

Imbalance of Jobs - Concerns have been raised about the potential imbalance between the delivery of new housing on the one hand, and the employment, infrastructure and local facilities to service the increased population on the other. As acknowledged above, the proposed development will provide 4.5 ha of employment land, a local centre & a primary school. Furthermore, the proposal will provide a package of s106 contributions and highway infrastructure improvements including but not limited to new access at Darcey Close, access at Parsonage Way and the possibility to deliver a river crossing if needed in the future. This and other proposed heads of terms for the s106 agreement are covered in more detail below.

The strategy for Chippenham is based on delivering significant job growth:

'As there is currently a shortfall of suitable land for employment growth in the town, a priority of the strategy is to ensure appropriate economic development takes place to prevent existing and prospective employers moving elsewhere. A failure to respond to this issue could lead to a loss of local employment ...' (WCS para 5.45)

Policies CP9 & CP10 identify the need to deliver significant job growth, which will help to improve the self-containment of Chippenham by providing more jobs for local people. The policy background acknowledges that the delivery of this employment land will be in the form of mixed use urban extensions, incorporating housing, that are well integrated with the town. The policy also acknowledges new employment provision in Chippenham is a priority and will help to redress the existing levels of net out-commuting. If the imbalance is wrong the potential imbalance is a risk to the self-containment, and thus the sustainability of Chippenham as a settlement.

Core Policy 10 identifies a need for 26.5 ha of land for employment development on land adjoining the built up area of Chippenham. Once existing employment commitments are taken into consideration at North Chippenham (applications N/12/00560/OUT) and Hunters Moon (N/13/01747/FUL) 21.5 ha of land for employment remains to be identified. The proposal provides 4.5 ha of employment generating uses which equates to 21% of the residual requirement specified in the Core Strategy.

For the purposes of the Core Strategy employment land requirement, the employment land residual calculation does not include 'Showell Farm Employment Site' within this figure. An application has been received for this site and has a site area of 18.6 ha. Should this application be granted planning permission by the Council it would equate to 85% of the

residual employment land requirement for Chippenham. It is considered that extant permissions and applications currently under consideration could fulfil the council's requirement for employment land at Chippenham set out in the core strategy and introduce employment generating uses to increase job opportunities for local residents. It is therefore considered that the proposed development accords with CP10 & CP34 of the CS

The planned total number of residential units has not been met in Chippenham and neither has level of employment land. Taking into consideration current extant permissions and the proposal currently under consideration it is considered that there is not a disproportionate increase in housing that could undermine the Council's desire for self containment.

Deliverability of Development - Concerns have been raised by local residents and Wavin with regards to the deliverability of the bridge over the railway line, with Wavin raising particular concerns over land ownership. Wavin and Local residents have therefore concluded that the deliverability of the scheme as a whole is not possible.

Paragraph 177 of the NPPF states that it is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. The DPD and the submitted Transport Statement requires the development to provide the 'Cocklebury Link Road', which must be open for use before the completion of the 200th dwelling. For the development to provide any further housing the bridge and its link to Parsonage way must be complete and available to pedestrian and vehicular traffic.

The applicants have confirmed that the bridge is deliverable and have submitted a large volume of supporting information to clarify their position. This includes documentary evidence demonstrating land ownership for the land required for the construction of the bridge, costs, methodology for construction and an indicative timescale for phasing of the bridge construction.

The applicants have also submitted a separate full planning application for the bridge including a detailed design and documentary evidence outlining that advanced discussions have taken place with Network Rail with regards to the construction of the bridge. The purpose of submitting this full planning application is to allow early implementation and construction of the bridge, should permission be granted.

For the avoidance of doubt the applicants have served notice under 'Certificate B' on various third parties whom claim they have an interest in the land. Legal advice on this matter has been sought by officers and this advice confirms that the development is deliverable and the issue relating to land ownership is not a barrier to the delivery of the proposed development. Indeed, the legal advice provided confirms that the disputed land is highway verge.

The applicants have also confirmed to the Council both as part of this application and the DPD examination that the scheme is viable with all of the infrastructure required, CIL and s106 contributions. Concern has been raised by members of the public that the cost of the railway bridge would make the scheme unviable and undeliverable. The applicant has provided costings and detailed designs of the bridge. These have been independently verified on behalf of the Council and it has been concluded that the projected costings are accurate. Having considered the above information I am satisfied that the development is deliverable.

9.18 Proposed Heads of Terms

- 40% affordable housing
- Financial contribution to be secured in relation to the provision of improved passenger transport facilities to serve the site, generally in accordance with the provisions of the submitted Bus Strategy, and to include guaranteed financial support until one year following the final dwelling occupation.
- A financial contribution towards off-site measures to improve pedestrian and cycle routes to serve the site, as identified in the NMU audits, and to improve routes adjacent the site.
- The delivery of an internal distributor road towards the eastern boundary of the site on line and level to allow its continuation to serve land on the east side of the River Avon, and the dedication of sufficient land and access to allow the unfettered continuation of the road across the river by bridge, at a later date, by others
- Contribution towards traffic regulation orders to control and manage traffic on the site and within the vicinity of the site
- Provision of waste and recycling containers for each residential unit
- Provision of POS including country park and play space
- Air Quality monitoring contribution £3692.00p
- £2,971,325 (to be index linked) for primary education and a 2ha site for a new primary school. Site location and suitability to be approved by the Council.
- Early Years provision £648,432

10. Conclusion and Planning Balance

It can be seen from the analysis in the body of the report that a number of Development Plan policies are offended by the proposal and that the proposal, not least because it is beyond settlement limits and in an area classed as countryside, is not Development Plan compliant. However, as also noted, various key policies are deemed out-of-date by reason of Paragraph 49 of the NPPF so that Paragraph 14 of the NPPF is engaged so that permission should be granted 'unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed' against the NPPF as a whole.

The benefits of the scheme are clear. It would bring forward much needed market and affordable housing and it would further bring forward employment provision. These matters are consistent with Chippenham being a focus for development. The fact that Chippenham is not delivering development as envisaged by the Core Strategy emphasises these benefits to which significant weight should attach. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy. Similarly, the provision of the 'Cocklebury Link Road' and the ability to contribute to the delivery of an Eastern Link Road if required in the future offer both public and private transport benefits that weigh in favour of the proposal.

Set against these benefits there is some harm to landscape and visual impact, although the area has no special landscape designation. However, it has to be acknowledged that there

has to be significant development on the edge of Chippenham and there will inevitably be some harm to landscape and visual amenity if development needs are to be met. In this case the harm is not so great as to justify refusal. Similarly, the loss of BMV agricultural land must weigh against the proposal, but given the need to address development needs and given the fact that much of the land around Chippenham is classed as BMV (Grade 1-3 as set out on Natural England Maps) this cannot carry significant weight.

In respect of heritage, harm is acknowledged that falls into the category of less than substantial. Significant weight has to attach to that harm, but it does not outweigh the significant benefits that arise from providing much needed housing and employment in Chippenham. Similarly, the likelihood of pre-empting the Allocations Plan's Inspector's consideration of this site is acknowledged but, as noted, the proposal is consistent with the draft Allocations DPD and the benefits of granting consent are compelling. On balance, the public interest is best met by resolving to approve the application.

RECOMMENDATION

It is recommended that authority be delegated to the Head of Development Management to **GRANT** planning permission, subject to conditions listed below and completion of a S106 legal agreement covering the areas outlined above in the Heads of Terms, within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

- 1 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.

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

later.

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

- 3 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.

- 4 No later than the submission of a reserved matters application, an Ecological Mitigation and Enhancement Framework shall be submitted to an approved by the Local Planning Authority. The approved Framework shall:

- Include up to date ecological survey information on habitats and protected species including bats, badger, reptiles and invertebrates;
- Identify features of nature conservation value to be protected during the construction phase and retained within the detailed layout;
- Establish minimum parameters, general location and acceptable land uses / landscaping of ecological buffers to be incorporated into the detailed layout;
- Clearly show dark corridors to be retained within the scheme including general locations, minimum widths, and maximum light levels to be achieved through the detailed layout and lighting plans;
- Identify minimum areas, locations types of habitat to be created and enhanced as part of the soft landscaping scheme and long-term management of the site; and
- Establish the minimum number, distribution and type of bat / bird boxes to be incorporated into the buildings on the site.

The approved Framework should demonstrate that the development will achieve an overall net gain for biodiversity. All reserved matters applications shall be in accordance with the approved Framework.

REASON: To satisfactorily mitigate the ecological impact of the development.

- 5 Applications for approval of reserved matters application shall be accompanied by detailed lighting plans (where necessary) to demonstrate how dark corridors identified in the approved Ecological Mitigation and Enhancement Framework shall be achieved within the proposed detailed layout. The lighting plans shall include details of luminaires, heights and positions of fittings, and modelled lux plots to show the effects

of light spill on the dark corridors.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved lighting plans, and these shall be maintained thereafter in accordance with the plans. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To satisfactorily mitigate the ecological impact of the development

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

- 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;
- h) detailed measures for the protection of semi-natural habitats and priority / protected species (as identified in the approved Ecological Mitigation and Enhancement Framework); and
- 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 mitigate the impact of the construction work on the amenities of nearby residents and those using nearby public rights of way.

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

- a) Description and evaluation of features to be managed;

- b) Landscape and ecological trends and constraints that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) A schedule of ongoing monitoring, reporting, and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also demonstrably have regard to the principles and approach set out in the approved Ecological Mitigation Framework, and demonstrate a net gain in the overall biodiversity of the site in the long-term.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Details of monitoring and any remedial action taken shall be reported to the Local Planning Authority as set out in the approved monitoring schedule, or on request.

Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: To satisfactorily mitigate the landscape and ecological impact of the development.

8 No more than 700 dwellings shall be constructed on the site.

REASON: For the avoidance of doubt and as the mitigation impacts of the proposal have been assessed against this number of dwellings.

9 The reserved matters to be submitted pursuant to condition 1 above shall accord with the principles, objectives and parameters set out in the Design and Access Statement dated November 2014, submitted with the planning application.

REASON: For the avoidance of doubt and to secure a satisfactory development.

10 Prior to commencement of development, details of a wildlife sensitive lighting scheme for roads and footpaths within the site, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

- REASON: To satisfactorily mitigate the ecological impact of the development.
- 11 No dwelling shall be occupied until arrangements to facilitate broadband and/or high speed internet connection to that dwelling has been implemented in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.
- REASON: To ensure digital connectivity.
- 12 The landscaping details to be submitted pursuant to condition 1 above shall include, but are not confined to, the following:
- i) a written specification clearly describing the species, plant sizes, proposed numbers/densities and giving details of cultivation and other operations associated with plant and grass establishment;
 - ii) finished levels and contours;
 - iii) the position, design and materials of all means of enclosure;
 - iv) vehicle and pedestrian circulation areas;
 - v) all hard and soft surfacing materials;
 - vi) minor artefacts and structures (eg play equipment, street furniture, refuse storage areas, signage etc).
- REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.
- 13 No development, including any works of site clearance shall begin unless and until a scheme for the ongoing management and maintenance of all landscaped areas, other than private domestic gardens and open space covered by the planning obligation, including long term design objectives, management responsibilities and maintenance schedules has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.
- REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.
- 14 Prior to the commencement of development, including any works of site clearance or ground preparation, a plan showing all trees and hedges to be retained shall be

submitted to and approved in writing by the local planning authority. No tree or hedgerow identified as being retained in the approved details shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998:2010 Tree Work – Recommendations, or other arboricultural techniques where such have been demonstrated to be in the interest of good arboricultural practice. If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

- 15 Prior to the commencement of development, including any works of site clearance or ground preparation, an Arboricultural Method Statement specifying the measures to be put in place during the construction period, for the protection of those trees and hedgerows to be retained, shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in accordance with the principles set out in BS5837:2012 – Trees in relation to design, demolition and construction: Recommendations. Development shall be carried out in accordance with approved Method Statement.

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

- 16 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

- 17 Prior to any reserved matters approval a site masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2015, Ref: K113, dated 17.12.2015) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000 year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

- 18 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

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

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

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

- 20 No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of (a) a junction improvement at Station Hill and New Road, (b) a new road link into the site through an alteration and extension of Darcy Close, including a junction alteration on Cocklebury Road, (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site, (d) the completion of an internal distributor road to allow for future extension, via a bridge to the east of the river and (e) off-site junction improvements at Birch Grove and The Little George junction (if not already undertaken by others), (f) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes. For the avoidance of doubt, the phasing plan shall include provision for the road connection by bridge over the GWR mainline to Parsonage Way shall be completed, and connected to Cocklebury Road, and available for use prior to the occupation of more than 200 dwellings on the site. Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

- 21 Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority, and the development shall be undertaken in accordance with the approved plan. The construction traffic management plan shall include inter alia, details as to routing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site, details of wheel cleaning facilities, details of parking and manoeuvring space within the site for lorries and construction workers vehicles, and measures to prevent site construction traffic parking on nearby residential streets. A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge. Development shall be carried out in accordance with the approved plan.

REASON: In the interests of highway safety and the amenity of local residents.

22 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width. Phases of the development shall not be first brought into use or occupied for trading until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and to allow for adequate width for large goods vehicles and buses.

23 No development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

24 No development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

25 Car parking provision for the site shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

STRATEGIC PLANNING COMMITTEE ADDITIONAL INFORMATION

14th September 2016

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.

Item 6) 15/11153/OUT- Land at Forest Farm Chippenham, South of Pewsham Way & West of the A4, London Road, Chippenham, SN15 3RP

Late Representations

Chippenham Town Council - The Town Council reserves the right to make further comments relating to this outline application in future once the Chippenham Site Allocation Plan has been adopted. However, concerns raised by Town Council Members and members of the public include potential flooding issues, transport issues, access onto the busy A4 and the impact on housing numbers to the current level.

Officer Comments - The Town Council's comments express concerns but the phrase "object" is not used. The phrase "Chippenham Town Council objected to this application" in paragraph 2.2 should therefore be disregarded.

Paragraph 8.2 states refers to comments from a highway consultants employed by the local community. No such consultation response was received and should therefore be disregarded.

Terence O'Rourke – Letter from the agent setting out their opinion that Forest Farm should be the choice of development over other areas because it uses less best and most versatile agricultural land and the Sustainability Appraisal informing the Chippenham Site Allocations Plan reports 'minor effects' for heritage and landscape for the Forest Farm site.

Officer Comments - Forest Farm is not considered to be a 'good, sustainable site for development'. This is borne out by the evidence gathered for the preparation of this report and the Chippenham Site Allocations Plan.

The letter from Terence O'Rourke is a highly partial and selective use of the evidence supporting the Chippenham Site Allocations Plan. The letter also misinterprets national policy. It argues that Forest Farm should be the choice for development over other areas because it uses less best and most versatile agricultural land and has minor effects in terms of heritage and landscape. It selects evidence used for the Plan as justification. Significantly, the letter does not contest the reasons why Forest Farm was rejected as a strategic site option.

The letter over states the weight attached to agricultural land quality in the balance of planning considerations. NPPF does not require that sites with lower grade land should be developed ahead of other sites. It actually says that: "*Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land*". Soil quality is not a factor, as the letter suggests, that over-rides all other considerations.

In respect to Landscape and Heritage, a Sustainability Appraisal (SA) looks solely at the 'likely significant effects' of a potential development. Whether or not a site has less or more adverse effects than one or other sites, the SA identifies adverse effects if Forest Farm were to be developed. If not properly mitigated as a part of detailed proposals these may then

make a scheme unacceptable and justify refusing permission. This is the case with this application.

Harm has been recognised in the evidence supporting the Allocations Plan:

- The SA report says that “development of the site could undermine a number of landscape qualities including the visual separation between the Limestone Ridge and Pewsham and the rural character of the approach to Chippenham along Pewsham Way.”
- The site selection report recognises that Forest Farm has “the potential to harm the visual relationship between the Bowood Estate and the edge of Chippenham.”

Set against those matters claimed in favour of the development, no arguments contest the compelling considerations against.

Item 7) 14/11556/FUL- Land North of A350, West Cepen Way, Chippenham, SN14 6YG

Late Representations

3 members of the public have written to re-confirm their previous strong objections to the scheme proposals.

Kington Langley Parish Council has written to reconfirm it's previously submitted string objections to the scheme proposals.

The National Planning Casework Unit (NPCU) on behalf of the Secretary of State for Communities and Local Government (SoS DCLG) has written to clarify and confirm that the application should only be referred to the SoS DCLG for assessment as to whether or not to recover the application for his determination in the event of a resolution to GRANT permission. A resolution to REFUSE does not require referral and the Council is free to issue a decision notice refusing development should the Committee resolve in accordance with the Officer recommendation.

Officer Comments – The late submissions do not alter the officer assessment of the proposals or the recommendation.

Item 8) 16/03515/OUT- Langley Park, Chippenham, Wiltshire, SN15 1GE

Late Representations

Two additional letters of objection have been received:

Lone Eagle Retail: Are the owners of Emery Gate Shopping Centre and object to the proposed development. Believe that the proposed development is in conflict with both local and national planning policies and the recent approvals for out of town retail in Chippenham (including this proposal) will harm the town centre. Should the proposal be granted permission it is likely to prejudice future investment in the Town Centre and Council result in the loss of Key anchor stores such as Tesco and Waitrose.

Officer Comments- These issues have been raised within other representations and are addressed within the committee report.

Tesco: Maintain their objection to the proposed discount supermarket as contained with MRPP's letter of 28 June 2016. Tesco are concerned about the long impact the proposed store will have on its site Metro Store. Tesco believe that the submitted RIA underplays the

true impact of the proposal. To support their assertions they have proved two example of stores where the true impact was far greater than the figure suggested in applicants submitted RIA.

Abergavenny- Forecast: 2.7% True impact: 11%

St. Helens- Forecast: 7.3% True impact: 17%

Officer Comments- The conclusions and figures presented by Tesco are noted. However, these figures have not been supported by any analytical evidence or justification as to how they were reached. It is considered that limited weight should be afforded to these figures when determining the application. There could be other factors that meant the true impact was greater than the forecast. For example, the 2013 horse meat scandal, changes in consumer spending, loss of market share of the 'Big Four', Changes to local parking charges etc. All of the above could have influenced the the difference between the forecast and true impact. The views expressed in the letter do not alter the recommendation within the report.

Item 9) 16/04273/FUL- Langley Park, Foundry Lane, Chippenham, Wiltshire, SN15 1GE

Officer Comments-

There are minor errors in the suggested conditions, the following alterations are required:

- Delete Condition 4
- Wording of condition 5 changed to:
Prior to any phase of development being brought into use the access roads and parking and servicing areas for that phase shall have been completed in accordance with the approved details.

REASON: To ensure proper provision is made for access and parking.

- Delete Condition 28 as it is a repetition of condition 24

Item 10) 15/12351/OUT- Land at Rawlings Farm, Cocklebury Lane, Chippenham, SN15 3LR

Late Representations

Within the table on the opening page of the report it states that the 'Application Type' is for full planning permission. This is incorrect; the application seeks Outline Planning Permission. This is clarified in the 'Proposal' section of the table and Section 5 under the heading 'The Proposal'.

Two Letters from Burges Salmon, on behalf of Mr Fionn Pilbrow, have been received raising concerns about the determination of the application prior to the conclusion of the CSAP would be premature and undermine plan making.

The letter also questions the need to determine the application now and the deliverability of the 'Parsonage Way' bridge. The letter suggests deferral of the application and intimates that there is a possibility that an interim injunction will be sought to stop the Council from determining the application. The letter also implies that should permission be granted a judicial review of the Council's decision is possible.

Officer Comments -The Council's legal department have formally responded to the letter and matters relating to prematurity and delivery of the bridge are addressed within the committee report. The recommendation remains the same.

Mr R Whitlow: The application has been rushed to committee and requests that the application be deferred to allow the Parish Council to make a formal response to the Committee report. He has also requested that an additional condition is added to any permission prohibiting access to the site from *Peckingell Lane*.

Officer Comments- The application was registered on 06 January 2016. The Council has a duty to determine applications in a timely manner with Government guidance stating that applications must be decided as quickly as possible, and in any event within the statutory time limit unless a longer period is agreed in writing with the applicant. An extension to the determination date has been agreed until 16 September 2016 and there is considered, for the reasons set out in the Committee report, that there is no reason to delay determination of the application.

The suggested condition would not meet the test relating to the imposition of conditions.

Mr Mannering: It is understood that this letter has been distributed to the committee members. The letter raises three issues/concerns:

- 1.No condition requiring the provision of the North Chippenham Link Road before the opening of the Cocklebury Link Road
2. Building up to the northern boundary
3. Access through Peckingell

Officer Comments- Points 2 & 3 have been addressed above and within the committee report. With regards to point 1- The Northern Link Road does not form part of the proposal, the highway officer has considered the submitted information and there is no requirement for the Northern Link Road to be provided in advance of the Cocklebury Link Road. To require the provision of the Link road is not justified in planning terms and would not meet the 6 tests contained within the PPG relating to the imposition of planning conditions.

Mrs Pilbrow- It is understood that this letter has been distributed to the committee members. The letter raises three issues/concerns:

1. The Council is not in a position to determine the application
2. The Application should be deferred and determined once the CSAP has been concluded.
3. If a decision is to be made it should be refused.

Conditions- Minor changes were required to many of the conditions contained within the committee report to allow the development to be built out in phases. It is requested that all conditions contained within the report are deleted and replaced with the following:

1. 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.

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

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

3. 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.

4. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and identified in the Design and Access Statement and approved Parameter Plans. A statement shall be submitted with each reserved matters application which demonstrates that the application proposals comply with the Design and Access Statement or, where relevant, explaining why they do not.

REASON: So as to provide certainty and clarify the expectations for the form of development to take place on the site.

Limits of Permission

5. The residential element of the development hereby granted planning permission shall not exceed 700 dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site.

6. The total gross retail floorspace available for use by customers (excluding toilets and other ancillary facilities) of all premises falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 200 sqm.

REASON: To define the limits of development and to ensure retail development on the site does not adversely impact upon the town centre.

Phasing

7. As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, community facilities, Local Centre,

commercial uses and access for pedestrians, cyclists, buses and vehicles. Development shall take place in complete accordance with the phasing plan so agreed.

REASON: So as to ensure a balanced development for the benefit of future residents and Chippenham town as a whole.

Ecology

8. No later than the submission of a reserved matters application, an Ecological Mitigation and Enhancement Framework shall be submitted to an approved by the Local Planning Authority. The approved Framework shall:
 - Include up to date ecological survey information on habitats and protected species including bats, badger, reptiles and invertebrates;
 - Identify features of nature conservation value to be protected during the construction phase and retained within the detailed layout;
 - Establish minimum parameters, general location and acceptable land uses / landscaping of ecological buffers to be incorporated into the detailed layout;
 - Clearly show dark corridors to be retained within the scheme including general locations, minimum widths, and maximum light levels to be achieved through the detailed layout and lighting plans;
 - Identify minimum areas, locations types of habitat to be created and enhanced as part of the soft landscaping scheme and long-term management of the site; and
 - Establish the minimum number, distribution and type of bat / bird boxes to be incorporated into the buildings on the site.

The approved Framework should demonstrate that the development will achieve an overall net gain for biodiversity. All reserved matters applications shall be in accordance with the approved Framework.

REASON: To satisfactorily mitigate the ecological impact of the development.

9. Applications for approval of reserved matters application shall be accompanied by detailed lighting plans (where necessary) to demonstrate how dark corridors identified in the approved Ecological Mitigation and Enhancement Framework shall be achieved within the proposed detailed layout. The lighting plans shall include details of luminaires, heights and positions of fittings, and modelled lux plots to show the effects of light spill on the dark corridors.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved lighting plans, and these shall be maintained thereafter in accordance with the plans. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To satisfactorily mitigate the ecological impact of the development

10. No development within any individually approved phase of the development shall commence on site until A Landscape and Ecological Management Plan (LEMP) for that

phase of development has been submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following detailed information:

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

The LEMP shall also demonstrably have regard to the principles and approach set out in the approved Ecological Mitigation Framework, and demonstrate a net gain in the overall biodiversity of the site in the long-term.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Details of monitoring and any remedial action taken shall be reported to the Local Planning Authority as set out in the approved monitoring schedule, or on request.

Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: To satisfactorily mitigate the landscape and ecological impact of the development.

11. No development within any individually approved phase of the development shall commence on site, until details of a wildlife sensitive lighting scheme for roads and footpaths within that phase of development, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

REASON: To satisfactorily mitigate the ecological impact of the development.

Landscape

12. The landscaping details to be submitted pursuant to condition 1 above shall include, but are not confined to, the following:
- i) a written specification clearly describing the species, plant sizes, proposed numbers/densities and giving details of cultivation and other operations associated with plant and grass establishment;
 - ii) finished levels and contours;
 - iii) the position, design and materials of all means of enclosure;
 - iv) vehicle and pedestrian circulation areas;
 - v) all hard and soft surfacing materials;
 - vi) minor artefacts and structures (eg play equipment, street furniture, refuse storage areas, signage etc).

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

13. No development within any individually approved phase of the development shall commence on site development, including any works of site clearance shall begin unless and until a scheme for the ongoing management and maintenance of that landscaped area, other than private domestic gardens and open space covered by the planning obligation, including long term design objectives, management responsibilities and maintenance schedules has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.

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

14. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until a plan showing all trees and hedges to be retained shall be submitted to and approved in writing by the local planning authority. No tree or hedgerow identified as being retained in the approved details shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998:2010 Tree Work – Recommendations, or other arboricultural techniques where such have been demonstrated to be in the interest of good arboricultural practice. If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

15. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until an Arboricultural Method Statement specifying the measures to be put in place during the construction period of that phase of development, for the protection of those trees and

hedgerows to be retained, shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in accordance with the principles set out in BS5837:2012 – Trees in relation to design, demolition and construction: Recommendations. Development shall be carried out in accordance with approved Method Statement.

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

Contamination

16. No development within any individually approved phase of the development shall commence on site until (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

A survey of the extent, nature and scale of contamination on site;

The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; An assessment of the potential risks to

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

Step (ii) Submission of Remediation Scheme:

- human health,
- property (existing or proposed) including buildings, crops,
- livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

Step (ii) Submission of Remediation Scheme:

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

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

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

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

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Archaeology

17. No development within any individually approved phase of the development shall commence on site until until a written programme of archaeological investigation, which should include details of on-site work as well as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in complete accordance with the approved details.

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

Drainage

18. No development within any individually approved phase of the development shall commence on site until until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling or unit shall be first occupied within that phase of development until the approved sewerage details have been fully implemented in accordance with the approved plans.

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

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

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

20. Prior to any reserved matters approval a site masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2015, Ref: K113, dated 17.12.2015) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000 year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Highways

21. No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of (a) a junction improvement at Station Hill and New Road, (b) a new road link into the site through an alteration and extension of Darcy Close, including a junction alteration on Cocklebury Road, (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site, (d) the completion of an internal distributor road to allow for future extension, via a bridge to the east of the river and (e) off-site junction improvements at Birch Grove and The Little George junction (if not already undertaken by others), (f) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes. For the avoidance of doubt, the phasing plan shall include provision for the road connection by bridge over the GWR mainline to Parsonage Way shall be completed, and connected to Cocklebury Road, and available for use prior to the occupation of more than 200 dwellings on the site. Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

22. No development within any individually approved phase of the development shall commence on site until (including any works of demolition), until a Construction Method Statement for that phase of development, which shall include the following details:

- 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;
- h) detailed measures for the protection of semi-natural habitats and priority / protected species (as identified in the approved Ecological Mitigation and Enhancement Framework); and
- i) hours of construction, including deliveries.
- j) details as to routeing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site
- k) A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge

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 mitigate the impact of the construction work on the amenities of nearby residents and those using nearby public rights of way.

23. No development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works for that phase of development, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width.

Each Phase of the development shall not be first brought into use or occupied for trading until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for that phase of development have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and to allow for adequate width for large goods vehicles and buses.

24. No development within any individually approved phase of the development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

25. No development within any individually approved phase of the development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

26. Car parking provision for all phases of development shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

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APPENDIX B - 16 SEPTEMBER 2020
STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 14 SEPTEMBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bridget Wayman and Cllr Fred Westmoreland

Also Present:

Cllr Chris Caswill, Cllr Toby Sturgis, Cllr Howard Greenman and Cllr Nina Phillips

54 **Apologies for Absence**

Apologies for absence were received from Cllr Terry Chivers and Cllr Christopher Newbury.

55 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the meeting held on 13 July 2016 as a correct record.

56 **Declarations of Interest**

There were no declarations of interest made at the meeting.

57 **Chairman's Announcements**

The Chairman reminded members of the public that whilst they had the opportunity to make representations on the applications under consideration today and to contact and lobby their local member and any other members of the planning committee before today's meeting, he would not allow any last minute lobbying of members once the debate has started, including the circulation of new information, written or photographic which had not been verified by the Council's planning officers. He respectfully asked Members and members of the public to please bear this in mind.

58 **Public Participation and Councillors' Questions**

Cllr Chris Caswill referred to the planning process and considered that engagement with the public needed some attention. He mentioned that some members of the public had experienced difficulties in navigating the Council's website to find the site dealing with planning applications. He also suggested that rather more information be included in reports to committee about representations received.

59 **15/11153/OUT- Land at Forest Farm Chippenham, South of Pewsham Way & West of the A4, London Road, Chippenham, SN15 3RP- Mixed Use Development Including the Construction of up to 200 Dwellings Including Affordable Housing, B1 Employment, Community Building, Creation of New Vehicular Access, Footways, Cycleways and Bus Stop Lay-bys, Ancillary Road Infrastructure, Public Open Space, Children's Play Areas, Landscaping, Pumping Station and Surface Water Attenuation Facilities**

The following person spoke in favour of the proposal

Mr Martin Miller, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. It was noted that the applicant had submitted an appeal in respect of this application on grounds of non-determination and, as a consequence, no formal decision could be made in respect of the application. However, in order to progress with the appeal, officers were seeking the opinion of the Committee in respect of the application had they been in a position to determine it and on what grounds the Committee wished to contest the scheme at appeal, if at all.

The Case Officer also brought to the attention of the Committee late representations from Chippenham Town Council and the agent.

Members then had the opportunity to ask technical questions after which they heard a statement from the agent expressing his views regarding the planning application.

Members then heard the views of Cllr Nina Phillips, a local Member, objecting to the proposal.

After some discussion,

Resolved:

- (1) To agree that had the Committee been able to determine the application, planning permission be refused.**
- (2) To authorise the officers to contest the appeal for the following reasons (including the delegated authority to negotiate potentially satisfactory outcomes that may address reason for refusal 4 prior to that appeal taking place):**

- 1. The proposal is unacceptable when having regard to the principles of policies CP1 and CP2 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.**

- 2. A development of this size and general scale, in this location, would have an unacceptably harmful effect on the landscape character of this rural area of countryside which generates a number of harmful landscape and visual impacts. Despite the site's close proximity to the existing edge of Chippenham large scale urban expansion at this location will undermine the valued countryside transition and setting to the town and breach the existing effective visual containment provided by mature trees and woodland. This development will also reduce the rural separation between individual settlements which is also considered to be harmful. The proposal is therefore contrary to the provisions of policies CP10, CP51 (i), (ii) and (iii) and also CP57 (i), (ii), (iii) and (vi) of the Wiltshire Core Strategy.**

- 3. The development is considered to harm the setting of a number of heritage assets because the rural character would be eroded, the agricultural land that many of the heritage assets were constructed to be associated with will be lost and the peaceful setting urbanised. The harm caused would be less than substantial but that the harm cannot be outweighed by the public benefit. The proposals would therefore be contrary to Core Policy 58 of the WCS, NPPF section 12, as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.**

4. The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure. Such infrastructure shall include (but not be limited to) affordable housing, educational facilities, public open space, play equipment and footpath connections to the town, public transport provision and directly related highways work, waste collection and measures for future maintenance of the site. The application is therefore contrary to Core Policy 3 of the Wiltshire Core Strategy.

60 **14/11556/FUL- Land North of A350, West Cepen Way, Chippenham, SN14 6YG- Storage & Distribution Centre (B8) & Service Yards, Parking, Landscaping & Associated Development. Retail Unit (A1) with Mezzanine Floor & Outside Garden Centre Area, Including Service Yards, Parking, Landscaping, Access & Associated Development**

The following people spoke against the proposal:

Mr Stephen Eades, representing Allington Action Group
Mr Paul Frobisher, representing Cepen Park North Residents' Association
Cllr Howard Ham, representing Chippenham Without Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the application be refused. The Case Officer also brought to the attention of the Committee late representations received.

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

Members then heard the views of Cllr Howard Greenman and Cllr Nina Phillips, local Members, objecting to the proposal.

After some discussion,

Resolved:

To refuse permission for the following reasons:-

1. The proposed development by virtue of scale, form, location, works of construction and inadequate mitigation would result in substantial harm to below ground archaeological remains that are the subject of a Scheduled Ancient Monument designation. The proposals are contrary to

CP57 criterion I and CP58 criteria i & iii Wiltshire Core Strategy Jan 2015 and paras 17 & 132 of the NPPF.

2. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the setting of various listed buildings (including Bolehyde Manor (Grade II*), Allington House, The Pitts, Manor Farm, Ivy Cottage and The Cottage). The proposals are contrary to CP57 criteria i and CP58 criteria iii Wiltshire Core Strategy Jan 2015; paras 17, 128, 132, 134 and 137 of the NPPF; and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the setting of the Allington Conservation Area. The proposals are contrary to CP57 criteria i and CP58 criteria iv Wiltshire Core Strategy Jan 2015; paras 17 128, 132, 134 and 137 of the NPPF; and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to protected species of fauna and their habitats. In addition the proposed development is not informed by sufficiently detailed and robust information to fully assess the impact on all protected species of fauna and their habitats. The proposals are contrary to CP50 Wiltshire Core Strategy Jan 2015 and paras 17 & 118 of the NPPF.

5. The proposed development taking direct access from the A350 national primary route outside of a built-up area, and for which no overriding need has been established, would be contrary to adopted Core Strategy Policy 62 Wiltshire Core Strategy Jan 2015.

6. The proposed development would lead to unacceptable traffic conditions, with additional congestion, delays, and hazardous conditions at nearby roundabouts and the proposed site access contrary to policy CP62. The proposed development would be detrimental to road user safety and convenience on the important A350 national primary route. The submitted traffic assessments of nearby roundabouts and the site access have been inadequately validated to reflect current observed traffic conditions and are therefore insufficient to enable the traffic effects of the development to be properly assessed. The development would be contrary to adopted Core Strategy policies CP60, CP61 and CP62 Wiltshire Core Strategy Jan 2015 and to NPPF paras 30 and 32.

7. The proposed development without good, direct, safe and useable pedestrian / cycle links to nearby facilities, the town centre and residential areas, would not accord with policies that development should be sustainable. The proposed development would depend heavily on the private car for access, and would be contrary to policies CP60 & CP61

Wiltshire Core Strategy Jan 2015 and National Planning Framework paras 9, 17, 30, 34 and 35.

8. The proposed development by virtue of its scale, form, location and inadequate supporting information fails to demonstrate application of the sequential test to site selection and will result in harm to the vitality and viability of Chippenham Town Centre through trade diversion. The proposals are contrary to CP38 of the Wiltshire Core Strategy Jan 2015 and paras 28 of the NPPF.

9. The proposed development by virtue of its scale, form, location and inadequate mitigation would result in harm to the character, appearance and visual amenity of the landscape and the locality. The proposal conflicts with CP51 criteria i, ii, iii, vi & vii and CP57 criteria i, ii, iii & vi Wiltshire Core Strategy Jan 2015; Saved Policy NE14 of the North Wiltshire Local Plan; and paras 17 & 61 of the NPPF.

10. The proposed development by virtue of its scale, form, location and inadequate and unclear supporting information fails to demonstrate that the development is required to benefit local economic and social needs. Further to reasons for refusal 1 through 9 above the proposals do not meet sustainable development objectives, are not consistent in scale with their location, adversely affect the surrounding area and are not supported by adequate infrastructure. The proposal conflicts with CP34 criterion v, vi, vii and ix Wiltshire Core Strategy Jan 2015 and paras 7, 14 & 17 of the NPPF.

61 **16/03515/OUT- Langley Park, Chippenham, Wiltshire, SN15 1GE- Outline Application for the demolition of existing buildings and redevelopment to provide up to 400 units (C3); a 69 bed hotel (C1) with cafe (A3) up to 199 sqm; a discount foodstore (A1) of up to 1,741 sqm; B1, B2 & B8 floorspace (up to 13,656 sqm) and highway improvements to the Little George and the B4069/Pew Hill junctions with all matters (except access) reserved.**

The following people spoke against the proposal:

Mr Michael Bryant, representing Eagle Retail
Ms Kirsten Wilson, a local resident

The following person spoke in support of the proposal:

Mr Clive Wilding, Property Director, Langley Properties

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that planning

permission be granted, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

The Case Officer also brought to the attention of the Committee late representations received.

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

Members then heard the views of Cllr Chris Caswill, the local Member, in which he generally welcomed and supported the application but did express some concerns as follows:-

- The need to recognise the costs involved in dealing with a huge amount of contamination at the sight.
- Concerns of local residents at the increased amount of traffic resulting from the opening up of Hawthorn Road.
- The need for a residents' parking scheme at Langley Park and to request the developer to make a contribution towards this scheme.
- Disappointment at the failure to secure a contribution towards the provision of a third left at Chippenham railway station for those members of the public who were unable to access the railway bridge from Langley Park.

After some discussion,

Resolved:

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

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the

Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

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

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

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

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

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

- 3** An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

- 4** Prior to the commencement of the development a phasing plan shall be submitted to and approved by the local planning authority. The phasing plan shall identify, amongst other things, at what stage during the proposed road alterations at the Langley Road site access, the realignment of Foundry Lane, the provision of the link road (between Langley Road and the realigned Foundry Lane) and the improvement of the Little George junction will be secured, as well as access to individual units of development.

REASON; In order to ensure that all parts of the development are afforded reasonable access to the local road network, and

that a choice of access is available at an early stage.

- 5** The development hereby permitted shall be carried out in broad accordance with the details shown on the approved plans and documents as listed below:

LP-01 H
MP-01 Z
PMP-01 C
PMP-02 G
PMP-03 F
PMP-04 J
PMP-05 J
PMP-06 C
PMP-07 D
PMP-09 B

Design and Access Statement- July 2016

REASON: to ensure the development is carried out in accordance with the approved plans.

- 6** The internal floor area of the discount food store shall be no greater than 1,741sqm with the net sales area no greater than 1,254 square metres.

There shall be no more than 400 residential units (C3)

There shall be no more than 13,565m² new employment (B1/B2/B8) floor space;

The Café (A3) shall have gross floorspace of not more than 199m²;

The hotel (C1) shall have no more than 69-bedrooms;

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

- 7** The landscaping scheme(s) for each phase of the development , as required by condition 2, the shall include:-

o location and current canopy spread of all existing trees and hedgerows on the land;

o details of any trees or hedgerows to be retained, together with measures for their protection in the course of development;

o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

o finished levels and contours;

o means of enclosure;

o car park layouts;

o all hard and soft surfacing materials;

o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables,

pipelines etc indicating lines, manholes, supports etc);
o retained historic landscape features and proposed restoration, where relevant.

The above details shall be provided prior to the buildings in that phase of the development being brought into use

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

- 8** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

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

- 9** The detailed landscaping plans to be submitted pursuant to condition no. 4 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

- 10** No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works should be carried out in accordance with BS5837:2005 (Recommendations for Tree Work).

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

- 11** No phase of development shall be occupied or bought into use until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes within that phase, has been submitted to, and approved in writing by, the Local Planning Authority. That phase of development shall not then be occupied or bought into use until the scheme has been implemented.

REASON: To ensure that satisfactory fire fighting facilities are incorporated into the site.

- 12** No phase of development shall commence, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period of that Phase.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel cleaning facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. measures to control noise during construction;
- ix. a signage strategy for construction traffic.

REASON: In the interests of highway safety and the amenity of local residents.

- 13** No phase of development shall commence on site until a scheme for the discharge of foul water from the site, including any on/off site improvements to provide capacity to serve the site and allowing clearances to existing sewers or diversions, has been submitted to and approved in writing by the Local Planning Authority.

No building within the phase of development shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately

drained

- 14** No phase of development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365; full details of attenuation including ownership and maintenance regimes to ensure that not increase (and preferably a decrease) in current storm water flows to public storm sewers and removing current storm to foul connections has been submitted to and approved in writing by the Local Planning Authority.

That phase of development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

- 15** No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater

and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

Step (ii) Submission of Remediation Scheme:

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

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

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

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 16 Prior to the commencement of development of the foodstore (A1) a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning

Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 17 (i) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.

(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.

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

- 18 The foodstore (A1) unit hereby permitted shall not be open to the public except between the hours of 08:00am to 22:00pm on Monday to Saturday, 09:00am to 18:00pm on Sunday & Public Holidays.

REASON: To limit the impact of the development on residential amenity.

- 19 No development of the foodstore (A1) shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 20 The foodstore shall not commence development until details of secure covered cycle parking for both customers and staff have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for

use prior to the first occupation of the development hereby permitted and thereafter retained.

REASON: In the interest of highway safety and to promote alternative and sustainable transport.

- 21 The foodstore (a1) shall not be opened for trade until the car park circulatory aisles, the car parking spaces, the disabled spaces and the parent and child spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained for their designated users.

REASON: In the interest of highway safety and to ensure that sufficient off street parking is provided.

- 22 The Foodstore shall not open for trade until a Green Travel Plan relating to the Foodstore has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 23 Development of the Foodstore shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Foodstore have been submitted to and approved in writing by the Local Planning Authority. The Foodstore shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 24 Development of the Foodstore shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients and drive gradients car associated with the Foodstore including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Foodstore shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers,

drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients and drive gradients, associated with the Foodstore have all been constructed and laid out in accordance with the approved details.

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

- 25** Development of the Foodstore (A1) shall not commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the Foodstore have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the Foodstore brought into use.

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

- 26** Development of the Foodstore shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the foodstore within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 27** No development of a residential phase shall commence until details and samples of the materials to be used for the external walls and roofs of dwellings within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 28** Prior to the commencement of development of the residential units details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to any dwellings within the phase being occupied

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

- 29** Prior to the commencement of the residential phase of development details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, relating to that phase have been submitted to and approved by the Local Planning Authority.
No phase of residential development shall be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture associated with that phase have all been constructed and laid out in accordance with the approved details.
REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.
- 30** No dwelling in a residential phase shall be occupied until a Green Travel Plan addressing that phase of residential development has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.
REASON: In the interests of road safety and reducing vehicular traffic to the development.
- 31** Development of the Hotel shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the Hotel within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON: In the interests of visual amenity and the character and appearance of the area.
- 32** Development of the Hotel shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Hotel including

the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Hotel shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Hotel have all been constructed and laid out in accordance with the approved details.

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

- 33 Development of the Hotel shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Hotel have been submitted to and approved in writing by the Local Planning Authority. The Hotel shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 34 The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 35 Prior to the commencement of development of the Hotel a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 36** No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.
REASON: To limit the impact of the development on residential amenity.
- 37** The Hotel shall not be opened for trade until the car park circulatory aisles and the car parking spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained
Reason: In the interest of Highway Safety.
- 38** The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.
REASON: In the interests of road safety and reducing vehicular traffic to the development.
- 39** Development of the B1, B2 & B8 floorspace shall not commence on site until details and samples of the materials to be used for the external walls and roofs of buildings within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON: To ensure the satisfactory appearance of the development
- 40** Development of the B1, B2 & B8 floorspace shall not commence until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the of the B1, B2 & B8 floorspace have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the

development being brought into use.

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

- 41** Development of the Development of the B1, B2 & B8 floorspace shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Development of the B1, B2 & B8 floorspace shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

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

- 42** Prior to the commencement of development of the B1, B2 & B8 floor space a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity.

- 43** Development of the Development of the B1, B2 & B8 floorspace shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority.

The Development of the B1, B2 & B8 floorspace shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

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

- 44 Development of the B1, B2 & B8 floorspace shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the B1, B2 & B8 floorspace have been submitted to and approved in writing by the Local Planning Authority. The B1, B2 & B8 floorspace shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 45 Only B1(b) and (c) (Research & Development and light industry), B2 & B8 land uses as defined by the Town and Country Planning (Use Classes) Order 1987 shall be permitted.

REASON: To ensure trip generation levels are within the realm of those identified in the TA and considered for SRN traffic impact

- 46 Prior to the occupation of any dwellings on the site, access for pedestrian and cycle users between the site and Tugela Road and Hawthorn Road shall be provided in accordance with details which shall first have been submitted to and approved by the local planning authority. The details for Hawthorn Road shall include for the provision of a vehicle turning facility at the end of the existing road, and shall show measures to restrict movement of motorised vehicles to or from the development site. The works shall be undertaken in accordance with the approved details.

REASON: In the interests of sustainable transport, and to secure direct links to the site from adjacent land.

- 47 The detailed layout shall make provision to accommodate a landing ramp for a bridge for non motorised users crossing between the site and the south side of the railway. The design shall identify the route which potential future users of the bridge may use as a right of way between the prospectively

maintainable highway and the bridge.

REASON: In order to secure a future sustainable transport route via the site to the south side of the railway.

- 48** Except where otherwise agreed by the local planning authority, car parking provision shall be in accordance with the minimum standards set out in Wiltshire Council's Car Parking Strategy for all new dwellings provided on the site, and in accordance with the Strategy's maximum car parking standards, adjusted in accordance with the provisions of the Strategy, for all other land uses on the site hereby permitted

REASON: To ensure adequate provision of car parking space is made for residential development on the site, and to ensure that over-provision is not made for traffic attracting land uses other than residential.

- 62** **16/04273/FUL- Langley Park, Foundry Lane, Chippenham, Wiltshire, SN15 1GE- The Demolition of Existing Buildings and Redevelopment to Provide a 69 Bed Hotel with Cafe (A3) of 199sqm and 22 Residential Units (Class C3), Car Parking, Foundry Lane Access Works and Other Associated Works.**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation to delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

Members then had the opportunity to ask technical questions after which they heard the views of Cllr Chris Caswill, the local Member in which he generally welcomed and supported the application.

After some discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

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

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

- 2 Prior to the commencement of the development a phasing plan shall be submitted to and approved by the local planning authority. The phasing plan shall identify, amongst other things, at what stage the improvement of the Little George junction will be secured, as well as access to individual units of development.

REASON; In order to ensure that all parts of the development are afforded reasonable access to the local road network, and that a choice of access is available at an early stage.

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

SL02 P2
LP02 A
ML02 P2
RL02 P1
SE_SV-01 B
G-APT.e1 P3
G-APT.e2 P3
G-APT.p1 P1
G-APT.p2 P1
G-APT.p3 P1
G-APT.p4 P1
G-APT.p5 P1
G-APT.p6 P2
TL.e1 E
TL.e2 E

TL.p1 J

TL.p2 E

TL.p3 E

TL.p4 E

TL.p5 E

DESIGN AND ACCESS STATEMENT ADDENDUM DOCUMENT

July 2016

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

- 4** Prior to any phase of development being brought into use the access roads and parking and servicing areas for that phase shall have been completed in accordance with details.
REASON: To ensure proper provision is made for access and parking.
- 5** Visibility for drivers emerging from site access for each phase of development shall be provided from a set-back distance of 2.4m from the nearside carriageway edge to points 43m distant on the nearside kerblines in both directions. The visibility envelope shall not be obstructed at a height more than 600mm above the footway level.
REASON: In the interests of highway safety
- 6** The landscaping scheme(s) for each phase of the development shall include:-

 - o location and current canopy spread of all existing trees and hedgerows on the land;
 - o details of any trees or hedgerows to be retained, together with measures for their protection in the course of development;
 - o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - o finished levels and contours;
 - o means of enclosure including gates and barriers to car parks, railings, fences, gates, walls & bollards;
 - o car park layouts;
 - o all hard and soft surfacing materials;
 - o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
 - o retained historic landscape features and proposed restoration, where relevant.

The above details shall be provided prior to the buildings in that phase of the development being brought into use

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

- 7** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

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

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

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

- 9** No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works should be carried out in accordance with BS5837:2005 (Recommendations for Tree Work).

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

- 10** No phase of development shall commence, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout then construction period of that Phase.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel cleaning facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. measures to control noise during construction;
- ix. a signage strategy for construction traffic.

REASON: In the interests of highway safety and the amenity of local residents.

- 11** No phase of development shall commence on site until a scheme for the discharge of foul water from the site, including any on/off site improvements to provide capacity to serve the site and allowing clearances to existing sewers or diversions, has been submitted to and approved in writing by the Local Planning Authority.

No building within the phase of development shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

- 12** No phase of development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365; full details of attenuation including ownership and maintenance regimes to ensure no increase (and preferably a decrease) in current storm water flows to public storm sewers and removing current storm to foul connections has been submitted to and approved in writing

by the Local Planning Authority.

That phase of development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

- 13** No phase of development shall be occupied or brought into use until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes within that phase, has been submitted to, and approved in writing by, the Local Planning Authority. That phase of development shall not then be occupied or brought into use until the scheme has been implemented.

REASON: To ensure that satisfactory fire fighting facilities are incorporated into the site.

- 14** No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

Step (ii) Submission of Remediation Scheme:

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

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

Following completion of measures identified in the approved

remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

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

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 15 No part of the development shall be occupied or first brought into use until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting therefrom has been removed from the site.
REASON: In the interests of the character and appearance of

the area and neighbouring amenities.

- 16** (i) No deliveries shall be made to or collections made from the Hotel hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.
(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.
REASON: To limit the impact of the development on adjacent residential amenity and prevent undue disturbance.
- 17** Development of the Hotel shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Hotel have been submitted to and approved in writing by the Local Planning Authority. The Hotel shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.
REASON: To ensure that adequate provision is made for loading/unloading within the site in the interests of highway safety.
- 18** No works on the hotel phase of development shall commence on site until details of all external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels. The works shall be carried out in accordance with the approved details.
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the area.
- 19** Development of the Hotel shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the Hotel within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON: In the interests of visual amenity and the character

and appearance of the area.

- 20** Development of the Hotel shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients and car parking, associated with the Hotel including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Hotel shall not be first brought into use until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, and car parking associated with the Hotel have all been constructed and laid out in accordance with the approved details.
REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.
- 21** The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.
REASON: In the interests of road safety and reducing vehicular traffic to the development.
- 22** Prior to the commencement of development of the Hotel a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.
REASON: To limit the impact of the development on adjacent residential amenity.
- 23** No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been

submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 24 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

- 25 No development of a residential phase shall commence until details and samples of the materials to be used for the external walls and roofs of dwellings within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 26 Prior to the commencement of the residential phase of development details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, relating to that phase have been submitted to and approved by the Local Planning Authority.

No phase of residential development shall be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture associated with that phase have all been constructed and laid out in accordance with the approved details.

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

27 No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

28 No works on the residential phase of development shall commence on site until details of all external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels. The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the area.

(The Committee adjourned from 13:15 until 14:00)

63 15/12351/OUT- Land at Rawlings Farm, Cocklebury Lane, Chippenham, SN15 3LR- Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater / Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only).

The following people spoke against the proposal:

Mr Patrick Moss, representing Messrs Moss Naylor Young
Mr Nick Murray, a local resident
Mr Fionn Pilbrow, a local resident
Cllr Ian James, representing Bremhill Parish Council

The following person spoke in support of the proposal:

Mr Peter Frampton, Planning Director, Messrs Framptons

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation to delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of this Committee decision.

In the event of failure to complete, sign and seal the required Section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to refuse planning permission.

The Case Officer also brought to the attention of the Committee late representations received.

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

Members then heard the views of Cllr Chris Caswill and Cllr Howard Greenman, local Members, in which they both objected to the proposal. Cllr Caswill considered that:

- The application site lay outside the existing settlement which should be preserved.
- The residents of Rawlings Farm Cottage, situated in the midst of the proposed development site, had not been notified of the receipt of the application and had been informed by neighbours.
- The impact of the proposed development on Cocklebury Lane and Station Road had not been sufficiently considered.
- An application for a new bridge over the railway line at Rawlings Green had not been received and might not be approved. The bridge needed to be completed after the first 200 houses had been built and occupied.
- The Air Quality and Landscape and Visual Impacts of the proposed development had not been sufficiently considered.

Cllr Greenman explained that although he had no issue in principle with the proposed development, he was firmly of the opinion that a bridge over the railway at Rawlings Green should be provided before further houses, after the first 200, could be built and occupied.

The Case Officer explained that the application was for outline permission and that all detailed matters were reserved and would follow in due course. He stated that many of the issues raised had been covered in his report but drew attention to the highway issues, which had been fully assessed and approved by the Council's Highways Officer.

After discussion,

Resolved:

To delegate authority to the Head of Development Management to grant planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to refuse planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

Conditions

1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) of each relevant phase of development pursuant to condition 7 below 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.

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

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

3. 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.

4. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and identified in the Design and Access Statement and approved Parameter Plans. A statement shall be submitted with each reserved matters application which demonstrates that the application proposals comply with the Design and Access Statement or, where relevant, explaining why they do not.

REASON: So as to provide certainty and clarify the expectations for the form of development to take place on the site.

Limits of Permission

5. The residential element of the development hereby granted planning permission shall not exceed 700 dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site.

6. The total gross retail floorspace available for use by customers (excluding toilets and other ancillary facilities) of all premises falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 200 sqm.

REASON: To define the limits of development and to ensure retail development on the site does not adversely impact upon the town centre.

Phasing

7. As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, community facilities, Local Centre, commercial uses and access for pedestrians, cyclists, buses and vehicles. Development shall take place in complete accordance with the phasing plan so agreed.

REASON: So as to ensure a balanced development for the benefit of future residents and Chippenham town as a whole.

Ecology

8. No later than the submission of a reserved matters application, an Ecological Mitigation and Enhancement Framework shall be submitted to an approved by the Local Planning Authority. The approved Framework shall:

- **Include up to date ecological survey information on habitats and protected species including bats, badger, reptiles and invertebrates;**
- **Identify features of nature conservation value to be protected during the construction phase and retained within the detailed layout;**
- **Establish minimum parameters, general location and acceptable land uses / landscaping of ecological buffers to be incorporated into the detailed layout;**
- **Clearly show dark corridors to be retained within the scheme including general locations, minimum widths, and maximum light levels to be achieved through the detailed layout and lighting plans;**
- **Identify minimum areas, locations types of habitat to be created and enhanced as part of the soft landscaping scheme and long-term management of the site; and**
- **Establish the minimum number, distribution and type of bat / bird boxes to be incorporated into the buildings on the site.**

The approved Framework should demonstrate that the development will achieve an overall net gain for biodiversity. All reserved matters applications shall be in accordance with the approved Framework.

REASON: To satisfactorily mitigate the ecological impact of the development.

9. Applications for approval of reserved matters application shall be accompanied by detailed lighting plans (where necessary) to demonstrate how dark corridors identified in the approved Ecological Mitigation and Enhancement Framework shall be achieved within the proposed detailed layout. The lighting plans shall include details of luminaires, heights and positions of fittings, and modelled lux plots to show the effects of light spill on the dark corridors.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved lighting plans, and these shall be maintained thereafter in accordance with the plans. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To satisfactorily mitigate the ecological impact of the development

- 10. No development within any individually approved phase of the development shall commence on site until A Landscape and Ecological Management Plan (LEMP) for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following detailed information:**
- a) Description and evaluation of features to be managed;**
 - b) Landscape and ecological trends and constraints that might influence management;**
 - c) Aims and objectives of management;**
 - d) Appropriate management options for achieving aims and objectives;**
 - e) Prescriptions for management actions;**
 - f) Preparation of a work schedule;**
 - g) Details of the body or organisation responsible for implementation of the plan;**
 - h) A schedule of ongoing monitoring, reporting, and remedial measures;**
 - i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.**

The LEMP shall also demonstrably have regard to the principles and approach set out in the approved Ecological Mitigation Framework, and demonstrate a net gain in the overall biodiversity of the site in the long-term.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Details of monitoring and any remedial action taken shall be reported to the Local Planning Authority as set out in the approved monitoring schedule, or on request.

Upon commencement of development the LEMP shall be implemented in full in accordance with the approved details.

REASON: To satisfactorily mitigate the landscape and ecological impact of the development.

- 11. No development within any individually approved phase of the development shall commence on site, until details of a wildlife sensitive lighting scheme for roads and footpaths within that phase of development, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.**

REASON: To satisfactorily mitigate the ecological impact of the development.

Landscape

12. The landscaping details to be submitted pursuant to condition 1 above shall include, but are not confined to, the following:
- i) a written specification clearly describing the species, plant sizes, proposed numbers/densities and giving details of cultivation and other operations associated with plant and grass establishment;
 - ii) finished levels and contours;
 - iii) the position, design and materials of all means of enclosure;
 - iv) vehicle and pedestrian circulation areas;
 - v) all hard and soft surfacing materials;
 - vi) minor artefacts and structures (eg play equipment, street furniture, refuse storage areas, signage etc).

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

13. No development within any individually approved phase of the development shall commence on site development, including any works of site clearance shall begin unless and until a scheme for the ongoing management and maintenance of that landscaped area, other than private domestic gardens and open space covered by the planning obligation, including long term design objectives, management responsibilities and maintenance schedules has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved details.

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

14. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until a plan showing all trees and hedges to be retained shall be submitted to and approved in writing by the local planning authority. No tree or hedgerow identified as being retained in the approved details shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998:2010 Tree Work – Recommendations, or other arboricultural techniques where such have been demonstrated to be in the interest of good arboricultural practice. If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

15. No development within any individually approved phase of the development shall commence on site, including any works of site clearance or ground preparation, until an Arboricultural Method Statement specifying the measures to be put in place during the construction period of that phase of development, for the protection of those trees and hedgerows to be retained, shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in accordance with the principles set out in BS5837:2012 – Trees in relation to design, demolition and construction: Recommendations. Development shall be carried out in accordance with approved Method Statement.

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

Contamination

16. No development within any individually approved phase of the development shall commence on site until (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

**A survey of the extent, nature and scale of contamination on site;
The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; An assessment of the potential risks to**

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

Step (ii) Submission of Remediation Scheme:

- **human health,**

- property (existing or proposed) including buildings, crops,
- livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

Step (ii) Submission of Remediation Scheme:

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

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

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

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a

draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

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

Archaeology

17. No development within any individually approved phase of the development shall commence on site until until a written programme of archaeological investigation, which should include details of on-site work as well as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in complete accordance with the approved details.

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

Drainage

18. No development within any individually approved phase of the development shall commence on site until until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling or unit shall be first occupied within that phase of development until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of

drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

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

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

20. Prior to any reserved matters approval a site masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (PFA Consulting, December 2015, Ref: K113, dated 17.12.2015) to include details to demonstrate that all built development (all houses as shown on the illustrative masterplan) is positioned on land above a level of 48.5 metres AOD, and all development including drainage infrastructure is positioned on land outside the 1 in 1000 year modelled flood extent. The development shall be implemented in accordance with the approved masterplan.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Highways

21. No development shall commence until a site phasing plan has been submitted to and approved by the local planning authority. The phasing plan shall include, inter alia, the timing of the delivery of (a) a junction improvement at Station Hill and New Road, (b) a new road link into the site through an alteration and extension of Darcy Close, including a junction alteration on Cocklebury Road, (c) the delivery of a new road over railway bridge to connect the site to Parsonage Way, and to include a completed link road between Cocklebury Road and Parsonage Way via the site, (d) the completion of an internal distributor road to allow for future extension, via a bridge to the east of the river and (e) off-site junction improvements at Birch Grove and The Little George junction (if not already undertaken by others), (f) provision of footpath and cycletrack links between the site and existing local pedestrian/cycle routes. For the avoidance of doubt, the phasing plan shall include provision for the road connection by bridge over the GWR mainline to Parsonage Way shall be completed, and connected to Cocklebury Road, and available for use prior to the occupation of more than 200 dwellings on the site. Development shall be carried out in accordance with the approved plan.

REASON: To ensure that adequate transport infrastructure is provided at appropriate stages of the development and to mitigate severe impacts on traffic conditions in the town centre.

22. No development within any individually approved phase of the development shall commence on site until (including any works of demolition), until a Construction Method Statement for that phase of development, which shall include the following details:
- 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;
 - h) detailed measures for the protection of semi-natural habitats and priority / protected species (as identified in the approved Ecological Mitigation and Enhancement Framework); and
 - i) hours of construction, including deliveries.
 - j) details as to routeing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site
 - k) A specific section of the plan shall address the construction traffic arrangements in relation to the construction of the proposed GWR mainline railway bridge

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 mitigate the impact of the construction work on the amenities of nearby residents and those using nearby public rights of way.

23. No development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car

parking and street furniture, including the timetable for provision of such works for that phase of development, have been submitted to and approved by the Local Planning Authority. The carriageway width of the connecting road through the site between Parsonage Way and the east side of the site shall be not less than 7.3 m; the link to Cocklebury Road from this road shall not be less than 6.2m carriageway width.

Each Phase of the development shall not be first brought into use or occupied for trading until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for that phase of development have all been constructed and laid out in accordance with the details approved and in accordance with the provisions of the approved site phasing plan.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner, and to allow for adequate width for large goods vehicles and buses.

24. No development within any individually approved phase of the development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

25. No development within any individually approved phase of the development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

26. Car parking provision for all phases of development shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

64 **Urgent Items**

There were no urgent items.

(Duration of meeting: 11.00 am - 3.50 pm)

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

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